

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS
DECEMBER 20, 1990

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 1:30 p.m.

PRESENT:

Doug Dickinson, Chairman	Raymond Burke, Vice Chairman
Louis Oswald, Secretary	Perry Reichlinger, Treasurer
Bruce Anderson, Director	Ed Ediger, Director
Bob Ehlers, Director	Cal Goding, Director
Wayne Hansen, Director	Lance Hermansen, Director
James Jackson, Director	Larry Moore, Director
Norman Obermier, Director	Kenneth Regier, Director
Ron Sedlak, Director	Roger Siebert, Director
Merlin Volkmer, Director	John Turnbull, General Manager
Nancy Davis, Staff	Jay Bitner, Staff
Ken Feather Staff	Rod DeBuhr, Staff
Prudence Sadler, Staff	Senator Scott Moore
Roger Heers	Lowell Klute
Ralph Stuhr, York	Dennis Schroeder, Aurora SCS
Jim Hutchinson, Aurora SCS	William Gilliam, York SCS
Connie Tvrdy, Seward SCS	Donna Rhoades, York News-Times
Paul Kemling, Hamilton Co. Brd.	Ken Wortmann, Hamilton Co.
Ken Harder, Mayor of Aurora	

ROLL CALL:

17 members were present at the meeting, with Regier and Reichlinger arriving following roll call.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published December 10, 1990 in the York News Times. A current agenda is kept on file for public inspection.

MINUTES:

Ediger made the motion (Motion #1) to approve the minutes of the November 15, 1990 board of directors meeting as distributed. Seconded by Obermier. Question called. Motion carried.

A YE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Regier, Reichlinger

ADOPT PARK REGULATIONS - YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT:

Obermier made the motion (Motion #2) to adopt the park regulations for the York Groundwater Recharge Demonstration Project Recreation Area as presented in the preceding public hearing. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Regier, Reichlinger

PROJECTS COMMITTEE MEETING REPORT:

Obermier gave a report of the Projects Committee meeting held December 10, 1990 and reviewed the committee report as distributed.

LAND TREATMENT - NSWCP FUNDS - NEW APPLICATIONS:

Obermier made the motion (Motion #3) that the board of directors approve 12 new applications, which were submitted and reviewed, as eligible for NSWCP funds. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Obermier made the motion (Motion #4) that the board of directors authorize payment of \$11,550.68 on eight NSWCP applications, which were submitted and reviewed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

LAND TREATMENT - IRRIGATION RETURN LINE POLICY:

The Projects Committee discussed the current buried return line cost-share policy with regard to the provision which disallows cost-share if the reuse pit collects water from land of more than one owner. The current policy is intended to promote efficient reuse of groundwater by all landowners and to discourage allowing irrigation water to runoff to local streams.

The current policy allows cost-share for a buried irrigation water return line if the "...water impounded in the reuse pit, and subsequently pumped through the return line, is returned to the land from which the runoff occurred, or to other crop land under the same ownership, provided resulting runoff is controlled." Cost sharing on a given installation is only available for the number of feet of pipe necessary to return the water to the head of the field from which it came, not to exceed \$2,000

per system or \$3,500 per cooperator per year.

Obermier made the motion (Motion #5) that the current policy on buried return lines be modified as follows: "...water impounded in the reuse pit, and subsequently pumped through the return line, must include water from land owned by the person receiving cost-share, but may include water from other sources. The water must be returned to the land from which the landowners runoff occurred, or to other crop land under the same ownership, provided resulting runoff is controlled." Cost sharing on a given installation is only available for the size of pipe aid number of feet of pipe necessary to return the water contributed by the landowner to the head of the field from which it came, not to exceed \$2,000 per system or \$3,500 per cooperator per year. Seconded by Ediger. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer

NAY: Anderson, Moore, Reichlinger, Dickinson

ABSENT: None

NEW PROJECTS:

Obermier made the motion (Motion #6) that the board of directors add the following proposed projects to the priority list:

<u>Project Number</u>	<u>Description and location</u>
12-13-01E	Flood control dam located east of Surprise in Butler County; Glenn Sanley landowner.
18-09-01W	Flood control dam owned by the District, Roger Bailey landowner; modification of storage capacity; located east of McCool Junction in York County.
15-10-02W	Flood control dam located near York in York County; Mark Witte landowner.
35-11-02W	Flood control dam located near York in York County; Kevin Wegener landowner.
03-13-01E	Flood control dam located near Surprise in Butler County.
04-13-02E	Flood control dam located east of Surprise in Butler County; Leander Stahr landowner.

Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None
ABSENT: None

PROJECT PRIORITIES:

Representatives from the Cities of Sutton and Aurora were present at the Projects Committee meeting to speak in favor of Projects 02-0705W, Sutton Area Flood Control Study, and 24-11-07W, Aurora Flood Control Dam.

Obermier made the motion (Motion #7) that Project 02-07-05W, Sutton Area Flood Control Study, be moved to priority number seven. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None
ABSENT: None

Obermier made the motion (Motion #8) to adopt the project priority list as attached. Seconded by Hansen.

Some discussion of various projects followed. Moore asked for clarification of whether Roger Bailey was seeking technical design assistance, financial and construction assistance, or both. Turnbull advised the board that Mr. Bailey's request was not completely clear. Mr. Bailey initially requested planning and technical assistance, but he may be interested in funding assistance from the district.

Moore felt that if Mr. Bailey was simply asking for planning and technical assistance, in order to begin construction himself, that he should be moved up to a higher priority, but if he was asking for cost-share on construction of the dam then that would be a different matter.

Volkmer indicated that in talking with Mr. Bailey he got the impression that he was looking for assistance beyond design.

Hansen stated that his intent in trying to move the project up on the priority list was to provide Mr. Bailey with design assistance, but that if construction assistance was requested at a later date the board would need to reconsider at that time.

Reichlinger was of the opinion that Mr. Bailey is reluctant to commit himself until he has seen the design modifications.

Hansen amended the motion to make the motion ((Motion #9) to move Project 18-9-1W (Bailey Dam modification) up to number 10 on the Project Priority List for the purpose of design. Seconded by Jackson.

Reichlinger felt that even at priority number 10 it would be too long before staff was able to begin work on the design modifications for the dam.

Reichlinger offered another amendment (Amendment #2) to make the motion (Motion #10) to move Project 18-9-1W (Bailey Dam modification) to priority number 5 on the Project Priority -List Seconded by Ehlers. Question called on amendment #2. Amendment failed.

AYE: Anderson, Burke, Ehlers, Moore, Obermier, Reichlinger, Siebert
NAY: Ediger, Goding, Hansen, Hermansen, Jackson, Oswald, Regier, Sedlak, Dickinson
PASS: Volkmer
ABSENT: None

Question called on the original amendment. Amendment carried.

AYE: Anderson, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson
NAY: Burke, Reichlinger, Siebert
PASS: Ehlers
ABSENT: None

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: Burke, Obermier, Reichlinger
ABSENT: None

YORK GROUNDWATER RECHARGE PROJECT - PROGRESS PAYMENT - PHASE, I DAM AND SPREADING BASINS:

Staff explained that there is disagreement between the District and Schwisow Enterprises, Inc. about the volume of spoil earthwork to be paid for. The issue to be resolved is the method to be used in determining the volume of earthwork. Steve Seglin, attorney for the District, has advised that all payment for spoil be withheld until agreement is reached as to the pay quantity. Adjustments in the amount of \$4,879 have been added to the contract for site clearing and culvert adjustment. In order to adjust the contract for spoil earthwork, a deduction of \$18,303.33 should be made. The revised Contract amount and payment due at this time are then computed as follows:

Total Contract as of 11/30/90	\$474,910.66
Adjustments for clearing & culvert	+ 4,879.00
Adjustment for spoil earthwork	18,303.33
<u>Adjusted Total Contract</u> as of 12/20/90	<u>\$461,486.33</u>
Total amount of the Contract	- \$437,906.64

paid to date -----

Total amount due to Schwisow Enterprises at this time \$ 23,579.69

Obermier made the motion (Motion #11) that the board of directors authorize payment of \$23,579.69 to Schwisow Enterprises, Inc. as final payment, including release of retainage, for all contract items except any settlement and payment on contract item #4, for Phase 1, Dam and Spreading Basins, on Project 2-10-3W, York Groundwater Recharge Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Sedlak

YORK GROUNDWATER RECHARGE PROJECT - PROGRESS PAYMENT - PHASE 4, DISTRIBUTION SYSTEM, AND PHASE 5, PIPELINE:

Obermier made the motion (Motion #12) that the board of directors authorize payment of \$41,078.39, \$4,107.84 of which is to be held as retainage, to Omni Construction Company for work completed in November 1990 on Phase 4, Distribution System, and Phase 5, Pipeline from York Cold Storage, on Project 2-10-3W, York Groundwater Recharge Project. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: Goding

ABSENT: Siebert

YORK GROUNDWATER RECHARGE PROJECT - PROGRESS PAYMENT-PHASE 4, WATER TREATMENT PLANT BUILDING:

Obermier made the motion (Motion #13) that the board of directors authorize payment of \$8,507.77, \$850.77 of which is to be held as retainage, to Stuhr Sales and Service for work completed in November 1990 on Phase 4, Water Treatment Plant Building, on Project 2-10-3W, York Groundwater Recharge Project. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT:

Hansen gave a report on the Budget, Planning & Legislative Committee meeting held December 10, 1990 and reviewed the committee report as distributed.

LANDMARK HEARING AND BIOLOGICAL OPINION:

The Nebraska Game and Parks Commission issued a new biological opinion on November 15, 1990 for the Landmark Project. The consultation was requested by the Department of Water Resources as a result of the Landmark Hearing.

The 45 page document says "It is the biological opinion of the Game and Parks Commission that the Landmark Project will jeopardize the continued existence of the Least Tern and Piping Plover." The

opinion goes on to say, "The Project will not jeopardize the continues existence of the Whooping Crane, Bald Eagle, Peregrine Falcon, Black-footed Ferret, or the River Otter... it.

The document states that not enough information is available to determine the impact on the Western Prairie Fringed Orchid, American Burying Beetle and the Pallid Sturgeon.

The negative biological opinion will make it more difficult to get a water right granted by the Department of Water Resources. The staff and legal counsel think that the opinion can be challenged.

Hansen made the motion (Motion #14) that the staff seek proposals from consultants to assess the November 15, 1990 biological opinion. Seconded by Burke.

Turnbull advised the board that the hearing on the Landmark Biological Opinion has been set for March 25th and due to the amount of time required for the consultant to review the biological opinion we need to move quickly.

Moore amended the motion to make the motion (Motion #15) to give the Budget, Planning & Legislative Committee the authority enter into a contract with the consultant to assess the biological opinion. Seconded by Burke. Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

NEBRASKA NATURAL RESOURCES COMMISSION MEMBER CANDIDATE:

Chairman Dickinson opened the floor for nominations for candidates for the Nebraska Natural Resources Commission board.

Oswald nominated Ken Regier, however, Regier declined the nomination. Goding nominated Ed

Ediger and Ray Burke was nominated by Moore.

Ehlers made the motion (Motion #16) that nominations cease and voting be done by secret ballot. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

Chairman Dickinson appointed Rod DeBuhr and Ken Feather to count the ballots. Ediger received nine votes and Burke received eight votes. Ediger will be the Upper Big Blue NRD candidate for a seat on the Nebraska Natural Resources Commission board on January 10th in Milford.

EXECUTIVE COMMITTEE MEETING REPORT:

Burke gave a report on the Executive Committee meeting held December 10, 1990 and reviewed the committee report as distributed.

ATTORNEY FEES:

Burke made the motion (Motion #17) to pay \$1,010.58 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through November 20, 1990. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

NARD VOTING DELEGATE AND ALTERNATE:

Burke made the motion (Motion #18) to appoint Larry Moore as the voting delegate, and Bob Ehlers as the alternate for the January 1991 NARD Legislative Conference. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSTAIN: Ehlers, Moore
ABSENT: None

LINCOLN TELEPHONE SYSTEM:

Lincoln Telephone and Telegraph has informed the district that they are unable to adequately maintain our leased phone system, because parts are difficult to find. We currently pay \$88.05 a month for telephone maintenance. That rate will drop to \$16.50 a month on January 1, 1991, but maintenance will not be guaranteed. The Manager is shopping for a new phone system. The cost will be somewhere in the range of \$8,000 to \$10,000. The current system was leased by the prior building owner in 1979.

LIABILITY INSURANCE:

The District has been searching for liability insurance for our dams since July. The insurance company dropped our liability coverage for dams when the general policy was renewed. The following quotes were received for the entire package.

	CORNHUSKER			PENCO
	CURRENT	PROPOSAL		PROPOSAL
	dams excluded	dams included		dams included
Property & Liability	8,495	24,495		33,322
Autos	2,666	2,666		3,296
Workers Compensation	1,745	1,745	*	1,745
Umbrella	1,125	1,125	**	out of sight
Errors & omissions	3,486	3,468		2,000
TOTAL	17,517	33,517		40,363
Increase		16,000		22,846

* PENCO cannot write workers compensation

**PENCO umbrella quote alone was \$20,500

Burke made the motion (Motion #19) to purchase liability insurance for the District's dams from Cornhusker Casualty Insurance Company through York Insurance Agency for an additional annual premium of \$16,000 pro-rated for 6 1/2 months (December 20, 1990 to July 1991). Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

PASS: Siebert

ABSENT: Anderson

WATER COMMITTEE MEETING REPORT:

Moore gave a report on the Water Committee meeting held December 11, 1990 and reviewed the committee report as distributed.

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education and Parks Committee meeting held December 11, 1990 and reviewed the committee report as distributed.

PROPOSAL FOR COST-SHARING ON MODEL AQUIFERS FOR SCHOOLS:

A cost-share program for aiding schools in acquiring model aquifers, similar in set-up to the outdoor classroom or land treatment programs, has been proposed. A budget limit would be set by the

committee and ratified by the board each year.

Oswald made the motion (Motion #20) that the NRD establish a cost-share program to provide assistance to schools that want to purchase a model aquifer(s). The cost-share rate will be 50 percent of the actual cost of the model, not to exceed \$200 per model. Seconded by Volkmer.

Reichlinger amended the motion to make the motion (Motion #21) to limit the number of models to one per school district. Seconded by Anderson. Question called on the amendment. Amendment failed.

AYE: Ediger, Ehlers, Goding, Hansen, Reichlinger
NAY: Anderson, Burke, Jackson, Moore, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson
PASS: Hermansen
ABSENT: Obermier

Question called on the original motion. as amended Motion carried.

AYE: Anderson, Burke, Ediger, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: Ehlers, Goding
ABSENT: Obermier

KOPCHO AGREEMENT:

Oswald made the motion (Motion #22) that the Upper Big Blue Natural Resources District approve the Agreement between Leland P. Kopcho and Carolyn R. Kopcho and the Upper Big Blue Natural Resources District, and authorize the Chairman of the Board to sign said Agreement. Seconded by Regier.

Hansen pointed out that throughout the Agreement the words "Landowner" and "District" are used, except in item number eight of the Agreement where the words "Grantor" and "Grantee" are used.

Hansen amended the motion to make the motion (Motion #23) to change the wording in item number 8 of the Agreement from "Grantor" to "Landowner" and from "Grantee" to "District" to be consistent with the rest of the Agreement. Seconded by Volkmer. Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
PASS: Reichlinger
ABSENT: Obermier

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hermansen, Jackson, Moore, Oswald,

Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: Hansen
PASS: Reichlinger
ABSENT: Obermier

KRVN TREE PROGRAM:

Oswald made the motion (Motion #24) that the Upper Big Blue NRD participate in the KRVN Tree Contest again this year by donating and planting 200 trees to the most deserving entry in the Upper Big Blue Natural Resources District. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Obermier

FENCING AND SEEDING PROGRESS PAYMENT:

Oswald made the motion (Motion #25) that the Upper Big Blue NRD Board of Directors authorize final payment of \$7,495.03, \$5,674.46 of which is released retainage, to B.A.B., Inc. for the fencing and seeding work completed on the York Groundwater Recharge Demonstration Project from March 31, 1990 to November 30, 1990. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Obermier

GENEVA PARK:

Oswald made the motion (Motion #26) that the Upper Big Blue NRD review the bills presented by the City of Geneva pertaining to the Geneva Park, and make a pay ent of 25% of the total acceptable bills. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Obermier

FINANCIAL STATEMENT AND BUDGET REPORT:

Ediger made the motion (Motion #27) to approve the financial statement and budget report as of November 30, 1990; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Obermier

EMERGENCY AGENDA ITEM:

Turnbull explained to the Board that because of his activity with the Nebraska Army National Guard the possibility exists that his unit may be activated due to the situation in the Persian Gulf. He felt it would be in the district's best interest to establish a procedure to be followed should he be activated. Two of three Army Guard flight units in Lincoln have already been activated and deployed.

Hansen made the motion (Motion #28) that the board of directors declare the existence of an emergency which requires adding this item to the agenda. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Obermier

Burke made the motion (Motion #29) to go into Executive Session at 4:15 p.m. to discuss what plan the district will follow in the event the General Manager is activated. Seconded by Anderson. Question called. motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Obermier

Moore made the motion (Motion #30) to return to regular session at 4:45 p.m.. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Obermier

Moore made the motion (Motion #31) that the board adopt the contingency plan, attached to these minutes; and that it be effective when the General Manager is activated for military duty, in the event he is activated. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Obermier

Meeting adjourned at 4:50 p.m.

Louis Oswald, Secretary
:nd
Attachments

Board of Director's Meeting
December 20, 1990

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
NOVEMBER 15, 1990

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 1:30 p.m.

PRESENT:

Doug Dickinson, Chairman	Louis Oswald, Secretary
Perry Reichlinger, Treasurer	Bruce Anderson, Director
Ed Ediger, Director	Wayne Hansen, Director
Lance Hermansen, Director	James Jackson, Director
Larry Moore, Director	Norman Obermier, Director
Merlin Volkmer, Director	John Turnbull, General Manager
Nancy Davis, Staff	Prudence Sadler, Staff
Rod DeBuhr, Staff	Ken Feather, Staff
Russ Callan, Staff	Kristi Schleif, Polk Co. SCS
Tom Schleif, Butler Co. SCS	Dick Hayes, Clay Co. SCS
Dennis Schroeder, Fillmore Co. SCS	Dave Bichlmeier, Seward Co. SCS
Roger Bailey, McCool Junction	Bill Gilliam, York Co. SCS
Harold Janos, NNRC	

ROLL CALL:

10 members were present during roll call with Reichlinger arriving after roll call was taken. Burke, Ehlers, Goding, Regier, Sedlak and Siebert were absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published November 6, 1990 in the York News Times. A current agenda is kept on file for public inspection.

MINUTES:

Anderson made the motion (Motion #1) to approve the minutes of the October 18, 1990 board of directors meeting as distributed. Seconded by Hermansen. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Ehlers, Goding, Regier, Reichlinger, Sedlak, Siebert

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education & Parks Committee meeting held November 5, 1990 and reviewed the committee report as distributed.

NOVEMBER WILDLIFE PAYMENTS:

Oswald made the motion (Motion #2) that the Upper Big Blue Natural Resources District make payment of \$2,759.00 to the cooperators in the wildlife program for the month of November as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,
Volkmer

NAY: Reichlinger, Dickinson

ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

PARK REGULATION 004.01G - SNOWMOBILES:

Oswald made the motion (Motion #3) that park regulation number 004.01G should be amended to read as follows: 004.01G The use of snowmobiles will be prohibited at the Recharge Lake and recreation area. Seconded by Obermier. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,
Reichlinger, Dickinson

NAY: Volkmer

ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

PARK REGULATION 004 - RECHARGE LAKE AND ASSOCIATED RECREATION AREA:

Oswald made the motion (Motion #4) that the Upper Big Blue Natural Resources District adopt the rules and regulations for the Recharge Lake and associated recreation area for the purpose of a public

hearing on December 20, 1990, along with the general park regulations as written. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,
Reichlinger, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

PUBLIC USE AT RECHARGE LAKE AND ASSOCIATED RECREATION AREA:

Oswald made the motion (Motion #5) that March 1, 1991 be the official date set for the opening of the Recharge Lake and associated recreation area for public access. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,
Reichlinger, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

FENCING AND SEEDING PROGRESS PAYMENT:

Oswald made the motion (Motion #6) that the Upper Big Blue Natural Resources District authorize a partial payment of \$16,153.41, \$5,674.47 of which is to be held as retainage, be made to B.A.B., Inc. for the fencing and seeding work completed on the York Ground - Recharge Demonstration Project between October 29, 1990 through October 31, 1990. Seconded by Volkmer.

A discussion arose regarding the amount of the partial payment and retainage. It was discovered that the figures were incorrect and needed to be corrected to accurately reflect the amount due the contractor.

Anderson amended the motion to make the motion (Motion #7) to correctly read as follows: "that the Upper Big Blue Natural Resources District authorize a partial payment of \$17,948.23, \$1,794.82 of which is to be held as retainage, be made to B.A.B., Inc. for the fencing and seeding work completed on the York Ground water Recharge Demonstration Project between October 29, 1990 and October 31, 1990. Seconded by Volkmer. Question called on the amendment. Amendment carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

SIGNS FOR RECHARGE LAKE AND ASSOCIATED RECREATION AREA:

Oswald made the motion (Motion #8) that the Upper Big Blue Natural Resources District have the appropriate signs that are needed for the Recharge Lake and associated recreation area made, not to exceed the amount of \$4,000. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

WATER COMMITTEE MEETING REPORT:

Moore gave a report on the Water Committee meeting held November 8, 1990 and reviewed the committee report as distributed.

GMDA CONFERENCE:

Moore made the motion (Motion #9) that the District continue to support Rod's participation in GMDA and NWRA. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,

Reichlinger, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

PROJECTS COMMITTEE MEETING REPORT:

Obermier gave a report on the Projects Committee meeting held November 7, 1990 and reviewed the committee report as distributed.

LAND TREATMENT, IRRIGATION RETURN LINE POLICY:

The provisions of the NRD cost-share policy that disallows cost-share if the reuse pit collects water from the land of more than one owner was discussed. The current policy is intended to promote efficient reuse of ground water by all landowners and to discourage allowing irrigation water to runoff to local streams.

The current policy allows cost-share for a buried irrigation water return line if the "...water impounded in the reuse pit, and subsequently pumped through the return line, is returned to the land from which the runoff occurred, or to other crop land under the same ownership, provided resulting runoff is controlled." Cost sharing on a given installation is only available for the number of feet of pipe necessary to return the water to the head of the field from which it came, not -to exceed \$2,000 per system or \$3,500 per cooperator per year.

The Board can consider individual circumstances on a case by case basis and can grant a variance from the policy if warranted.

Obermier made the motion (Motion #10) that the current policy on buried return lines not be modified at this time. Seconded by Anderson. Question called. Motion failed.

AYE: Anderson, Hansen, Hermansen, Oswald
NAY: Ediger, Jackson, Moore, Obermier, Reichlinger, Volkmer, Dickinson
ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

LAND TREATMENT, NSWCP FUNDS, NEW APPLICATIONS:

Obermier made the motion (Motion #11) that the board of directors approve 14 new applications, which were submitted and reviewed as eligible for NSWCP funds. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,
Reichlinger, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

LAND TREATMENT, NSWCP FUNDS, PAYMENTS:

Obermier made the motion (Motion #12) that the board of directors authorize payment of 2,614.00 on one NSWCP application, which was submitted and reviewed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,
Reichlinger, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

PROJECT 18-09-OIW - ROGER BAILEY DAM:

A proposal for engineering services to modify the Bailey Dam had been reviewed by the Committee. HWS Technologies, Inc. proposes to provide the required hydraulic and geotechnical engineering for a fee not to exceed \$12,273.85. Construction costs would be in addition to engineering costs.

The Committee felt that the structure is operating satisfactorily as is, and that modification to the structure would be solely for the convenience of the landowner, therefore, the landowner should pay the costs associated with modification.

Obermier made the motion (Motion #13) that the Board of Directors authorize modification of the Bailey Dam, Project 18-09-01W, providing that Roger Bailey agrees to pay for engineering aid construction costs. Seconded by Ediger.

Following the motion there was considerable discussion regarding various aspects of the dams design, as well as the possibility of in-house design and the cost and time frame involved for staff to do the required work.

Anderson made the (Motion #14) that the matter be referred back to the Projects Committee for discussion at their December meeting. Seconded by Moore. Question called on the motion to refer to Committee. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,
Reichlinger, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

YORK GROUND WATER RECHARGE PROJECT PHASE 4 - DISTRIBUTION SYSTEM AND PHASE #5) - PIPELINE FROM YORK COLD STORAGE:

Obermier made the motion (Motion #15) that payment of \$54,125, \$5,412.50 of which is to be held as retainage, be made to Knox Construction, Inc., dba Omni Construction, for work completed October 1990 on Phase 4, distribution system, and Phase 5, pipeline from York Cold Storage, for the York Ground Water Recharge Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,
Reichlinger, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

YORK GROUND WATER RECHARGE PROJECT PHASE 4 - DISTRIBUTION SYSTEM-ELECTRICAL ENGINEERING SERVICES:

Obermier made the motion (Motion 16) that \$1,089.89 be paid to R.A. Mullendore Consultants, Inc. for electrical engineering services on the pump station electrical service and controls for Phase 4, distribution system, for the York Ground Water Recharge Project. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

PLUM CREEK FLOOD CONTROL PROJECT - SEWARD PAYMENT FOR ENGINEERING SERVICES:

Obermier made the motion (Motion #17) that the Board of Directors authorize payment of \$4,292.73 to Olsson and Associates for engineering services performed during October 1990 on the Plum Creek Flood Control screening study. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

YORK GROUND WATER RECHARGE PROJECT PHASE 4 - DISTRIBUTION SYSTEM:

Obermier made the motion (Motion #18) that the District enter into a contract with Lundy Electric Company to construct electrical service lines for the York Ground Water Recharge Project Phase 4, distribution system, for the amount of \$5,260.00. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

Obermier made the motion (Motion #19) to authorize staff to amend the Lundy Electric contract, subject to approval of the Contracting Officer, to include electrical wiring for equipment inside the water treatment plant when plans are completed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

PROJECT 28-10-03E - DARGELOH DAM - PROJECT PRIORITY:

Project 28-10-03E is a small dam, approximately 2,400 acres drainage area, which has been on the priority list for at least five years. The landowner is very interested in proceeding with the project. The project design could be done parallel with work on Johnson Creek Site #12 this winter and plans would be ready for spring or fall construction in 1991.

Obermier made the motion (Motion #20) that Project 28-10-03E be moved from priority number 14 to priority number #5) so that design can be completed prior to the spring of 1991. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,
Reichlinger, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

EXECUTIVE COMMITTEE MEETING REPORT:

Reichlinger gave a report on the Executive Committee meeting held November 8, 1990 and reviewed the Committee report as distributed.

ATTORNEY FEES:

Reichlinger made the motion (Motion #21) to approve payment of \$7,185.40 to Crosby, Guenzel, Davis, Kessner and Kuester or Steve Seglin's work thru October 20, 1990. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,
Reichlinger, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT:

Hansen gave a report on the Budget, Planning & Legislative Committee meeting held November 13, 1990 and reviewed the Committee report as distributed.

FY90 AUDIT:

Turnbull reviewed the FY90 Audit for those board members not present at the November 13th Budget Committee meeting.

Hansen made the motion (Motion #22) to accept the FY90 Audit as presented. Seconded by Obermier. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,
Reichlinger, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

BOYLE ENGINEERING - PAYMENT:

Hansen made the motion (Motion #23) to approve payment of \$1,492.43 to Boyle Engineering on Platte River Model revisions. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,
Reichlinger, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

Board of Directors
October 18, 1990

PLATTE RIVER ISSUES:

Hansen made the motion (Motion #24) to recommend to Governor Elect Ben Nelson that J. Michael Jess be retained as Director of Water Resources, and urge the Nebraska Association of Resource Districts to do the same. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,
Reichlinger, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

FINANCIAL STATEMENT AND BUDGET REPORT:

Volkmer made the motion (Motion #25) to approve the financial statement and budget report as of October 31, 1990; to make payment of the accounts payable and approve the expenditures for publication.

AYE: Anderson, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,
Reichlinger, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Ehlers, Goding, Regier, Sedlak, Siebert

Meeting adjourned at 3:24 p.m.

Louis Oswald, Secretary

: mm

Board of Directors
October 18, 1990

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
OCTOBER 18, 1990

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Doug Dickinson, Chairman	Ray Burke, Vice Chairman
Louis Oswald, Secretary	Perry Reichlinger, Treasurer
Bruce Anderson, Director	Ed Ediger, Director
Bob Ehlers, Director	Cal Goding, Director
Wayne Hansen, Director	Jim Jackson, Director
Larry Moore, Director	Norman Obermier, Director
Kenneth Regier, Director	Ron Sedlak, Director
Roger Siebert, Director	John Turnbull, General Manager
Nancy Davis, Staff	Prudence Sadler, Staff
Ken Feather, Staff	Jay Bitner, Staff
Rod DeBuhr, Staff	Bill Gilliam, York SCS
Mac Tilberg, City of Sutton	Virg Ulmer, City of Sutton
Donna Rhoades, York News-Times	

ROLL CALL:

15 members were present during roll call. Hermansen and Volkmer were absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published October 13, 1990 in the York News Times.

A
current agenda is kept on file for public inspection.

MINUTES:

Ehlers made the motion (Motion #1) to approve the minutes of the September 20, 1990 board of directors meeting as distributed. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier,
Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education & Parks Committee meeting held October 9, 1990 and

reviewed the committee report as distributed.

GREEN ACRE SERVICES:

Oswald made the motion (Motion #2) that the Upper Big Blue Natural Resources District make payment of \$488.36 to Green Acre Services for the mowing of Pioneer Trails and Smith Creek Recreation Areas for the month of September. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

FY91 TREE PROGRAM:

Oswald made the motion (Motion #3) that the Upper Big Blue Natural Resources District charge 38 cents per tree and 24 cents per tree for planting. The total being 62 cents per tree. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

UTICA BALL FIELD DEVELOPMENT:

Oswald made the motion (Motion #4) that the Upper Big Blue Natural Resources District agree to fund the Utica Ball Field at a cost not to exceed \$1,567.00, which is 25% of the estimated cost of \$6,268.00. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

UPLAND PHEASANTS FOREVER:

Oswald made the motion (Motion #5) that the Upper Big Blue Natural Resources District donate and plant up to 400 trees to the Upland Pheasants Forever chapter located in Butler and Saunders Counties. These trees will be planted in our district and will be divided equally according to the number of sites chosen. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Siebert, Dickinson

NAY: Ediger, Reichlinger

ABSENT: Hermansen, Volkmer

WATER COMMITTEE MEETING REPORT:

Ehlers gave a report on the Water Committee meeting held October 11, 1990 and reviewed the committee report as distributed.

IAMS COMPANY WELL SPACING VARIANCE REQUEST:

The IAMS Company has requested that a variance be granted to allow them to operate their industrial well at a rate exceeding 100 gpm. This well (two in a series) is less than 1,000 feet from two industrial wells owned by CF Industries. CF Industries has been asked by IAMS for consent to this variance.

Rod recommended that no action be taken on the IAMS request until CF Industries has a chance to respond.

DEEP SOIL SAMPLING PROPOSALS:

In August the board authorized the solicitation of proposals for deep soil sampling to supplement information being gathered in the SPA studies and the Mid-Nebraska Nitrogen Management Demonstration Program. The work consists of soil sampling at eight sites across the NRD. Samples will be collected down to the groundwater.

Three proposals were received:

Geotechnical Services, Inc.	\$ 6,298.00
HWS Technologies, Inc.	10,654.00
Servi-Tech Laboratories	25,250.00

Ehlers made the motion (Motion #6) to enter into a contract with Geotechnical Services, Inc. for deep soil nitrate sampling for eight sites at a cost of \$6,298.00. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

SPECIAL PROTECTION AREA VS. MANAGEMENT AREA:

The status of the Department of Environmental Control's SPA study activity was discussed. The Polk/York study has been delayed one year as a result of the rains in July and August which prevented sampling of irrigation wells.

The procedure for establishment of either a Management or Special Protection Area were reviewed. Rod advised the board that if they wanted the option of considering the establishment of a management area in the future, the district staff would need to begin updating the district's Groundwater Management Plan.

Ehlers made the motion (Motion #7) to direct the Water Committee and staff to begin updating the district's Groundwater Management Plan, as time permits. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None
ABSENT: Hermansen, Volkmer

JOHN LOWE 404 PERMIT:

John Lowe of Fairmont has applied for a 404 permit. His application includes a request for after-the-fact approval for the silt removal and deepening of an existing pit in a wetland and completion of the project by spreading the excavated material to fill a six-acre cropped wetland adjacent to the pit.

Dennis Schroeder, District Conservationist in Fillmore County, met with Mr. Lowe concerning this application and concerning compliance with the swamp buster provisions of FSA. Dennis indicated that if the 404 application is approved, Mr. Lowe will be entering into a minimal effect agreement. An adjacent six acre tract of land will be converted into wetlands to mitigate the destroyed wetland. This project will allow Mr. Lowe to make use of this pit for reuse of groundwater and will improve water use efficiency and should reduce deep percolations of water and nutrients.

Ehlers made the motion (Motion #8) that the staff be authorized to write a letter of support for the approval of Mr. Lowe's 404 application with the one to one mitigation conditions proposed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Jackson, Moore, Oswald, Regier,
Reichlinger, Siebert, Dickinson
NAY: Obermier
PASS: Sedlak
ABSENT: Hermansen, Volkmer

PROJECTS COMMITTEE MEETING REPORT:

Obermier gave a report on the Projects Committee meeting held October 15, 1990 and reviewed the committee report as distributed.

CITY OF SUTTON - REQUEST FOR FLOOD CONTROL PLANNING:

Mac Tilberg, City Administrator from Sutton, was present at both the October 15 Projects Committee meeting and the October 18 board meeting to discuss recent flood damage at Sutton due to flooding from School Creek. Mr. Tilberg explained that the City would like to have the District be involved in preparation of a study to determine what measures can be taken in and around Sutton to prevent future flooding of the type experienced this summer; damage from the last flood was estimated to be \$150,000.

Typical damages from flooding in Sutton amount to \$30,000. Mr. Tilberg also stated that the City is willing to provide political support for the District's study and planning effort and expects to pay for construction of needed facilities if they are determined to be feasible.

No board action is being taken at this time. The Projects Committee has requested staff prepare a proposal for presentation to the City of Sutton. The proposal would outline study alternatives, spell

out responsibilities to be borne by the District and the City and present an estimate of study costs.

SCHOOL CREEK WATERSHED - REQUEST FOR WATERSHED FLOOD CONTROL PLANNING:

Mac Tilberg explained that the people in the School Creek Watershed are once again interested in development of a comprehensive flood control plan. He indicated that the City of Sutton and others would be willing to provide political support for such planning if the District would provide the engineering. Mr. Tilberg indicated that there may never be 100 percent support for such an effort; however, he felt that the community as a whole is ready to support the effort.

Obermier made the motion (Motion #9) that comprehensive flood control planning for the School Creek Watershed be reinitiated and that it be placed on the list of active projects. Seconded by Hansen.

Following some discussion, Reichlinger amended the motion to make the motion (Motion #10) to strike the words "School Creek Watershed be reinitiated" and insert the words "Sutton and surrounding areas" so that the motion would read "that comprehensive flood control planning for Sutton and surrounding areas be placed on the list of active projects. Seconded by Anderson. Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

LAND TREATMENT - IRRIGATION RETURN LINE POLICY:

Kirby Roth, Seward County farmer, was present at the Projects Committee meeting to ask for a variance from the District's policy on buried irrigation water return lines. Mr. Roth requested a variance from the policy provision that does not allow cost-share if the reuse pit collects water from the land of more than one owner. The Projects Committee explained to Mr. Roth that the reason for the policy is to encourage efficient reuse of groundwater by all landowners and to discourage allowing irrigation water to runoff to local streams.

The current policy allows cost-share for buried irrigation water return line if the "...water impounded in the reuse pit, and subsequently pumped through the return line, is returned to the land from which the runoff occurred, or to other crop land under the same ownership, provided resulting runoff is controlled." Cost sharing on a given installation is only available for the number of feet of pipe necessary to return the water to the head of the field from which it came, not to exceed \$2,000 per

system or \$3,500 per cooperator per year.

Obermier made the motion (Motion #11) that the Projects Committee reconsider the portion of the buried irrigation return line cost-share policy which limits cost-share to only those installations which return water to land under the same ownership from which it came. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Hansen, Jackson, Obermier, Regier, Sedlak, Siebert

NAY: Ehlers, Goding, Moore, Oswald, Reichlinger, Dickinson

ABSENT: Hermansen, Volkmer

LAND TREATMENT - NSWCP FUNDS - NEW APPLICATIONS:

Obermier made the motion (motion #12) that the board of directors approve 11 new applications, which were submitted and reviewed, as eligible for NSWCP funds. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Obermier made the motion (Motion #13) that the board of directors authorize payment of \$5,356.04 on six NSWCP applications, as submitted and reviewed. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

PROJECT 18-10-1W - ROGER BAILEY DAM:

Roger Bailey was present at the Projects Committee meeting -to request engineering and cost-share assistance in revising the design of the dam. The dam was designed by HWS Technologies, Inc. and was constructed by the District in 1979. Mr. Bailey has requested that the structure be modified to allow the principal spillway riser to be elevated approximately 5 feet in order to store more water. Staff explained to Mr. Bailey and the Projects Committee that the structure is operating satisfactorily as it is. Any modification of the structure would require recalculating spillway capacities, evaluation of emergency spillway soils, preparation of plans and specifications for the proposed work and construction supervision. The Department of Water Resources will require plans and specifications approval prior to construction.

No board action is being taken at this time. The Projects Committee directed the staff to discuss the matter with HWS Technologies and NDWR to determine the extent of work required and potential for liability to the District.

YORK GROUNDWATER RECHARGE PROJECT - PROGRESS PAYMENT - PHASE 1 - DAM AND SPREADING BASINS:

Obermier made the motion (Motion #14) that payment of \$7,330.62, \$733.06 of which is to be held as retainage, be made to Schwisow Enterprises, Inc. for work completed in September 1990 on Phase

of the York Groundwater Recharge Project. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

YORK GROUNDWATER RECHARGE PROJECT - PROGRESS PAYMENT - PHASE, 5 - VISITOR'S CENTER:

Obermier made the motion (Motion #15) that payment of \$4,162.00 be made to JLC, Inc. for final payment on Phase 5, Visitor's Center, for the York Groundwater Recharge Project. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

YORK GROUNDWATER RECHARGE PROJECT CONTRACT EXTENSION - PHASE 4 DISTRIBUTION SYSTEM:

Obermier made the motion (Motion #16) that the board of directors accept Omni Construction Company's bid of \$49,479.75 to install the York Groundwater Recharge Project, Phase 4 distribution system pumps and piping, and that their contract be amended to include the required work. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: Goding

ABSENT: Hermansen, Volkmer

YORK GROUNDWATER RECHARGE PROJECT - PROGRESS PAYMENT --PHASE 5 - YORK COLD STORAGE PIPELINE:

Obermier made the motion (Motion #17) that payment of \$46,720.50, \$4,672.50 of which is to be held as retainage, be made to Knox Construction, Inc., dba Omni Construction, for work completed in September 1990 on Phase 5, pipeline from York Cold Storage, for the York Groundwater Recharge Project. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

YORK GROUNDWATER RECHARGE PROJECT - CONSTRUCTION STAKING - PHASE 5
- YORK COLD STORAGE PIPELINE:

Obermier made the motion (motion #18) that \$768.00 be paid to Kirkham, Michael and Associates for construction staking services on the York Groundwater Recharge Project Phase 5 pipeline. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier,
Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

YORK GROUNDWATER RECHARGE PROJECT - RECREATION AREA ACCESS ROAD,
PARKING AND BOAT RAMP:

Obermier made the motion (Motion #19) that the board of directors authorize payment of \$8,728.95 to Hartmann Construction Company as final payment for construction of an access road, parking areas and boat ramp at the York Groundwater Recharge Project. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier,
Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

PLUM CREEK FLOOD CONTROL PROJECT - SEWARD - PAYMENT FOR ENGINEERING
SERVICES:

Obermier made the motion (Motion #20) that the board of directors authorize payment of \$3,330.20 to Olsson and Associates for engineering services performed during September 1990 on the Plum Creek Flood Control screening study. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier,
Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Volkmer

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT:

Hansen gave a report on the Budget, Planning & Legislative Committee meeting held October 16, 1990 and reviewed the committee report as distributed.

PLUM CREEK WATER RIGHT:

Mike Jess, Director of Water Resources, issued an order on -the Plum Creek (Gosper County) water rights on 9-24-90. The order dismisses applications A-16041 and A-16636 for failure to show progress and failure to comply with prior directors orders. The applications were jointly filed by the Upper Big Blue NRD, The Platte River Whooping Crane Habitat Maintenance Trust, and Central Nebraska Public Power and Irrigation District. The general manager recommended that no appeal be filed. The other parties are not interested in pursuing the case either.

Hansen made the motion (Motion #21) that the board of directors let the dismissal of the Plum Creek water right applications A-16041 and A-16636 stand by not filing any appeals with the Department or with the Nebraska Supreme Court. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson
NAY: None
ABSENT: Hermansen, Volkmer

BOYLE ENGINEERING PAYMENT:

A late billing has been received from Boyle Engineering for consulting work from May 11 through August 28. The work was all in conjunction with preparation for testimony at the Landmark hearing.

Hansen made the motion (Motion #22) to approve payment of \$4,038.44 to Boyle Engineering Corporation for work completed on the Landmark case during the period from May 11 through August 28, 1990. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson
NAY: None
ABSENT: Hermansen, Volkmer

PRAIRIE BEND/TWIN VALLEY:

Steve Seglin and the manager attended the Twin Valley show cause hearing held October 9. The final date to file legal briefs on the Twin Valley (81) case is December 21, 1990. At the hearing the manager and attorney learned of a new filing for water rights by the Twin Valley Association.

The new filing for Twin Valley (A-17026) is dated October 5 and calls for the use of stored water from Kingsley Reservoir with a diversion on the J-2 near Lexington.

Hansen made the motion (Motion #23) to authorize legal counsel to file written objections to the recent Twin Valley application (A17026) at the discretion of the general manager. Seconded by Moore.

Turnbull advised the board that there had been considerable activity in the short time since the Committee met, resulting in other filings on the Platte River.

Moore amended the motion to make the motion (Motion #24) to strike the words "Twin Valley application (A-17026)" and insert "Platte River applications." Seconded by Goding. Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson
NAY: None
ABSENT: Hermansen, Volkmer

Question called on the original motion as amended, which reads as follows: "to authorize legal counsel to file written objections to the recent Platte River applications, at the discretion of the general manager." Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson
NAY: None
ABSENT: Hermansen, Volkmer

EXECUTIVE COMMITTEE MEETING REPORT:

Burke gave a report on the Executive Committee meeting held October 16, 1990 and reviewed the committee report as distributed.

3RD QUARTER PER DIEM AND EXPENSES:

Burke made the motion (Motion #25) to make payment of 3rd quarter director's per them of \$2,355.00 and expenses of \$1,828.22. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Dickinson
NAY: None
ABSENT: Hermansen, Siebert, Volkmer

ATTORNEY FEES:

Burke made the motion (Motion #26) to make payment of \$1,563.06 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through September 20, 1990. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Dickinson
NAY: None
ABSENT: Hermansen, Siebert, Volkmer

1991 WASHINGTON, D.C. TRIP:

Burke made the motion (Motion #27) to approve travel and expenses for Bruce Anderson, Perry Reichlinger, and one staff member for the NARD Washington, D.C. lobbying trip April 13-18, 1991 and to make deposit of \$750 with the NARD. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Siebert, Dickinson
NAY: None
ABSTAIN: Anderson, Reichlinger
ABSENT: Hermansen, Volkmer

GROUNDWATER MANAGEMENT DISTRICT ASSOCIATION DUES:

Burke made the motion (Motion #28) to pay the 1990-91 Groundwater Management District Association dues of \$200. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Hansen, Jackson, Moore, Obermier, Oswald, Regier,

Reichlinger, Sedlak, Dickinson
NAY: Ehlers, Goding
PASS: Siebert
ABSENT: Hermansen, Volkmer

EMPLOYEE HEALTH INSURANCE:

The district's health insurance is handled through the NARD. Security Mutual has been the health insurance carrier, but is going out of the health insurance business November 1, 1990. The NARD has changed carriers to Prudential effective November 1, 1990. The rates have increased, but coverage remains essentially the same.

PICKUP BIDS:

Bids on a new pickup for the Projects Department were opened Monday, October 15, 1990. The pickup offered in trade is a 1981 Ford half tons, six cylinder, with 106,000 miles. The following bids were received for both a full-size and compact pickup:

	1991 ½ Ton	1991 Compact
John Kohl Moor		
cash selling price - Dodge	12,181	10,839
less trade in	750	750
net selling price	11,431	10,089
Moses Moor		
cash selling price - Ford	11,620	10,620
less trade in	1,100	1,100
net selling price	10,520	9,520

Burke made the motion (Motion #29) to accept the bid from Moses Motor Company for a 1991 Ford compact pickup with trade in for \$9,520.00. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson
NAY: Moore
ABSENT: Hermansen, Volkmer

FINANCIAL STATEMENT AND BUDGET REPORT:

Burke made the motion (motion #30) to approve the financial statement and budget report as of September 30, 1990; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson
NAY: None
ABSENT: Hermansen, Volkmer

Board of Directors
October 18, 1990

Meeting adjourned at 10:06 p.m.
Louis Oswald, Secretary
: nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
SEPTEMBER 20, 1990

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Doug Dickinson, Chairman	Ray Burke, Vice Chairman
Louis Oswald, Secretary	Perry Reichlinger, Treasurer
Bruce Anderson, Director	Ed Ediger, Director
Bob Ehlers, Director	Cal Goding, Director
Wayne Hansen, Director	Lance Hermansen, Director
Jim Jackson, Director	Larry Moore, Director
Norman Obermier, Director	Kenneth Regier, Director
Ron Sedlak, Director	Roger Siebert, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Davis, Staff	Jay Bitner, Staff
Ken Feather, Staff	Prudence Sadler, Staff
Rod DeBuhr, Staff	Bill Gilliam, LDC, York SCS
Dick Hayes, Clay Center SCS	

ROLL CALL:

All 17 members were present with Regier arriving after roll was called.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published September 10, 1990 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES:

Ediger made the motion (Motion #1) to approve the minutes of the August 16, 1990 budget hearing as distributed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Regier

Oswald made the motion (motion #2) to approve the minutes of the August 16, 1990 board of directors meeting as distributed. Seconded by Hermansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,

Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Regier

PROJECTS COMMITTEE MEETING REPORT:

Obermier gave a report on the Projects Committee meeting held September 10, 1990 and reviewed the committee report as distributed.

LAND TREATMENT - NSWCP - NEW APPLICATIONS:

Obermier made the motion (Motion #3) that the board of directors approve five new applications, which were submitted and reviewed by the committee, as eligible for NSWCP funds. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Obermier made the motion (Motion #4) that the board of directors authorize payment of \$8,238.29 on three NSWCP applications which were reviewed by the committee. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

YORK GROUNDWATER RECHARGE PROJECT - PHASE 1 - PROGRESS PAYMENT:

Obermier made the motion (Motion #5) that payment of \$67,720.01, \$6,772.00 of which is to be held as retainage, be made to Schwisow Enterprises, Inc. for work completed in August 1991) on Phase I of the York Groundwater Recharge Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

YORK GROUNDWATER RECHARGE PROJECT - PHASE 5 - PROGRESS PAYMENT:

Obermier made the motion (Motion #6) that payment of \$5,554.96 be made to JLC, Inc. for work completed in August 1990 on Phase 5, Visitors Center, for the York Groundwater Recharge Project. Seconded by Hermansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None

ABSENT: None

YORK GROUNDWATER RECHARGE PROJECT - PHASE 5 - PROGRESS PAYMENT:

Obermier made the motion (motion #7) that payment of \$56,615.50, \$5,661.55 of which is to be held as retainage, be made to Knox Construction, Inc., dba Omni Construction, for work completed in August 1990 on Phase 5, pipeline from York Cold Storage, for the York Groundwater Recharge Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

YORK GROUNDWATER RECHARGE PROJECT - PHASE 4 - WATER TREATMENT PLANT BUILDING:

Bids for the water treatment plant building were requested from Behlen, Butler and Varco Pruden. One bid was received from Jeff Stuhr Sales and Service for a Varco Pruden building in the amount of \$27,658.66. The engineer's estimate was \$23,645.48.

Obermier made the motion (Motion #8) that Jeff Stuhr Sales and Service be awarded the contract for constructing the water treatment plant building, Phase 4 of the York Groundwater Recharge Project, in accordance with their bid in the amount of \$27,658.66. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

YORK GROUNDWATER RECHARGE PROJECT - RECREATION AREA ACCESS ROAD, PARKING, AND BOAT RAMP:

Initial work on the recreation area includes 2,500 feet of access road, two 30' x 1001 parking areas and one 20' x 110' boat ramp. Hartmann Construction has agreed to do the work on a unit price basis. Hartmann's total cost is \$8,708.95. The engineer's estimated cost of the work was \$10,374.69.

Obermier made the motion (Motion #9) that the board of directors award a contract to Hartmann Construction in the amount of \$8,708.95 for constructing an access road, parking areas and boat ramp at the York Groundwater Recharge Project. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

YORK GROUNDWATER RECHARGE PROJECT - PHASE 2 - ELECTRICAL ENGINEERING SERVICES:

Obermier made the motion (Motion #10) that the board of directors authorize payment of \$512.44 to R.A. Mullendore Consultants, Inc. for electrical engineering services on Phase 2, monitoring wells, for the York Groundwater Recharge Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

REQUEST FOR CHANNEL CLEARING - HAMILTON COUNTY:

The district has been requested by the City of Aurora and Hamilton County to undertake channel clearing on Lincoln Creek. The Projects Committee felt that channel clearing would be requested for all major streams and their tributaries if such a program were initiated, and that the district could not afford such a program. As a result, the Projects Committee recommended that the board of directors deny the request.

Obermier made the motion (motion #11) that the board of directors deny the request from the City of Aurora and Hamilton County for channel clearing on Lincoln Creek. Seconded by Anderson.

Hansen amended the motion to make the motion (Motion #12) to insert the words "cost-share" to make the motion read as follows: "that the board of directors deny the cost-share request from the City of Aurora and Hamilton County for channel clearing on Lincoln Creek." Seconded by Anderson. Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

PLUM CREEK FLOOD CONTROL PROJECT - SEWARD - PAYMENT FOR ENGINEERING SERVICES:

Obermier made the motion (motion #13) that the board of directors authorize payment of \$2,656.17 to Olsson and Associates for engineering services performed during July 1990 on the Plum Creek Flood Control Screening Study. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
PASS: Anderson

ABSENT: None

The question was raised regarding whether or not anything was currently being done to prevent further building within the flood plain. Turnbull advised the board that the district does not have the authority to restrict building in the flood plain, and to the best of his knowledge nothing is currently being done by either the City of Seward or their zoning board to restrict development in the flood plain.

Reichlinger made the motion (Motion) that the Upper Big Blue NRD reserves the right to refuse cost sharing on damages to any construction built after this date (9-20-90) in the 100-year flood plain as considered in this study. Seconded by Anderson.

There was considerable discussion regarding the wording and intent of the motion. There was also disagreement regarding the actual location of the flood plain boundaries. Chairman Dickinson ruled that the motion be referred to the Projects Committee for consideration at their October meeting.

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT:

Hermansen gave a report on the Budget, Planning and Legislative Committee meeting held September 13, 1990 and reviewed the committee report as distributed.

PLUM CREEK RESERVOIR:

Turnbull briefed the board on the status of the joint Plum Creek water right application. A prehearing conference was held by the Department of Water Resources on September 5. The Central Nebraska Public Power and Irrigation District, The Platte River Whooping Crane Habitat Maintenance Trust, and the Upper Big Blue NRD advised Mike Jess, Director of the Department of Water Resources, that they wish to proceed with the project, and asked for 90-120 days to coordinate with federal agencies (USBR and USFWS). As of September 20, 1990, no decision had been issued by the Department.

Hermansen made the motion (Motion #15) to approve supplemental Platte River Model work by Boyle Engineering for the Plum Creek water right applications, with the total cost not to exceed \$7,000. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Oswald,
Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

PASS: Obermier, Siebert

ABSENT: Ehlers

PLATTE RIVER WATER RIGHTS:

Hermansen made the motion (Motion #16) that the district file an objection to the Central Platte instream flow applications. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,

Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

Hermansen made the motion (Motion #17) that the district file an objection to the Central Platte NRD Prairie Bend March 1990 water right filings. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: Siebert
ABSENT: None

RESOLUTIONS FOR THE SEPTEMBER NARD CONFERENCE:

Resolution #90-1 "Require Dealers to Check Permits Prior to Selling Chemicals for Use in Chemigation Systems". Hermansen made the motion (Motion #18) that the district take a position against resolution 90-1. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: Reichlinger
PASS: Anderson
ABSENT: None

Resolution #90-2 "Structure of Nebraska Environmental Control Council be Changed."

Hermansen made the motion (Motion #19) that the district take a position against resolution 90-2. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

Resolution #90-3 "Nebraska Groundwater Management Act Amendments."

Hermansen made the motion (Motion #20) that the district take a position in support of resolution 90-3. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Hermansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Dickinson
NAY: Ediger, Goding, Obermier, Regier, Siebert
ABSTAIN: Hansen
PASS: Volkmer
ABSENT: None

Resolution #90-5 "Surface Water and Ground Water Conjunctive Use and/or Integrated

Management.

Hermansen made the motion (Motion #21) that the district take a position against resolution 90-5. Seconded by Moore. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Hermansen, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson
NAY: Anderson, Goding, Jackson, Volkmer
PASS: Hansen, Obermier
ABSENT: None

Resolution #90-6 "Natural Resources Districts Directors Per Diem Change." Hermansen made the motion (Motion #22) that the district take a position in support of resolution 90-6. Seconded by Anderson.

Ehlers amended the motion to make the motion (Motion #21) that the Upper Big Blue NRD offer an amendment at the NARD Conference to strike "fifty" dollars in the last paragraph and insert "twenty-five" dollars and strike "two thousand" dollars and insert "one thousand six hundred fifty" dollars. Seconded by Goding. Question called on the amendment. Amendment carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Sedlak, Siebert, Volkmer
NAY: None
PASS: Anderson, Regier, Reichlinger, Dickinson
ABSENT: None

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Sedlak, Siebert, Volkmer
NAY: None
PASS: Regier, Reichlinger, Dickinson
ABSENT: None

Resolution #90-7 "Instream Flow for Public Benefit" Hermansen made the motion (Motion #24) that the district take a position against resolution 90-7. Seconded by Ediger. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: Anderson, Reichlinger
PASS: Hansen
ABSENT: None

Resolution #90-9 "Administrative Cost Reduction" Hermansen made the motion (Motion #25) that the district take a position against resolution 90-9. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Moore

Resolution #90-10 "Sediment and Erosion Control" Hermansen made the motion (Motion #26) that the district take a position against resolution 90-10. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Moore

Resolution #90-11 "Nebraska Resources Development Fund" Hermansen made the motion (Motion #27) that the district take a position against resolution 90-11. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Moore

Resolution #90-12 "Technical Assistance by the Soil Conservation Service" Hermansen made the motion (motion #28) that the district take a position in support of resolution 90-12. Seconded by Anderson. Question called. Motion failed.

AYE: Anderson, Burke, Ehlers, Hermansen, Oswald, Sedlak, Siebert
NAY: Ediger, Goding, Hansen, Jackson, Obermier, Reichlinger, Volkmer, Dickinson
PASS: Regier
ABSENT: Moore

Goding made the motion (Motion #29) that the district take a position against resolution 90-12. Seconded by Obermier. Question called. Motion carried.

AYE: Ediger, Goding, Hansen, Jackson, Obermier, Reichlinger, Siebert, Volkmer, Dickinson
NAY: Anderson, Burke, Ehlers, Hermansen, Oswald, Sedlak
PASS: Regier
ABSENT: Moore

Resolution #90-13 "Conservation Reserve Program" Hermansen made the motion (Motion #30) that the district take a position against resolution 90-13. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hermansen, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: Ehlers, Hansen, Jackson, Obermier

ABSENT: Moore

Resolution #90-14 "Low Input Sustainable Agriculture" Goding made the motion (Motion #31) that the district take a position against resolution 90-14. Seconded by Regier. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: Anderson, Hansen, Jackson

ABSENT: Moore

Resolution #90-15 "Property Tax Levy - Special Protection Areas" Hermansen made the motion (Motion #32) that the district take a position against resolution 90-15. Seconded by Ediger. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: Goding, Obermier

PASS: Anderson

ABSENT: Moore

Resolution #90-21 "Information and Education Long-Term Plan of Action" Hermansen made the motion (Motion #33) that the district take a neutral position on resolution 90-21. Seconded by Anderson.

Ehlers amended the motion to make the motion (Motion #34) that the district take a position against resolution #90-21. Seconded by Volkmer. Question called on the amendment. Amendment carried.

AYE: Ediger, Ehlers, Goding, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: Anderson, Burke, Hansen, Hermansen, Jackson, Oswald

ABSENT: Moore

Question called on the original motion as amended. Motion carried.

AYE: Ediger, Ehlers, Goding, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: Anderson, Burke, Hansen, Hermansen, Jackson, Oswald

ABSENT: Moore

Resolution for "Maintenance of Wildlife & Special Purpose Public Lands" Hermansen made the motion (Motion #35) to offer an amendment at the NARD Conference striking the words "sufficient funds for" in the last two lines, and if that amendment is successful, support the resolution at the conference. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

PASS: Regier
ABSENT: Moore

Resolution for "Department of Environmental Control's Enforcement of Livestock Waste Control Regulations" submitted by Lower Elkhorn NRD.

Hermansen made the motion (Motion #36) that the district take a position against this resolution. Seconded by Ediger. Question called. Motion failed.

AYE: Regier, Siebert, Volkmer, Dickinson
NAY: Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Reichlinger, Sedlak
PASS: Anderson, Ehlers
ABSENT: Moore

Goding made the motion (Motion #37) that the district take a position of support on this resolution. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Reichlinger, Sedlak
NAY: Ehlers, Regier, Siebert, Volkmer, Dickinson
ABSENT: Moore

Resolution for "Conservation Provisions of the 1990 Farm Bill" submitted by Lower Elkhorn NRD.

Hermansen made the motion (Motion #38) that the district take a neutral position on this resolution. Seconded by Hansen. Question called. Motion failed.

AYE: Ediger, Hansen, Hermansen, Oswald, Regier, Sedlak, Dickinson
NAY: Burke, Ehlers, Goding, Jackson, Obermier, Reichlinger
PASS: Anderson, Siebert, Volkmer
ABSENT: Moore

Reichlinger made the motion (Motion #39) to take a position against this resolution. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: Burke, Goding, Hansen, Jackson, Obermier
PASS: Hermansen
ABSENT: Moore, Siebert

Resolution for "Establishment of the Center of the Missouri River as the State's (Nebraska/Iowa) Boundary" submitted by Papio-Missouri River NRD. Hermansen made the motion (Motion #40) that the district take a neutral position on this resolution. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None
ABSENT: Moore, Siebert

Resolution for "Formation of a Viable Missouri River Basin Organization" submitted by Pappio-Missouri River NRD. Anderson made the motion (Motion #41) that the district take a position in support of this resolution. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Goding, Hansen, Jackson, Obermier, Oswald, Sedlak, Dickinson
NAY: Ediger, Ehlers, Hermansen, Reichlinger, Volkmer
PASS: Regier
ABSENT: Moore, Siebert

EXECUTIVE COMMITTEE MEETING REPORT:

Burke gave a report on the Executive Committee meeting held September 13, 1990 and reviewed the committee report as distributed.

ATTORNEY FEES:

Burke made the motion (Motion #42) to approve payment of \$3,190.50 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through August 20, 1990. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Moore, Siebert

NARD BUILDING ASSESSMENT:

Burke made the motion (motion #43) to approve payment of \$1,828.40 to the NARD for the office building fund. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Hansen, Oswald, Regier, Reichlinger, Sedlak, Dickinson
NAY: Ehlers, Hermansen, Jackson, Obermier, Volkmer
PASS: Goding
ABSENT: Moore, Siebert

TRACTOR HYDRAULICS:

Burke made the motion (Motion #44) that the Upper Big Blue NRD Board of Directors approve the expenditure of \$3,000 to install the mounting brackets and hydraulic attachments necessary to operate the soil probe on the district's tractor. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Sedlak, Dickinson
NAY: None
PASS: Ediger, Goding, Reichlinger, Volkmer
ABSENT: Moore, Siebert

GREEN ACRE SERVICES:

Burke made the motion (Motion #45) to approve payment of \$488.36 to Green Acre Services for

Pioneer Trails and Smith Creek mowing. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hermansen, Jackson, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

PASS: Hansen

ABSENT: Moore, Siebert

EXETER MONITORING WELL ABANDONMENT:

The monitoring wells at Exeter need to be properly abandoned. The Village of Exeter is not interested in the wells. No well driller can be found who is willing to do the work, therefore, the district will do the work with temporary help.

Burke made the motion (Motion #46) to authorize expenditure of \$650 for labor and materials to properly abandon the Exeter monitoring wells. Seconded by Hermansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier,
Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Moore, Siebert

PICKUP TRUCK:

The FY91 budget includes funds to purchase a new pickup to replace the 1981 Ford half ton. The Manager requested authorization to advertise for bids for a new pickup.

Burke made the motion (Motion #47) to authorize advertisement for bids for a new pickup to replace the 1981 Ford. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier,
Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Moore, Siebert

FINANCIAL STATEMENT AND BUDGET REPORT:

Anderson made the motion (Motion #48) to approve the financial statement and budget report as of August 31, 1990; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hermansen, Jackson, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Hansen, Moore, Siebert

Meeting adjourned at 11:25 p.m.

Louis Oswald, Secretary

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MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
AUGUST 16, 1990

CALL TO ORDER:

A regular board of directors meeting was called to order by Vice Chairman Ray Burke in the NRD Administrative Office Building, 10S Lincoln Avenue, York, Nebraska at 8:45 p.m.

PRESENT:

Ray Burke, Vice Chairman	Louis Oswald, Secretary
Perry Reichlinger, Treasurer	Bruce Anderson, Director
Ed Ediger, Director	Bob Ehlers, Director
Cal Goding, Director	Wayne Hansen, Director
Lance Hermansen., Director	James Jackson, Director
Larry Moore, Director	Norman Obermier, Director
Kenneth Regier, Director	Ron Sedlak., Director
Roger Siebert, Director	Merlin Volkmer, Director
John Turnbull., Manager	Nancy Davis, Staff
Prudence Sadler, Staff	Ken Feather, Staff
Jay Bitner, Staff	Bill Gilliam, York SCS
Dwight Hansen, York SCS	Stuart Simpson, Lincoln SCS
Larry Hansen, Utica	Mark Nannen, Blue River Assn.
Harold Janda, NNRC	

ROLL CALL:

16 directors were present during roll call. Dickinson was absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published August 6, 1990 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES:

Anderson made the motion (Motion #1) to approve the minutes of the July 19, 1990 Public Hearing as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer

NAY: None

ABSENT: Dickinson

MINUTES:

Ehlers made the motion (Motion #2) to approve the minutes of the July 19, 1990 board of directors meeting as distributed. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer

NAY: None

ABSENT: Dickinson

MINUTES:

Ediger made the motion (Motion #3) to approve the minutes of the August 6, 1990 Special Board of Directors meeting as distributed. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak., Siebert, Volkmer

NAY: None

ABSTAIN: Hansen

ABSENT: Dickinson

FY91 BUDGET:

Hansen made the motion (Motion #4) to adopt the FY 91 Budget as presented. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Siebert

NAY: Obermier, Sedlak, Volkmer

ABSENT: Dickinson

PROJECTS COMMITTEE MEETING REPORT:

Obermier gave a report on the Projects Committee meeting held August 6, 1990 and reviewed the committee report as distributed.

PROJECT 31-10-02W (KALIFF DAM)

Obermier made the motion (Motion #5) that the Kaliff Dam, Project 31-10-02W, remain on the suspended projects list. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer

NAY: Hansen

ABSENT: Dickinson

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Obermier made the motion (Motion #6) that the Board of Directors authorize payment of \$6,732.22 on 4 NSWCP applications which were reviewed by the Committee. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer

NAY: None
ABSENT: Dickinson

LAND TREATMENT - NSWCP FUNDS - NEW APPLICATIONS:

Obermier made the motion (Motion #7) that the Board of Directors approve 5 new applications, which were submitted and reviewed by the Committee, as eligible for NSWCP funds. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson., Moore, Obermier) Oswald., Regier, Reichlinger, Sedlak, Siebert, Volkmer
NAY: None
ABSENT: Dickinson

LAND TREATMENT - NRD FUNDS - PAYMENTS:

Obermier made the motion (Motion #8) that the Board of Directors authorize payment of \$1,956 on 1 NRD application which was reviewed by the Committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer
NAY: None
ABSENT: Dickinson

YORK GROUND WATER RECHARGE PROJECT - PHASE I - PROGRESS PAYMENT:

Obermier made the motion (Motion #9) that payment of \$33,143, \$3,314.30 of which is to be held as retainage, be made to Schwisow Enterprises, Inc. for work completed in July 1990, and that the not be issued until substantial increase in the rate of construction is shown as determined by the Contracting Officer. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer
NAY: None
ABSENT: Dickinson

EXECUTIVE COMMITTEE MEETING REPORT:

Reichlinger gave a report on the Executive Committee meeting held August 6, 1990 and reviewed the committee report as distributed.

ATTORNEY FEES:

Reichlinger made the motion (Motion #10) to approve payment of \$ 1,471 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through July 20, 1990. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson., Moore., Obermier Oswald Regier, Reichlinger, Sedlak, Siebert, Volkmer

Board Minutes
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NAY: None
ABSENT: Dickinson

WATTS & ASSOCIATES, INC.:

Reichlinger made the motion (Motion #11) to approve final payment of \$ 5,695.78 to Watts & Associates, Inc. for work on the Landmark water rights hearing from June 1,30, 1990. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer

NAY: None
ABSENT: Dickinson

McCULLEY, FRICK & GILMAN, INC. :

Reichlinger made the motion (Motion #12) to approve payment of \$86.25 to McCulley, Frick & Gilman, Inc. for travel expenses incurred during the Landmark hearing. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer

NAY: Obermier
ABSENT: Dickinson

LOWER BIG BLUE NRD SALARIES:

Reichlinger made the motion (Motion #13) to make payment to Lower 'Fig-Blue NRD in the amount of \$ 2,064.57 for the Upper Big Blue NRD's portion of Saline County clerical and technical salaries paid from July 1, 1989 to June 30, 1990. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer

NAY: None
ABSENT: Dickinson

FY91 DISTRICT INSURANCE PACKAGE:

Reichlinger made the motion (Motion #14) to approve payment of \$17,516.52 to York Insurance Agency for the district's FY91 insurance package. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer

NAY: None
ABSENT: Dickinson

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education & Parks Committee meeting held August 7, 1990 and reviewed the committee report as distributed.

SNEES:

Oswald made the motion (Motion #15) that the Upper Big Blue NRD support and participate in the 1991 SNEES. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Riechlinger, Sedlak, Siebert, Volkmer

NAY: None

ABSENT: Dickinson

GREEN ACRE SERVICE:

Oswald made the motion (Motion #16) that the Upper Big Blue NRD board of directors approve to make payment of \$ 976.72 to Green Acre Service for the mowing of Pioneer Trails and Smith Creek Recreation Areas. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer

NAY: Hansen, Moore

ABSENT: Dickinson

WATER COMMITTEE MEETING REPORT:

Moore gave a report on the Water Committee meeting held August 7, 1990 and reviewed the committee report as distributed.

FINANCIAL STATEMENT AND BUDGET REPORT:

Volkmer made the motion (Motion #17) to approve the financial statement and budget report as of July 31, 1990; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer

NAY: None

ABSENT: Dickinson

Meeting adjourned at 10:26 p.m.

Louis Oswald, Secretary

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MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
SPECIAL BOARD OF DIRECTORS MEETING
AUGUST 6, 1990

CALL TO ORDER:

A special board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 9:30 p.m.

PRESENT:

Doug Dickinson, Chairman
Louis Oswald, Secretary
Bruce Anderson, Director
Bob Ehlers, Director
Larry Moore, Director
Kenneth Regier, Director
Merlin Volkmer, Director

Jay Bitner, Staff
Ray Burke, Vice Chairman
Perry Reichlinger, Treasurer
Ed Ediger, Director
Jim Jackson, Director
Norman Obermier, Director
Ron Sedlak, Director
John Turnbull, Manager

ROLL CALL:

Thirteen Directors were present for roll call. Goding, Hansen, Hermansen and Siebert were absent.

NOTICE OF PUBLIC MEETING:

A notice of this public meeting was sent to each member. Public notification was made by a "Notice of Public Meeting" published July 30, 1990 in the York News-Times.

YORK GROUNDWATER RECHARGE PROJECT PHASE 5 BIDS:

At their July 16, 1990 meeting the Projects Committee reviewed bids submitted by Rogge Engineering Inc. and Omni Construction Company for construction of the interpretive center and the pipeline from York Cold Storage to the reservoir. The bids received were as follows:

Rogge Engineering, Inc.	\$238,032.00
Omni Construction Co.	\$197,032.51
Engineer's Estimate	\$170,000.00

After some discussion, the Committee decided to have the staff look for ways to reduce the cost prior to awarding a contract for work.

YORK GROUND WATER RECHARGE PROJECT- PHASE 5- PIPELINE AND PUMP STATION FROM YORK COLD STORAGE:

Ehlers made the motion (Motion #1) that the Board of Directors award a contract in the amount of \$161,319 to Knox Construction, Inc., DBA Omni Construction, to construct the pipeline from York Cold Storage to the reservoir at the York Groundwater Recharge Project site.

Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Goding, Hansen, Hermansen, Siebert

Special Board Meeting
August 6, 1990

YORK GROUNDWATER RECHARGE PROJECT - PHASE 5 - INTERPRETIVE CENTER:

Regier made the motion (Motion #2) that the Board of Directors award a contract in the amount of \$9,668 to JLC, Inc. to construct the Interpretive Center at the site of the York Groundwater Recharge Project. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Jackson, Moore, Obermier, Oswald, Regier,
Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Goding, Hansen, Hermansen, Siebert

Meeting adjourned at 9:50 p.m.

Louis Oswald, Secretary

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MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JULY 19, 1990

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:10 p.m.

PRESENT:

Doug Dickinson, Chairman
Perry Reichlinger, Treasurer
Ed Ediger, Director
Cal Goding, Director
Lance Hermansen, Director
Larry Moore, Director
Ken Regier, Director
Roger Siebert, Director
John Turnbull, Manager
Prudence Sadler, Staff
Jay Bitner, Staff
Jerry Willhoft, SCS
Leo Stuhr, York

Louis Oswald, Secretary
Bruce Anderson, Director
Bob Ehlers, Director
Wayne Hansen, Director
Jim Jackson, Director
Norman Obermier, Director
Ron Sedlak, Director
Merlin Volkmer, Director
Nancy Davis, Staff
Ken Feather, Staff
Rod DeBuhr, Staff
Bill Gilliam, York SCS
Gerhardt Blum, York
Donna Rhoades, York News-Times

ROLL CALL:

Sixteen directors were present during roll call. Burke was absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published July 11, 1990 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES:

Obermier made the motion (Motion #1) to approve the minutes of the June 21, 1990 board of directors meeting as distributed.

Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald. Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke

WATER COMMITTEE MEETING REPORT:

Ehlers gave a report on the Water Committee meeting held July 10, 1990 and reviewed the committee report as distributed.

IRRIGATION RUNOFF AND ILLEGAL WELL REGULATIONS:

Ehlers made the motion (Motion #2) that the proposed changes to the irrigation runoff and illegal

well regulations be adopted. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald,
Regier, Reichlinger, Sedlak, Siebert, Dickinson
NAY: None
PASS: Obermier, Volkmer
ABSENT: Burke

EXECUTIVE COMMITTEE MEETING REPORT:

Reichlinger gave a report on the Executive Committee meeting held July 10, 1990 and reviewed the committee report as distributed.

2ND QUARTER DIRECTOR'S PER DIEM AND EXPENSES:

Reichlinger made the motion (Motion #3) to approve payment of 2nd quarter director's per them of \$2,970.00 and expenses of \$2,854.73. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier,
Oswald. Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Burke

SALARY REIMBURSEMENT:

Reichlinger made the motion (Motion #4) to reimburse \$2,415.68 to the Lower Platte North for Butler County field office clerical salaries from January 1 to June 30, 1990 and to reimburse \$8,907.42 to the Little Blue NRD for Adams and Clay County clerical and technical salaries from July 1, 1989 to June 30, 1990. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier,
Oswald. Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Burke

NARD FY 91 DUES:

Reichlinger made the motion (Motion #5) to pay \$10,148.00 to the Nebraska Association of Resources Districts for FY 91 dues. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Goding, Hansen, Moore, Oswald, Regier, Reichlinger, Sedlak, Dickinson
NAY: Ediger, Ehlers, Jackson, Obermier, Volkmer
PASS: Hermansen, Siebert
ABSENT: Burke

ATTORNEY FEES:

Reichlinger made the motion (Motion #6) to approve payment of \$8,806.60 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through June 20, 1990. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier,
Oswald. Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None

ABSENT: Burke

WAGE AND PERFORMANCE REVIEWS:

Reichlinger made the motion (Motion #7) to increase the total annual salaries of the district staff, with the exception of the general manager, by \$20,400.00 and to authorize the general manager to determine and make salary adjustments, such adjustments retroactive to July 1, 1990. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Goding, Hansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: Ediger, Ehlers, Hermansen, Obermier, Volkmer

ABSENT: Burke

Reichlinger made the motion (Motion #8) to increase the general manager's salary by \$3,600.00 to \$48,638.00. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: Obermier

PASS: Hermansen, Volkmer

ABSENT: Burke

EDUCATION AND PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education and Parks Committee meetings held July 12 and 19, 1990 and reviewed the committee reports as distributed.

SOUTHEAST NEBRASKA ENVIRONMENTAL EDUCATION SEMINAR:

Oswald made the motion (Motion #9) that payment of \$1,158.56 be made to the Little Blue NRD for the 1990 SNEES. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke

SPECIAL EDITION OF THE BLUEPRINT:

Last year we published a special edition of the newsletter to explain the Control Area Rules and Regulations. These regulations have been altered substantially since then. It has been suggested that we publish another special edition explaining the changed regulations, to come out this summer or early fall.

Oswald made the motion (motion #10) that the NRD publish a special edition of the Blueprint dedicated to explaining the existing groundwater control area rules and regulations. Seconded by Volkmer.

Some discussion followed regarding the possibility of incorporating this information into the regular edition. Ehlers amended the motion to make the motion (Motion #11) that the next regular issue of the Blueprint be dedicated to the new groundwater control area regulations and that it be published

as soon as possible. Seconded by Goding. Question called on the amendment. Amendment failed.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Obermier, Sedlak
NAY: Hermansen, Jackson, Oswald, Reichlinger, Volkmer, Dickinson
PASS: Moore, Regier
ABSENT: Burke, Siebert

Question called on the original motion. motion carried.

AYE: Ediger, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer,
Dickinson
NAY: Anderson, Ehlers, Goding, Hermansen, Reichlinger
ABSENT: Burke, Siebert

GREEN ACRE SERVICES:

Oswald made the motion (Motion #12) that the Upper Big Blue NRD make payment of \$976.72 to Green Acre Services for the mowing of Pioneer Trails and Smith Creek Recreation Areas. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Hermansen, Jackson, Moore, Obermier, Oswald, Regier,
Reichlinger, Sedlak, Volkmer, Dickinson
NAY: Goding, Hansen
ABSENT: Burke, Siebert

LINCOLN TELEPHONE COMPANY LETTER OF AGREEMENT:

Oswald made the motion (Motion #13) that the Upper Big Blue NRD approve the letter of agreement

between the Lincoln Telephone Company and the Upper Big Blue NRD, and authorize the Chairman of the Board to sign said agreement. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier,
Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Siebert

YORK COLD STORAGE LETTER OF AGREEMENT:

Oswald made the motion (Motion #14) that the Upper Big Blue NRD approve the letter of agreement between York Cold Storage and the Upper Big Blue NRD, and authorize the Chairman of the Board of sign said agreement. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier,
Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Siebert

RESOLUTION - YORK COUNTY:

Oswald made the motion (Motion #15) that the Upper Big Blue NRD approve resolution number 25, which was signed and sealed on May 29, 1990 by the York County Commissioner. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier,

Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Siebert

K.N. ENERGY, INC. LETTER OF AGREEMENT:

Oswald made the motion (motion #16) that the Upper Big Blue NRD accept and agree to the letter of agreement from K.N. Energy, Inc.. Seconded by Obermier. Question called. motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier,
Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Siebert

CITY OF YORK AGREEMENT:

Oswald made the motion (Motion #17) that the Upper Big Blue NRD approve the agreement between the City of York and the Upper Big Blue NRD, and authorize the Chairman of the Board to sign said agreement. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier,
Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Siebert

NEBRASKA PUBLIC POWER DISTRICT:

Oswald made the motion (Motion #18) that the Upper Big Blue NRD approve the agreement between Nebraska Public Power District and the Upper Big Blue NRD, and authorize the Chairman of the Board to sign said agreement. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier,
Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Siebert

LRC, INC. EASEMENT:

Oswald made the motion (Motion #19) that the Upper Big Blue NRD approve the payment of \$100.00 to purchase an easement located in Irregular Tract 8 of the SE 1/4 of Section 36, Township 11 North, Range 3 West of the 6th P.M., York County, Nebraska. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier,
Oswald, Regier, Sedlak, Volkmer, Dickinson
NAY: Reichlinger
ABSENT: Burke, Siebert

PAYMENT TO KIRKHAM, MICHAEL & ASSOCIATES:

Oswald made the motion (Motion #20) that the Upper Big Blue NRD make payment of \$1,610.44 to Kirkham, Michael & Associates for the engineering work completed to date on the Lincoln Creek Parkway Trail located at Aurora. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier,

Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Siebert

MINNEGASCO AGREEMENT:

Oswald made the motion (Motion #21) that the Upper Big Blue NRD approve the letter of agreement between Minnegasco, Inc. and the Upper Big Blue NRD, and authorize the Chairman of the Board to sign said agreement. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Siebert

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT:

Hansen gave a report on the Budget, Planning & Legislative Committee meetings held July 12 and 18, 1990 and reviewed the committee reports as distributed.

LANDMARK CONSULTANT:

Hansen made the motion (Motion #22) to approve payment of \$12,000.00 to James M. Montgomery Consulting Engineers for Young Yoon's work on the Landmark hearing from March 16, 1990 through May 26, 1990. Seconded by Hermansen. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Siebert

FY 91 BUDGET:

The Budget Committee reduced Line 17, Special Projects, General Fund (Water) by \$5,000 to \$25,000; Line 41, Intergovernment Cost Sharing, General Fund (Parks) by \$5,000 to \$20,400; and Line 58, Office Equipment, General Fund (I&E) by \$11,000 to \$11,280. They increased Line 40, Land Treatment, General Fund (Projects) by \$10,000 to \$60,000 and Line 15, Project 0 & M, Sinking Fund by \$16,314 to \$55,953.

Turnbull reviewed the amended budget.

Goding made the motion (Motion #23) that the board adopt the FY 91 Budget, as amended, for the purpose of a public hearing, and set the hearing for 8:00 p.m. August 16, 1990. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Dickinson
NAY: None
PASS: Ediger, Volkmer
ABSENT: Burke, Siebert

PROJECTS COMMITTEE MEETING REPORT:

Obermier gave a report on the Projects Committee meeting held July 16, 1990 and reviewed the committee report as distributed.

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Obermier made the motion (Motion #24) that the board of directors authorize payment of \$12,206.25 on 8 NSWCP applications which were submitted and reviewed by the Committee. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hansen, Siebert

LAND TREATMENT - NSWCP FUNDS - NEW APPLICATIONS:

Obermier made the motion (Motion #25) that the board of directors approve two new applications, which were submitted and reviewed by the committee, as eligible for NSWCP funds. Seconded by Sedlak. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Siebert

LAND TREATMENT - LONG TERM AGREEMENT - CANCELLATION REQUEST::

The Projects Committee reviewed a request from Kelly Grossnicklaus, County Executive Director, Hamilton County ASCS, to cancel a Long Term Agreement (LTA) on land owned by Lawrence Cranston. A portion of the required conservation work has been completed and consists of a terrace system. Deleting the remainder of the work will not jeopardize the work in place.

Obermier made the motion (Motion #26) that the board of directors approve the request from Kelly Grossnicklaus, Hamilton County CED, to cancel Lawrence Cranston's LTA for the NE 1/4 of Section

26, Township 9 North, Range 6 West. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Siebert

PROJECT 0 & M STRUEBING DAM:

Obermier made the motion (Motion #27) that the board of directors authorize payment of \$900.00 to Larry Barth for maintenance work completed on Struebing Dam in Butler County. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Siebert

PROJECT O & M MORAVEC DAM:

Obermier made the motion (Motion #28) that the board of directors authorize payment of \$7,963.35 to Hinkle Construction for maintenance work completed on the Moravec Dam in Butler County. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Siebert

PLUM CREEK FLOOD CONTROL PROJECT AT SEWARD:

Olsson Associates consultants have begun work on the study of flood control options for Plum Creek at Seward. Work Completed to date consists of setting up the hydrology model to be used in simulation of flood events.

Obermier made the motion (Motion #29) that the board of directors authorize payment of \$3,647.27 to Olsson Associates for work completed through June 30, 1990 on the Plum Creek Flood Control Study. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Siebert

YORK GROUNDWATER RECHARGE PROJECT - PHASE I PAYMENT:

Obermier made the motion (Motion #30) that the board of directors authorize payment of \$63,875.00, \$6,387.50 of which is to be held as retainage, to Schwisow Enterprises, Inc. for work completed on Phase I of the York Groundwater Recharge Project during June 1990. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Siebert

LAND TREATMENT COST-SHARE RATE:

Sedlak made the motion (Motion #31) to increase the cost-share rate from 60% of 75% on NRD and NSWCP land treatment applications. Seconded by Anderson.

Following some discussion, Volkmer amended the motion to make the motion (Motion #32) to increase the limit on buried return lines from \$2,000 to \$3,500. Seconded by Anderson. Question called on the amendment. Amendment failed.

AYE: Hansen, Moore, Oswald, Regier, Sedlak, Volkmer
NAY: Ediger, Ehlers, Goding, Hermansen, Jackson, Obermier, Reichlinger, Dickinson
PASS: Anderson
ABSENT: Burke, Siebert

Question called on the original motion. Motion failed.

Board of Director's Meeting
July 19, 1990

AYE: Anderson, Goding, Hermansen, Moore, Obermier, Sedlak, Dickinson
NAY: Ediger, Ehlers, Hansen, Jackson, Oswald, Regier, Reichlinger
PASS: Volkmer
ABSENT: Burke, Siebert

FINANCIAL STATEMENT AND BUDGET REPORT:

Volkmer made the motion (Motion #33) to approve the financial statement and budget report as of June 30, 1990; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Siebert

Meeting adjourned at 10:39 p.m.
Louis Oswald, Secretary
:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JUNE 21, 1990

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Doug Dickinson, Chairman
Louis Oswald, Secretary
Bruce Anderson, Director
Bob Ehlers, Director
Wayne Hansen, Director
Jim Jackson, Director
Norman Obermier, Director
John Turnbull, General Manager
Ken Feather, Staff
Rod DeBuhr, Staff

Larry Hansen, Waco
Ray Burke, Vice Chairman
Perry Reichlinger, Treasurer
Ed Ediger, Director
Cal Goding, Director
Lance Hermansen, Director
Larry Moore, Director
Ron Sedlak, Director
Nancy Davis, Staff
Prudence Sadler, Staff
Jerry Willhoft, SCS

ROLL CALL

Fourteen directors were present for roll call. Regier, Siebert and Volkmer were absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published June 11, 1990 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES:

Ehlers made the motion (Motion #1) to approve the minutes of the May 24, 1990 board of directors meeting as distributed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson

NAY: None

ABSENT: Regier, Siebert, Volkmer

MINUTES:

Ediger made the motion (Motion #2) to approve the minutes of the May 24, 1990 public hearing as distributed. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson

NAY: None

ABSENT: Regier, Siebert, Volkmer

PROJECTS COMMITTEE MEETING REPORT:

Obermier gave a report on the Projects Committee Meeting held June 11, 1990 and reviewed the committee report as distributed.

LAND TREATMENT - NRD FUNDS - PAYMENTS:

Obermier made the motion (Motion #3) that the board of directors authorize payment of \$6,328.76 on five applications for NRD funds as submitted and reviewed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Reichlinger, Sedlak, Dickinson

NAY: None

ABSENT: Regier, Siebert, Volkmer

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Obermier made the motion (Motion #4) that the board of directors authorize payment of \$14,375.48 on 6 applications for NSWCP funds as submitted and reviewed. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Reichlinger, Sedlak, Dickinson

NAY: None

ABSENT: Regier, Siebert, Volkmer

LAND TREATMENT - NSWCP FUNDS - NEW APPLICATIONS:

Obermier made the motion (Motion #5) that the board of directors authorize one application, as submitted and reviewed, to be eligible for NSWCP funds when available. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Reichlinger, Sedlak, Dickinson

NAY: None

ABSENT: Regier, Siebert, Volkmer

YORK GROUNDWATER RECHARGE PROJECT - PHASE I - PAYMENT:

Phase I work is 62 percent complete. Concrete work for the spillway should be completed in mid July and remaining earth work should be completed in August.

Obermier made the motion (Motion #6) that Schwisow Enterprises, Inc. be paid \$32,117.00, \$3,211.70 of which is to be held as retainage, for work completed in May 1990 on Phase I of the York Groundwater Recharge Project. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Reichlinger, Sedlak, Dickinson

NAY: None

ABSENT: Regier, Siebert, Volkmer

YORK GROUNDWATER RECHARGE PROJECT - PHASE V - PAYMENT:

Obermier made the motion (Motion #7) that R.A. Mullendore Consultants, Inc. be paid \$1,300.90 for electrical engineering services on Phase V of the York Groundwater Recharge Project. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,

Obermier, Oswald, Reichlinger, Sedlak, Dickinson
NAY: None
ABSENT: Regier, Siebert, Volkmer

WATER COMMITTEE MEETING REPORT:

Ehlers gave a report on the Water Committee meeting held June 12, 1990 and reviewed the committee report as distributed.

ADAMS COUNTY WELL SPACING VIOLATION STATUS REPORT:

Rod reported that he had spoken with Scott Harmon, operator and grandson of Mildred Harmon, concerning the replacement well that was drilled 914 feet from Askey Farm's well. Mr. Harmon was asked to discuss the situation with Jim Askey and see if he would provide the NRD with a written notice that he had no objection to the location of this well. Rod also spoke to Mr. Askey to (get permission to survey. He did not register any objection to the location of the Harmon well. Rod later spoke to Ralph Condon of Nunnenkamp Well Company and he indicated that Jim Askey had told him that his well was a poor well and he might want to replace it and move 150 feet west, which would solve the spacing problem.

FLOW METER SPECIFICATIONS:

DeBuhr reviewed the district flow meter specifications. Ehlers made the motion (Motion #8) to adopt district flow meter specifications as submitted and reviewed. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson
NAY: None
ABSENT: Regier, Siebert, Volkmer

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education & Parks Committee meeting held June 13, 1990 at Camp Jefferson near Fairbury, Nebraska. He reviewed the committee report as distributed.

SNEES REVIEW:

Sixteen teachers attended the 1990 SNEES including four from the Upper Big Blue Natural Resources District.

NEBRASKA SOIL AND WATER CONSERVATION STEWARD AWARD NOMINATION:

Oswald made the motion (Motion #9) that Mr. and Mrs. Harold Bartlett of Utica receive the Nebraska Soil and Water Conservation Award. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson
NAY: None
ABSENT: Regier, Siebert, Volkmer

JUNE WILDLIFE HABITAT PAYMENTS:

Oswald made the motion (Motion #10) that the Upper Big Blue NRD make payments to the

cooperators in the Wildlife Habitat Improvement Program totalling \$3,624.30, as submitted and reviewed. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Sedlak

NAY: Reichlinger, Dickinson

ABSENT: Regier, Siebert, Volkmer

UNIVERSITY OF NEBRASKA-LINCOLN TREE PAYMENT:

Oswald made the motion (Motion #11) that the Upper Big Blue NRD make payment of \$18,771.66 to the University of Nebraska-Lincoln for the purchase of 59,800 trees ordered and planted through the Clarke-McNary program. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson

NAY: None

ABSENT: Regier, Siebert, Volkmer

TREE PAYMENT TO LOWER LOUP NRD:

Oswald made the motion (Motion #12) that the Upper Big Blue NRD make payment of \$1,320.50 to the Lower Loup NRD for the purchase of 4,200 trees. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson

NAY: None

ABSENT: Regier, Siebert, Volkmer

KIRKHAM, MICHAEL & ASSOCIATES:

Oswald made the motion (Motion #13) that the Upper Big Blue NRD make payment of \$1,758.83 to Kirkham, Michael & Associates for the engineering work completed to date on the Lincoln Creek Parkway Trail located at Aurora. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson

NAY: None

ABSENT: Regier, Siebert, Volkmer

YORK COLD STORAGE COMPANY - PAYMENT:

Oswald made the motion (Motion #14) that the Upper Big Blue NRD make payment of \$300.00 to York Cold Storage for the storage of trees for the month of May. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson

NAY: None

ABSENT: Regier, Siebert, Volkmer

PAYMENT TO THE VILLAGE OF WACO:

Oswald made the motion (Motion #15) that the Upper Big Blue NRD make payment of \$1,210.50

to the Village of Waco for the renovation work completed on the Waco ball field. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson

NAY: None

ABSENT: Regier, Siebert, Volkmer

GREEN ACRE SERVICES - PAYMENT:

Oswald made the motion (Motion #16) that the Upper Big Blue NRD make payment of \$488.36 to Green Acre Services for the mowing of Pioneer Trails and Smith Creek Recreation Areas. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson

NAY: None

ABSENT: Regier, Siebert, Volkmer

LINCOLN TELEPHONE COMPANY - LETTER OF AGREEMENT:

Oswald made the motion (Motion #17) that the Upper Big Blue NRD approve the Letter of Agreement between the Lincoln Telephone Company and the Upper Big Blue NRD, and authorize the Chairman of the Board to sign said agreement. Seconded by Burke.

Ediger expressed concern that the committee had not seen the actual agreements referred to in items 11 through 15 of the minutes of the June 13, 1990 Education & Parks Committee report. Ediger made the motion (Motion #18) to refer items 11 through 15 back to the Education & Parks Committee. Seconded by Hansen. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Moore, Sedlak, Dickinson

NAY: Anderson, Burke, Jackson, Obermier, Oswald, Reichlinger

ABSENT: Regier, Siebert, Volkmer

WHIP PAYMENTS:

Reichlinger called the board's attention to the fact that only 12 of 21 cooperators were listed on the attachment to the Education & Parks Committee minutes of the June 13th committee meeting. A page was inadvertently left out when the copies were run. The point was also made that there would be no change in the total dollar amount previously approved as a result of this error. A complete list had been presented to the Education & Parks Committee for their review at the June 13, 1990 committee meeting.

Moore made the motion (Motion #19) that the board vote again to authorize payment to the cooperators whose names were not included on the list attached to the minutes. Seconded by Reichlinger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson

NAY: None

ABSENT: Regier, Siebert, Volkmer

BENEDICT BASEBALL FIELD RENOVATION PROJECT:

Oswald made the motion (motion #20) that the Upper Big Blue NRD enter into an agreement with the Benedict School District to fund the baseball field renovation project at a cost not to exceed \$632.00. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Reichlinger, Sedlak, Dickinson
NAY: None
ABSENT: Regier, Siebert, Volkmer

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT:

Hansen gave a report on the Budget, Planning & Legislative Committee meeting held June 18, 1990 and reviewed the committee report as distributed.

WATTS & ASSOCIATES BILLING:

Hansen made the motion (Motion #21) to approve payment of \$10,588.22 to Watts & Associates for Gary Watts and John Raines' work on the Landmark case through May 31. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Reichlinger, Sedlak, Dickinson
NAY: None
ABSENT: Regier, Siebert, Volkmer

McCULLEY, FRICK & GILMAN:

Hansen made the motion (Motion #22) to approve payment of \$4,787.60 to McCulley, Frick & Gilman, Inc. for Bryan McCulley and Lee Rozaklis' work on the Landmark case through May 31. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Reichlinger, Sedlak, Dickinson
NAY: None
ABSENT: Regier, Siebert, Volkmer

BOYLE ENGINEERING CORPORATION:

Hansen made the motion (Motion #23) to approve payment of \$37,035.08 to Boyle Engineering Corporation for Jerry Kenn's work on the Landmark case through May 10. Seconded by Obermier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Reichlinger, Sedlak, Dickinson
NAY: None
ABSENT: Regier, Siebert, Volkmer

NARD BUDGET FY 91:

Hansen made the motion (Motion #24) to recommend to the NARD that the dues to the Association should be increased no more than six percent. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Moore, Oswald, Sedlak,
Dickinson

NAY: Goding, Jackson, Obermier, Reichlinger
ABSENT: Regier, Siebert, Volkmer

MIDDLE NIOBRARA LEGAL DEFENSE FUND REQUEST:

Hansen made the motion (Motion #25) to instruct our NARD Representative to vote no on the Middle Niobrara legal defense fund request. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson
NAY: None
ABSENT: Regier, Siebert, Volkmer

FSA - SPECIAL CIRCUMSTANCE ALTERNATIVE DECISION:

Copies of the letters from Jerry Vap, President of the NARD Board, to Wilson Scaling (SCS) and Jim Moseley (EPA) were circulated to the Upper Big Blue NRD Board of Directors.

As the NARD Voting Delegate for the Upper Big Blue NRD, Moore requested direction from the board regarding their position on the Special Circumstance Alternative decision.

After some discussion, Goding made the motion (Motion #26) that the Upper Big Blue NRD Board of Directors go on record in support of the contents of the letter written by Jerry Vap to Wilson Scaling regarding the Special Circumstance Alternative decision. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Sedlak, Dickinson
NAY: Ehlers, Reichlinger
PASS: Anderson
ABSENT: Regier, Siebert, Volkmer

EXECUTIVE COMMITTEE MEETING REPORT:

Burke gave a report on the Executive Committee Meeting held June 18, 1990 and reviewed the committee report as distributed.

ATTORNEY FEES:

Burke made the motion (Motion #27) to make payment of \$17,530.12 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through May 20, 1990. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Sedlak, Dickinson
NAY: None
ABSENT: Regier, Reichlinger, Siebert, Volkmer

DISTRICT INSURANCE COVERAGE:

Turnbull reviewed the quote received from York Insurance Agency for the district insurance package for FY 91.

Board of Director's Meeting
June 21, 1990

Burke made the motion (Motion #28) to approve purchase of Property & Liability, Auto, Workers Compensation, Umbrella, and Errors and Omissions insurance for FY 91 from Cornhusker Casualty through York Insurance Agency for \$17,516.00. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson
NAY: None
ABSENT: Regier, Siebert, Volkmer

FINANCIAL STATEMENT AND BUDGET REPORT:

Burke made the motion (Motion #29) to approve the financial statement and budget report as of May 31, 1990; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson
NAY: None
ABSENT: Regier, Siebert, Volkmer

RESOLUTIONS FOR NARD ANNUAL CONFERENCE:

John Turnbull and Larry Moore were directed to draft a resolution regarding the procedure for printing of ballots in the primary election. A copy of that resolution is attached to these minutes.

Ehlers made the motion (Motion #30) that the Upper Big Blue NRD adopt the resolution regarding primary election procedures and submit it for consideration at the NARD Annual Conference in September. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Dickinson
NAY: None
ABSENT: Regier, Siebert, Volkmer

Meeting adjourned at 10:05 p.m.

Louis Oswald, Secretary

:nd

attachment

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MAY 24, 1990

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:14 p.m.

PRESENT:

Doug Dickinson, Chairman
Louis Oswald, Secretary
Perry Reichlinger, Treasurer
Bruce Anderson, Director
Ed Ediger, Director
Bob Ehlers, Director
Cal Goding, Director
Wayne Hansen, Director
Jim Jackson, Director
Larry Moore, Director
Norman Obermier, Director
Kenneth Regier, Director
Ron Sedlak, Director
Roger Siebert, Director

Merlin Volkmer, Director
John Turnbull, Manager
Nancy Davis, Staff
Jay Bitner, Staff
Prudence Sadler, Staff
Ken Feather, Staff
Rod DeBuhr, Staff
Jerry Willhoft, Aurora SCS
Harold Janda, NNRC
Orval Stahr, York County Board
Dean Buller, York County Board
Karl Burmester, York Co. Eng.
Donna Rhoades, York News Times
Charles Kaliff

ROLL CALL:

Fifteen directors were present; with Burke and Hermansen absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published May 14, 1990 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES:

Ediger made the motion (Motion #1) to approve the minutes of the April 19, 1990 board of directors meeting as distributed. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

KALIFF DAM:

Orval Stahr, Karl Burmester, and Dean Buller, representing the York County Board, were put on the agenda at their request in order that they might address the board regarding the status of the Kaliff Dam.

YORK GROUNDWATER RECHARGE PROJECT - PHASE II:

Phase II, recharge well and monitoring wells, of the York Groundwater Recharge Project is completed.

Obermier made the motion (Motion #8) that the board of directors authorize final payment of \$60,871.35 to Layne-Western Company, Inc., of which \$50,199.25 is for work completed in April 1990 and \$10,672.10 is for retainage previously withheld. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Hermansen

WATER COMMITTEE MEETING REPORT:

Committee Chairman Larry Moore gave a report on the Water Committee meeting held May 15, 1990 and reviewed the committee report as distributed.

EASTERN UBBNRD SPA STUDY REPORT:

Jeff Gottula of the Department of Environmental Control gave a slide presentation of the Eastern Upper Big Blue NRD Special Protection Area study results. DEC made three recommendations as a result of the study.

- A. No recommendation for designation of a Special Protection Area should be made until SPA studies in UBBNRD are completed. A more complete understanding of the extent and nature of contamination within the entire UBBNRD will result in a more informed SPA action plan that is consistent with conditions in the entire district.
- B. UBBNRD should increase sampling of representative wells with the goals of increasing the understanding of the extent of contamination both geographically and stratigraphically.
- C. UBBNRD should begin to inventory land use practices and quantities of fertilizers and pesticides applied on the Goehner Upland and in the District.

A public hearing is scheduled for June 5, 1990 at 7:30 p.m. in the Seward Civic Center to receive public comment on the study and recommendations.

Moore made the motion (Motion #9) that the district present testimony at the June 5th hearing, as presented to the board. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Burke, Hermansen

WELL SPACING VIOLATION:

Rod reported that on August 7, 1989, replacement well G-6403 was drilled in the SW 1/4 NW 1/4 of Section 12-T8N-R9W, Adams County. This well was registered with Department of Water Resources on January 8, 1990 and a copy was sent to the NRD with the first quarter well registration

report in April.

In plotting well locations on aerial photographs this well appears to be less than 1,000 feet from well No. G-69678 in the SE 1/4 NE 1/4 of Section 11-T8N-R9W, Adams County. A preliminary field check confirms that the wells are approximately 920 feet apart.

Rod informed the board that since the May 15th meeting he has reason to believe that yet another well, which is unregistered, may be involved. Rod thinks what has happened is that the original well No. G-6403 is about 500 feet north of the replacement well that violated spacing. However, the well they replaced was only about 30 feet from this well. There was an intermediate replacement well drilled that was never registered. The legal aspects of this are somewhat complicated. Rod plans to conduct a field survey of both well, with the owners permission. He will take any findings to the Water Committee.

CONTROL AREA REGULATIONS HEARING:

Moore made the motion (motion #10) that the changes to the Control Area Regulations considered at the Public Hearing be adopted and forwarded to Mike Jess at the Department of Water Resources. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

PASS: Sedlak

ABSENT: Burke, Hermansen

RUNOFF/FORMAL HEARING REGULATIONS:

Moore made the motion (Motion #11) that the public hearing be held for consideration of changes to NRD Rule 3 (Runoff) and NRD Rule 4 (Formal adjudicatory hearings) prior to the July 19, 1990 board of directors meeting. Seconded by Ehlers. Question called. Motion carried.

Orval Stahr: Well, very briefly all we wanted to do tonight is give it one final shot to see if there's anything that can 'be done. Basically our concern is whether there is any way to build the thing cheaper. Karl is here because I think there's some concern, from your side, about the size of the structure.

Jay Bitner: Well, I'm really not prepared to go over any detailed cost, but our current cost estimate is \$110,000.00, based on the latest discussions with the county. And as far as I'm concerned, that's were we left it.

Doug Dickinson: That's basically where we left it in committee.

Jay Bitner: Yes, and we haven't really taken a look at reducing the top width or any of those items.

Bob Ehlers: Mr. Chairman, there's one way that I haven't heard suggested yet, and that's to put the dam back to it's original specifications, with a 28 foot roadway, and proceed from there.

Bruce Anderson: That's the catch, the wide top is what's got us in trouble.

Orval Stahr: I have a question in looking at some of the other dams the NRD has built. Why can't we build a dam half the size?

Bitner: I can answer that. I think Karl probably knows as well as I do at this point. Karl and I sat down with the Department of Water Resources and went over the requirements for dams. Where to set the top of dam, how to size the spillway, and how we did our design work for the Kaliff. Karl do you have any disagreement with what Lou and I covered with you?

Karl Burmester: No, I don't have anything against that. I just think there are some ways, that we discussed that day, of making the overall structure smaller. However, at that time you felt that if it was any smaller it would cease to hold water, and that's not what the NRD was in business for. We're kind of at that instance in that we can make it smaller than what it's designed for now, but will it do what everyone wants it to do with a smaller structure.

Jay Bitner: That's right you could make it smaller by decreasing the conservation pool. As I relayed to Karl, and I think Lou would confirmed that, if you're going to build the dam, at least at this NRD, our concept has been to store as much water as you can in the process. I didn't see that as an alternative.

Orval Stahr: If you're looking at it from the county's side, if our intent is to try to preserve the water, it appears to me that we can't be spending twice as much money as it would take to replace a bridge with a box culvert. I just don't think the public would go along with that. If we can reduce the size, granted we'll be storing less water, but isn't storing less water better than storing no water?

Bob Ehlers: The same philosophy holds true with our board. To start with, any road dam is much more expensive than a dam out in a field to hold the same amount of water. That's why we have shied away from road dams the past several years, because for the dollars spent, you don't get the holding capacity. It's been our thinking that if the amount the county would save could be chipped in maybe it would be feasible. But in this case, due to the increase in the size of the roadway it's no longer feasible. We still haven't heard an explanation why this dam has to be 34 feet wide on top.

Orval Stahr: Well the answer to that is basically very simple, and Karl can correct me if I'm wrong. As far as the road standards that we have to design to, when we put in a new structure, we've got to have 28 foot of roadway width. That's why we're out here spending several hundred thousand dollars a year replacing and widening bridges. We just finished a project where we put a new deck on the bridge for one simple reason and that was to get the big equipment off of the Gresham Road and Thayer Road, where they were getting run off the road, and onto a gravel road. They have to have that kind of width. It doesn't make sense to me to put in a roadway that is substandard in terms of the design standards that are dictated to us by the state.

Perry Reichlinger: The same philosophy would apply to a dam. If you can't build half a road how can you build half a dam? We've got state requirements as well, as Jay just pointed out to you.

Orval Stahr: To my knowledge, there is no requirement that we design to a 100 year flood. Why not a 50 or a 25 year flood?

Jay Bitner: There is a requirement. Design standards for the flood frequency that you design to are set by the Department of Water Resources. And it does include more than a 50 year storm for your top of dam, it's in excess of a 100 year storm at top of dam. Isn't that correct Karl?

Karl Burmester: Yes, I agree with that. I also agree with the fact that we've got a 48 inch tube and we could absolutely look at a 60 inch tube. We could also look at lowering the height of the tube inlet. There are a number of things that we could do to reduce the size of the dam and lower the cost. And to say that the county's requirement of a 34 foot top is the only reason that we're looking at \$120,000 is ridiculous.

John Turnbull: I just want to clear something up from both the county and district perspective. I don't think either one of us, as groups, are really arguing with the other agency's design requirements. I think what we're trying to decide is whether or not there is a way to build the structure, with this NRD board's concurrence, with a smaller conservation pool so that the overall structure can still meet state and federal road design standards and still meet state dam safety standards and be constructed for less money. Right?

Jay Bitner: We looked at two cost estimates that came close to doing those things that you're talking about. We looked at one cost estimate that had zero conservation storage, essentially, would have the flood control required for the dam safety, and that was about \$85,000. We also looked at a dam that would have the same conservation storage that we planned for the structure we currently have designed, it had a narrower top when we originally started, that also was \$85,000. So I guess the question is where between those alternatives, and where we are currently at in the design, do you want to pick the dam. Anything in between is going to be somewhere between \$85,000 and \$110,000 no matter how you cut it.

Orval Stahr: Well is it possible to put in a larger tube and have a lower dam?

Jay Bitner: It's possible, but I don't recommend that, strictly from the design consideration in terms of scour on the downstream side. A 60 inch culvert would be fine, but when you build the head up on the inlet side of that for flood control and take the discharge on the downstream side your scour would be too excessive. I wouldn't personally design it that way.

Karl might, but that's just a difference in opinion between engineers, personally I wouldn't do that. And we covered that concept the day that Lou was out here too. His suggestion was that we take a look at a 48 inch concrete pipe instead of corrugated metal, because of a smoother barrel and higher discharge, but that's expensive. That's more expensive than what we've chosen.

John Turnbull: By about \$50,000.

Jay Bitner: Yes, as a matter of fact, the day Lou Kubicek was out he brought along a sample design that he'd done for the Papio NRD. If you recall that Karl, it was exactly the same size watershed, same number of yards, same size pipe and everything, and that was \$157,000. So I don't think the

cost is out of line for what we're trying to do. I think that the problem is that when you combine the road standards with dam building standards, the cost is high.

Charles Kaliff: When this dam was first started it wasn't near that high; they ballooned it up. Every time they go out and survey it, and put the stakes where the water's going to be, it keeps going higher. Now they've got it so darn high that if it were clear full I'd have water in my basement. And I've got my house right on top of the high ground. I can't see raising it 20 feet. That would be as high as the telephone posts out there. This thing has gotten clear out of proportion. You can have a nice looking dam, but not something that looks like Lake McConaughy in North Platte. It's a good site for a dam, but not what they've designed to build. That's just completely out of sight.

Jay Bitner: Well if it came right down to it the best site for the dam would not be on the road, it's actually upstream from the road. And you would have a considerably smaller structure than what it would take to build a road dam.

Orval Stahr: Why is that?

Jay Bitner: Mainly because the top width would be narrower and it would be quite a bit shorter. Probably about a third or half the length that a road dam would be. And the other thing is that you could put an emergency spillway around the west end of the structure which would lower the top. Not only that, but the county could put a culvert in instead of a bridge, and I think probably the whole thing could be done for somewhere in the range of \$85,000. That includes the replacement of the bridge. But my understanding is that that wasn't acceptable to everybody concerned, as far as location.

Norman Obermier: What kind of dollars are you talking about spending?

Orval Stahr: The current estimate for what it would cost to replace the bridge structure with a box culvert is right at \$30,000. What the county had agreed to previously was that we would pay 30% of the project cost, up to a maximum of \$30,000. What nobody, including anybody on the county board, had thought of, was what it was going to cost to install the guardrail. When you add that cost, the gravel, and the initial \$10,000 that was requested, how do you justify that to the folks out there paying the bill?

Norman Obermier: You built two structures up our way, I don't see a guardrail on them. Why do we have to have a guardrail here?

Orval Stahr: I'm not sure that the ones that were built shouldn't have them. We know there's the possibility we could have to tear them out.

Norman Obermier: Run that by me once more.

Orval Stahr: If I understand the law correctly, any kind of structure like that must be approved by the state department of water resources.

Jay Bitner: That's correct.

Orval Stahr: Those were not approved to my knowledge.

Norman Obermier: Well as far as I can see they'll be there a long time.

Orval Stahr: This brings up part of the issue that people out there are asking. If those are going to be there a long time, and they were built for an estimated cost of under \$30,000, then why do we have to spend \$110,000. That's the central issue.

Bob Ehlers: Orval, didn't you just answer that? There is the possibility that they might have to be torn out because they were not built to specifications.

Orval Stahr: I don't know if the county knows. I guess the reason that was done, and we were able to do it that way, was because we didn't meet the standards. Now the county, in my opinion, will bear full liability for both downstream problems, as well as the structure itself.

John Turnbull: Let me explain a procedural thing to you board members. About 60 days ago, you made a board motion suspending all activity on the Kaliff structure. If you as a board decide you want to do something to try to resolve the issue with York County, the first thing you need to do is reactivate the project. And then you need to decide what you want to do from there.

Larry Moore: Even if we walk away from it that doesn't change the requirements they're going to have to meet. Granted, they've got a couple of dams east of here that don't meet Department of Water Resources standards, but I don't think York County is going to continue to make that a policy; are you Orval? I would assume now that you are aware of the problem, any future dams that you are involved in will meet the standards of the Department of Water Resources.

Orval Stahr: What that says is, as far as the current board is concerned, and if you look at the tax payers situation, there won't be any road dams.

Larry Moore: I live in Butler County and I have two road dams. One has a 28 foot top. If the county approached me for another road dam, while I've enjoyed a lot of conveniences with these, I don't think I'd be very interested because of the guard rails, the drawdowns, and all the other things the old dams don't have. After looking at both of mine for over 20 years, road dams -just aren't worth it. You just can't afford them; that's all there is to it.

Orval Stahr: The question came up about design requirements for a 100 year flood. Why?

Larry Moore: I don't write the rules. I asked the same question and discovered I wasn't going to get an answer that satisfied me anymore than it satisfied you. I think you'd just as well put in your box culverts and try to convince the landowners to put the dams upstream off the road. You can get by with a cheaper culvert down below. The dam normally costs less because of the difference in the width. Jay alluded to the emergency spillway, you can cut an emergency spillway up in the field around the edge and that helps reduce the cost of a dam. Try an cut an emergency spillway in a road

an make a nice square dipsy doodle. It isn't long before the maintenance crew is out there cutting that thing down on both edges and smoothing it off.

Orval Stahr: It doesn't have to be a nice square dipsy doodle.

Larry Moore: When you start cutting emergency spillways across the right-of-way, emergency spillways are a lot bigger than most people think they are. That's a big hole you've got to cut. That's all yardage that's got to be moved.

Merlin Volkmer: You alluded to our 100 year storm requirement and why we had to have it so high. Well why do you want 34 feet? Because those are the rules. You have to obey the rules.

Orval Stahr: Even if there was no rule, the citizens out there are telling us they don't want any more narrow bridges. They can't get the equipment through.

Bob Ehlers: I'm speaking as an individual now. I feel this board would consider any design that York County would bring to us, see if it met design requirements, and go from there. The last piece I read in the paper said you were going to discontinue all negotiations with the NRD. Has that changed since a week ago Tuesday?

Orval Stahr: That's a fair question. I think the board reaction to your request that morning was a frustrated way of saying no we're not going to pay more than we bargained for. In the interim Karl has worked with John, Jay, etc., we've tried to explore every option to see if there is a way that the county can support the NRD in their efforts and vice versa. If we can conserve water we should be doing it. If the county can do that, without spending a fortune in the process, then we should do that.

Bob Ehlers: Those are exactly our same goals.

Karl Burmester: I also think that the other party involved needs as much say as either one of these two boards, and that's Mr. Kaliff.

Bob Ehlers: I agree with that.

Orval Stahr: Maybe there is a way if we use a little common sense. Maybe we can design it so we don't need guard rails. Then we don't need 34 feet top width. We may have to design to a 50-year flood. If the standards are such they are precluding both bodies from accomplishing our objective then maybe we need to look at the standards.

Jim Jackson: I haven't been on the board very long; and I would move that we at least talk to them, but from what I've seen of the figures for the cost of road structures, it's a lot of money for no more than we get.

Jackson made the motion (Motion #2) to talk York County about the Kaliff Dam. Seconded by Hansen.

Perry Reichlinger: I have a question. What is the effect of the motion?

Does it nullify the motion made at the previous Meeting? Or is this a completely new start? What happens to the \$5,000 we spent, outside of staff time, to this point?

Hansen: As I would interpret this motion, Mr. Chairman, those are some of the things we could talk about.

Perry Reichlinger: The intent of the motion is not to reactivate the project then?

John Turnbull: No, just to discuss the possibility.

Bob Ehlers: I'm reluctant to spend more staff time unless we have something concrete to work with, because the staff is busy. We've offered something concrete. My suggestion is that the county offer something concrete, like the design of a dam that would suit your purpose, and we would have to see if we concur. Question called on the motion. Motion carried.

AYE: Anderson, Ediger, Hansen, Jackson, Obermier, Oswald, Reichlinger, Siebert, Dickinson

NAY: Ehlers, Goding, Moore, Sedlak

PASS: Regier, Volkmer

ABSENT: Burke, Hermansen

Anderson made the motion (Motion #3) that the matter be sent to the Projects Committee. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: Ehlers, Goding

ABSENT: Burke, Hermansen

PROJECTS COMMITTEE REPORT:

Committee Chairman Norman Obermier gave a report on the Projects Committee meeting held May 14, 1990 and reviewed the committee report as distributed.

LAND TREATMENT - NRD FUNDS - PAYMENTS:

Obermier made the motion (Motion #4) that the board of directors approve payment of \$2,000 on one application for NRD funds, as submitted and reviewed. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

LAND TREATMENT - NWCP FUND - PAYMENTS:

Obermier made the motion (Motion #5) that the board of directors approve payment of \$28,299.60 on 17 applications for NWCP land treatment funds as submitted and reviewed. Seconded by

Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

LAND TREATMENT - NWCP FUNDS - NEW APPLICATIONS:

Obermier made the motion (Motion #6) that the board of directors authorize 10 applications as submitted and reviewed to be eligible for NWCP land treatment funds, as funds become available. Seconded by Hansen. Question called. Motion Carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

YORK GROUNDWATER RECHARGE PROJECT - PHASE I:

Obermier made the motion (Motion #7) that the board of directors authorize payment of \$68,369.60 to Schwisow Enterprises, Inc. and that \$6,836.96 be held as retainage. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

MILLER AMENDMENT:

Moore made the motion (Motion #12) that the district oppose the Miller Amendment, as submitted and reviewed. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Committee Chairman Louis Oswald gave a report on the Education & Parks Committee meeting held May 17, 1990 and reviewed the committee report as distributed.

YORK COLD STORAGE COMPANY PAYMENT: Oswald made the motion (motion #13) that the Upper Big Blue NRD make payment to York Cold Storage Company in the amount of \$300 for the storage of trees for the month of April. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlik, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

KIRKHAM, MICHAEL & ASSOCIATES:

Oswald made the motion (Motion #14) that the Upper Big Blue NRD make payment of \$1,396.50 for the survey work completed on the Lincoln Creek Parkway Trail located at Aurora. Seconded By Regier. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlik, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

LINCOLN-OAKES NURSERIES PAYMENT:

Oswald made the motion (Motion #15) that the Upper Big Blue NRD make payment of \$790.32 for the trees purchased from Lincoln-Oakes Nurseries. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlik, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

GREEN ACRE SERVICES:

Oswald made the motion (Motion #16) that the Upper Big Blue NRD make payment of \$488.36 to Green Acre Services for the mowing of Pioneer Trails and Smith Creek Recreation Areas. Seconded

Regier. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlik, Siebert, Volkmer, Dickinson

NAY: None

PASS: Hansen

ABSENT: Burke, Hermansen

1991 CONSERVATION FARM AWARD:

The committee reviewed ten nominees for the 1991 Farm Conservation award. Two nominees were selected for recommendation to the board and the remaining names will be held over for the 1992 nominations.

Oswald made the motion (Motion #17) that the 1991 Farm Conservation awards be presented to Mr. and Mrs. Harold Barth of Grafton (Fillmore County) and Mr. and Mrs. Arthur Richter of Gresham (York County). Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlik, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

SNEES - JUNE 4-5TH:

The SNEES has moved their barbecue to 6:00 p.m. Wednesday, June 13 so that directors and staff

from the Upper Big Blue NRD can attend.

Oswald made the motion (Motion #18) that the Education Committee hold its June meeting at Camp Jefferson on Wednesday, June 13, immediately following the barbecue. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlik, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Committee Chairman Wayne Hansen gave a report on the Budget, Planning & Legislative Committee meeting held May 22, 1990 and reviewed the committee report as distributed.

WATTS & ASSOCIATES BILLING:

Hansen made the motion (Motion #19) to approve payment of \$11,690.18 to Watts & Associates, Inc. for work completed in March and April by Gary Watts and John Raines in preparation for the Landmark hearing. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

McCULLEY, FRICK & GILMAN, INC. BILLING:

Hansen made the motion (Motion #20) to approve payment of \$11,065.90 to McCulley, Frick & Gilman, Inc. for work completed by Brian McCulley and Lee Rozaklis in preparation for the Landmark hearing. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

EXECUTIVE COMMITTEE MEETING REPORT:

Reichlinger gave a report on the Executive Committee meeting held May 22, 1990 and reviewed the committee report as distributed.

ATTORNEY FEES:

Reichlinger made the motion (Motion #21) to make payment of \$5,032.54 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through April 20. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

NARD BILLING:

Reichlinger made the motion (Motion #22) to approve payment of the balance due of \$1,777.45 to the NARD for the April 1990 Washington, D.C. lobbying trip attended by Anderson, Ehlers and Turnbull. Seconded by Hansen. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier,
Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSTAIN: Anderson

ABSENT: Burke, Hermansen

ASCS MEMORANDUM OF UNDERSTANDING:

The district has received a proposed memorandum of understanding from the York County ASCS. It is written with the same terms and conditions as others the district negotiated and approved.

Reichlinger made the motion (Motion #23) to approve the memorandum of understanding between the York County ASCS and the Upper Big Blue NRD. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

FINANCIAL STATEMENT AND BUDGET REPORT: Ehlers made the motion (Motion #24) to approve the financial statement and budget report as of April 30, 1990; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Burke, Hermansen

Meeting adjourned at 10:35 p.m.

Louis Oswald, Secretary

:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
APRIL 19, 1990

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Doug Dickinson, Chairman
Louis Oswald, Secretary
Bruce Anderson, Director
Bob Ehlers, Director
Wayne Hansen, Director
James Jackson, Director
Norman Obermier, Director
Ron Sedlak, Director
Merlin Volkmer, Director
Nancy Davis, Staff
Rod DeBuhr, Staff
Ken Feather, Staff
Mark Nannen, Blue River Assn
Donna Rasmussen, Aurora Chamber
Rod Rudebusch, Aurora Chamber

Ray Burke, Vice Chairman
Perry Reichlinger, Treasurer
Ed Ediger, Director
Cal Goding, Director
Lance Hermansen, Director
Larry Moore, Director
Kenneth Regier, Director
Roger Siebert, Director
John Turnbull, Manager
Prudence Sadler, Staff
Jay Bitner, Staff
Jerry Willhoft, Aurora SCS
Don Mierau, Henderson, NE
Becky French, Aurora Chamber
Donna Rhoades, York News-Times

ROLL CALL:

All 17 directors were present; with Hermansen and Jackson arriving following roll call.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published April 9, 1990 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES:

Ediger made the motion (Motion #1) to approve the minutes of the March 22, 1990 board of directors meeting as distributed. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Jackson

WASHINGTON, D.C. TRIP REPORT

Ehlers, Anderson and Turnbull each gave a brief report on their recent trip to Washington, D.C. with the NARD.

PROJECTS COMMITTEE REPORT:

Obermier gave a report on the Projects Committee meeting held April 9, 1990 and reviewed the committee report as distributed.

LAND TREATMENT - NWCP FUNDS - NEW APPLICATIONS:

Obermier made the motion (Motion #2) that the board of directors approve 11 new applications as eligible for NWCP land treatment funds as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,

Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None

LAND TREATMENT - NWCP FUNDS - PAYMENTS:

Obermier made the motion (Motion #3) that the board of directors authorize payment of NWCP land treatment funds in the amount. of \$5,334.96 on 4 applications as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

PROJECT 21-11-03E - PLUM CREEK FLOOD PROTECTION:

As directed by the board of directors in March 1990, the staff has obtained proposals for reconnaissance level engineering for the Plum Creek Flood Protection Project at Seward. Engineering firms that were invited to submit proposals were E.A. Engineering and Olsson Associates; both firms are located in Lincoln. After reviewing the proposals and discussing the level of effort proposed by each firm, the staff recommended that Olsson Associates be selected. Obermier made the motion (Motion #4) that the district hire Olsson Associates to prepare a reconnaissance level study of various flood protection plans, outlined in the request for proposals dated March 19, 1990 and updated April 3, 1990, for a fee not to exceed \$33,400. Seconded by Hansen. Question called. motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Reich linger

YORK GROUNDWATER RECHARGE PROJECT - PHASE II

work remaining on Phase II (recharge well and monitoring wells) includes installation of the redevelopment pump, recharge column and electrical wiring for the pump. Monitoring wells are completed and ready for taking samples. Work under this contract is 70 percent complete.

Obermier made the motion (Motion #5) that Layne-Western be paid \$1,437.50, and that \$143.75 be held as retainage, for work completed on Phase II of the York Groundwater Recharge Project in March 1990. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Reich linger

YORK GROUNDWATER RECHARGE PROJECT - PHASE I

Work has resumed on Phase I (dam and spreading basins). Currently construction work centers around the chute spillway and outlet works piping. Work under this contract is 42 percent completed.

Obermier made the motion (Motion #6) that Schwisow Enterprises, Inc. be paid \$32,508.10 and the \$3,250.81 be held as retainage, for work completed on Phase I of the York Groundwater Recharge

Project in March 1990. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

YORK GROUNDWATER RECHARGE PROJECT - PHASE V

Design on Phase V (pipeline and pump station between the reservoir and York Cold Storage plant) will be completed in April 1990. Staff is requesting authorization to advertise for bids on Phase V. Obermier made the motion (motion #7) that the board of directors authorize staff to advertise for bids on Phase V of the York Groundwater Recharge Project. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

YORK GROUNDWATER RECHARGE PROJECT - PHASE IV

Phase IV (on-site water distribution system and water treatment plant) is currently in the design phase. Water treatment plant ELECTRO-COAG filtration system, ultraviolet disinfection unit and pug mill have been selected for this project. The time required for manufacturing the selected equipment is 120 days; therefore, staff is requesting authorization to purchase the process equipment at this time to allow for installation this summer. Bitner gave a presentation to the board describing the system and how it works.

Obermier made the motion (Motion #8) that the board of directors authorize staff to purchase the selected ELECTRO-COAG filtration system, ultraviolet disinfection unit and pug mill for a cost of \$90,100, plus taxes and shipping. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

YORK GROUNDWATER RECHARGE PROJECT - SALE OF EARTH BORROW:

There will be excess excavation of approximately 35,000 cubic yards at the Recharge Project dam site. Several contractors and Nebraska Department of Corrections have made a request to purchase the excess earth. Obermier made the motion (Motion #9) that the board of directors authorize the sale of excess earth from the York Groundwater Recharge Project site at 25 cents per cubic yard and that the agent purchasing the earth be responsible for all loading, hauling and site cleanup and hold the district harmless from all damages and liabilities associated with removing and using the earth. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

Donna Rasmussen, Becky French and Rod Rudebusch, representatives from the Aurora Chamber of Commerce, addressed the board regarding Project 24-11-7W (Lincoln Creek) and requested that the board keep the project on the priority list. They stressed the importance of this project to the City

of Aurora and surrounding area for water recharge, recreation and flood control. They were advised that the project is currently 5th or 6th on the priority list.

WATER COMMITTEE REPORT:

Moore gave a report on the Water Committee meetings held April 10th and 19th and reviewed the committee reports as distributed.

On April 10, 1990 the district received an order from the Department of Water Resources denying the changes to the Control Area Rules and Regulations. The denial is based on Chapter 7, Paragraph 06, which requires annual reports for groundwater users, other than irrigators. According to the order, this provision does not meet the equity standards established by 46-666 (4) .

Chapter 7, Paragraph 06 reads as follows: "No later than March 1st of each year, the owner of an industrial, municipal, recreational, wildlife, livestock, poultry and other wells shall report the amount of groundwater withdrawn from each such well during the preceding calendar year to the district."

The committee considered three alternatives at their April 10th meeting. These alternatives were (1) keep existing regulations; (2) add irrigation wells to Chapter 7, Paragraph 06; and (3), delete Paragraph 06 from Chapter 7. The April 10th recommendation from the committee read "No later than March 1st of each year, a groundwater user shall report the groundwater use from each well he or she controlled for the previous calendar . year to the district. Groundwater use may be reported in gallons or acre inches. (Acre inches are preferred). Said report shall also include the method used to determine the groundwater use."

After being contacted by committee members, some of whom were not present at the meeting, expressing dissatisfaction with the proposed alternative, Larry Moore, Water Committee Chairman, scheduled another Water Committee meeting for April 19th to further discuss the matter.

The committee recommendation forwarded to the board for consideration April 19th read as follows: "To rescind the committees action of April 10, 1990 and amend Chapter 4, Paragraph 5 to read as follows: "When the district groundwater level falls to a level that is 2 feet above the 1978 level, the district shall issue a public notice warning all groundwater users that groundwater use restrictions will be implemented if the district groundwater level falls below the 1978 level and require that no later than March 1st of each year, each groundwater user shall report the groundwater use from each well he or she controlled for the previous calendar year to the district. Groundwater use may be reported in gallons or acre inches. (Acre inches are preferred). Said report shall also include the method used to determine the groundwater use." And delete Chapter 7, Paragraph 06 and change the effective date of the control area regulations to July 1, 1990."

After reading the committee recommendation, Moore offered it in the form of a motion (Motion #10). Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

PUBLIC HEARING - PROPOSED CHANGES

Moore made the motion (motion #11) to hold the public hearing on these changes on May 24, 1990 at 7:30 p.m. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

EDUCATION & PARKS COMMITTEE REPORT:

Oswald gave a report on the Education & Parks Committee meeting held April 12, 1990 and reviewed the committee report as distributed.

FENCING AND SEEDING - PROGRESS PAYMENT:

Oswald made the motion (Motion #12) that the Upper Big Blue NRD authorize a partial payment of \$11,576.90, \$1,157.69 of which is to be held as retainage, to B.A.B., Inc. for the fencing and seeding work completed on the York Groundwater Recharge Demonstration Project between January 1, 1990 and March 31, 1990. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

LAND RIGHTS NEGOTIATIONS - PHASE I - YGRDP:

LELAND P. AND CAROLYN R. KOPCHO:

Oswald made the motion (motion #13) to approve the payment to purchase an easement located in the north 25 feet of the N ½ of the NE ¼ of Section 2, Township 10 North, Range 3 West of the 6th P.M., York County, Nebraska and to authorize the Chairman to approve payment of \$650 for said easement. Seconded by Burke.

Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

YORK COLD STORAGE:

Oswald made the motion (Motion #14) to approve the payment to purchase an easement located in the Irregular Tract 6 and 7 and a parcel of land situated in and being a part of the SE ¼ of the SE ¼ of Section 36, Township 11 North, Range 3 West of the 6th P.M., York County Nebraska and to authorize the Chairman to approve the payment of \$700 for said easement. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

MELVIN P. AND ARLENE C. SMITH:

Oswald made the motion (Motion #15) to approve the payment to purchase an easement located in the north 25 feet of the west 583 feet of the N 1/2 of the NW 1/4 of the NW 1/4 of Section 1, Township 10 North, Range 3 West of the 6th P.M., York County, Nebraska and to authorize the Chairman to approve the payment of \$500 for said easement. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

L.R.C., INC. :

Oswald made the motion (Motion #16) to approve the payment of \$100 for the purchase of an easement located in Irregular Tract 8, except that portion of the easement area that is recorded in the York County Miscellaneous Book of Records, Volume 28, Page 96 by the City of York, all being in the SE 1/4 of Section .36, Township 11 North, Range 3 West of the 6th P.M., City of York, York County, Nebraska. Seconded by Burke. Question called.. Motion carried.

AYE : Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

DEETS APPRAISAL SERVICE - YORK GROUNDWATER RECHARGE PROJECT:

Oswald made the motion (Motion # 17) to approve the payment of \$1,150 to Deets Appraisal Service for the appraisal work completed on Phase V (pipeline) of the York Groundwater Recharge Demonstration Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

NAME THAT RESERVOIR CONTEST:

Oswald made the motion (motion #18) that the reservoir at the York Groundwater Recharge Demonstration Project be named Recharge Lake. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

TORNADO DAMAGED TREE REPLACEMENT PROGRAM SUMMARY:

As of April 12, twelve people have applied for 1,200 trees under this program. The applicants come from Butler, Clay, Fillmore, and York Counties. The deadline is June 1, 1990.

EXECUTIVE COMMITTEE REPORT:

Burke gave a report on the Executive Committee meeting held April 12, 1990 and reviewed the committee report as distributed.

ATTORNEY FEES:

Burke made the motion (Motion #19) to approve payment of \$1,376.85 to Crosby, Guenzel, Davis,

Kessner & Kuester for Steve Seglin's work through March 20, 1990. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

1ST QUARTER PER DIEM & EXPENSES:

Burke made the motion (Motion #20) to approve 1st quarter directors per them of \$2,940 and expenses of \$3,412.26. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

LANDMARK CONSULTANTS BILLING:

McCulley, Frick and Gilman billings for the Landmark Project for March 1990 are:

- Cumulative water quality impact assessment \$1,053.75
- Ashland Well Field Model review \$3,401.30
- Cumulative impacts on alluvial well fields \$300
- Hearing preparation \$3,844.78

Burke made the motion (Motion #21) to approve payment of \$8,599.83 to McCulley, Frick & Gilman, Inc. for Landmark consulting work completed in March 1990. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke., Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

Burke made the motion (motion #22) to change the May board meeting to Thursday, May 24, 1990 and to begin the board meeting after the completion of the Groundwater Control Area Regulations hearing. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSTAIN: Volkmer

HIRE 4TH ENGINEERING TECHNICIAN FOR THE SUMMER:

Bob Jurgens, one of the three district engineering technicians will quit working for the district August 21, 1990. He is returning to school full-time to work on his degree. It is necessary to replace him as soon as possible. The district normally hires new 2 year college graduates for technicians. With the next class graduating in May,- the manager recommends hiring someone from that class and having 4 technicians until mid-August. The district now has an engineering technician student employed by the district for a work study quarter from Southeast Community College. Funds are available in the budget to fund a temporary position. Burke made the motion (Motion #23) to authorize the General Manager to hire a 4th engineering technician for a temporary position in the Projects Department through August 1990. Seconded by Ediger. Question called. Motion carried.

Board of Director's Meeting

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None

CHAIRS FOR BOARD MEETING ROOM:

Reichlinger made the motion (Motion #24) to authorize the General Manager to purchase 20 steel case chairs like those in the downstairs conference room for the boardroom. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Dickinson
NAY: Goding, Hansen, Hermansen, Jackson, Volkmer
PASS: Siebert
ABSENT: None

FINANCIAL STATEMENT:

Volkmer made the motion (Motion #25) to approve the financial statement and budget report as of March 31, 1990; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None

Meeting adjourned at 10:37 p.m.

Louis Oswald, Secretary
:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MARCH 22, 1990

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 1:30 p.m.

PRESENT:

Doug Dickinson, Chairman	Ray Burke, Vice Chairman
Louis Oswald, Secretary	Perry Reichlinger, Treasurer
Bruce Anderson, Director	Ed Ediger, Director
Bob Ehlers, Director	Cal Goding, Director
Wayne Hansen, Director	Lance Hermansen, Director
Jim Jackson, Director	Larry Moore, Director
Norman Obermier, Director	Kenneth Regier, Director
Ron Sedlak, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Davis, Staff
Jay Bitner, Staff	Prudence Sadler, Staff
Ken Feather, Staff	Jerry Willhoft, Aurora SCS
Pete Martinez, Seward SCS	Dennis Schroeder, Geneva SCS
Donna Rhoades, York News Times	

ROLL CALL:

16 directors were present. Anderson and Hermansen arrived following roll call and Siebert was absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published March 12, 1990 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES:

Regier made the motion (Motion #1) to approve the minutes of the February 22, 1990 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Hermansen, Siebert

Ehlers made the motion (Motion #2) to approve the minutes of the March 12, 1990 special board of directors meeting as distributed. Seconded by Jackson. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Dickinson

NAY: None

ABSTAIN: Volkmer

ABSENT: Anderson, Hermansen, Siebert

PROJECTS COMMITTEE REPORT:

Committee Chairman Norman Obermier gave a report on the Projects Committee meeting held March 5, 1990 and reviewed the committee report as distributed.

PROJECT 21-11-03E SEWARD FLOOD PROTECTION - PLUM CREEK:

Obermier advised the board that Larry Wentink, Roger Anderson and Roger Grunke, representatives from the Seward Chamber of Commerce, were present at the committee meeting to request a higher priority for the Seward Plum Creek Flood Protection Project. The representatives from Seward cited the main reasons for flood protection along Plum Creek are 1) to provide for future development along Plum Creek; 2) provide for emergency vehicle access east of Plum Creek during floods; 3) reduce flood damage to existing residences and businesses along Plum Creek; and 4) provide recreation along Plum Creek.

Currently the Seward Plum Creek Project is number 3 on the priority list behind the York Groundwater Recharge Project (#1) and Kaliff Dam (#2). Project priorities #1 and #2 currently demand most of the available staff time. If work on the Plum Creek Project is to be accelerated at this time the services of a consulting engineer are needed.

Obermier made the motion (Motion #3) that the board of directors authorize staff to request proposals from consulting engineers for the purpose of conducting a pre-feasibility study of alternative plans for providing flood protection along Plum Creek at Seward. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Siebert

PROJECT 31-10-02W - KALIFF DAM - AGREEMENT WITH YORK COUNTY:

Committee Chairman Obermier advised the board that Karl Burmester, York County Engineer, and Orval Stahr, York County Board Member, were present at the committee meeting to discuss the increase in project cost due to county and state road design top width requirements. Initial project cost, for a structure built on the road, was estimated at \$85,000 based on a 26 foot top width. Current cost estimate is \$110,000 based on a 34 foot top width. Other design alternatives for locations off the road were presented by the staff.

It was the committee consensus that York County should pay a larger portion of the cost since much of the cost increase is due to road design requirements. Staff was directed to re-negotiate the agreement with York County and request they pay 30 percent of project cost, not to exceed \$40,000, subject to Kaliff's contributing an additional \$5,000 toward project cost.

Turnbull advised the board that he had met with the York County Board both before and after the Projects Committee meeting. He asked them to increase their limit in the agreement from \$30,000

to \$40,000 to remain at 30% of project cost. At the end of the first meeting, they tabled action until Tuesday, March 20, 1990. At the second meeting, the county board took action rescinding the agreement. The reason being that they only wanted to spend \$30,000 in bridge replacement costs at that site.

If the county would remove the limit and agree to 30% of project cost, their share would be \$33,000. Mr. Kaliff has verbally agreed to contributed \$10,000 toward the project if it is built on the road. This would leave the district share at \$67,000, which would have been the cost of the dam as originally designed, off the road. Turnbull recommended that based on this information the board suspend Project 31-10-02W.

Burke made the motion (Motion #4) that the Upper Big Blue NRD Board of Directors suspend Project 31-10-2W. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Siebert

LAND TREATMENT - NWCP FUND - PAYMENTS:

Obermier made the motion (motion #5) that the board of directors authorize payment of NWCP land treatment funds in the amount of \$7,284.21 on 4 applications as submitted and reviewed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Siebert

LAND TREATMENT - NWCP FUND - NEW APPLICATIONS:

Obermier made the motion (Motion #6) that the board of directors approve 7 new applications as eligible for the NWCP land treatment funds as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Siebert

LAND TREATMENT - SPECIAL REQUEST:

Maynard Miller, Polk County, owns a 40 acre tract of land with an irrigation well. Miller rents an additional 40 acres from - the Ester Rambo Trust which Miller irrigates using his well. Miller has requested authorization to construct an irrigation reuse pit on the Ester Rambo Trust property.

Obermier made the motion (Motion #7) that Maynard Miller be authorized to apply for cost-share on an irrigation water reuse pit to be constructed on property owned by the Ester Rambo Trust. Seconded by Volkmer.

Volkmer asked about the length of Miller's lease on the property. Turnbull advised it was a yearly lease. It was noted that Miller has farmed the property for approximately 20-25 years. Bob Schneider, who is the land manager for the Rambo Trust, contacted the district to see if the board would approve such an application. Ehlers expressed concern about whether or not the property was being taxed as irrigated land. There was some discussion about whether or not this application was in line with district policy. Question called. Motion carried.

AYE: Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Dickinson

NAY: Ediger, Reichlinger, Volkmer

PASS: Anderson

ABSENT: Siebert

YORK GROUNDWATER RECHARGE PROJECT:

Work on Phase II, monitoring wells and recharge well, is 70 percent complete. Work remaining includes chlorination of wells and installation of pump and column for the recharge well.

Obermier made the motion (Motion #8) that Layne-Western, Inc. be paid \$64,191.80, \$6,419.18 of which is to be held as retainage, for work completed in February on Phase II of the York Groundwater Recharge Demonstration Project. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Siebert

PROJECT 20-08-01W - EXETER PROJECT:

A letter has been received from the Village of Exeter stating that they are unable financially to proceed with the proposed flood control and drainage project.

Obermier made the motion (Motion #9) that the board of directors suspend Project 20-08-01W, Exeter drainage and flood control. project. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Siebert

Turnbull advised the board that the Village of Exeter will be contacted and asked to assume responsibility for the maintenance of the existing observation wells. If they are unwilling the wells must be properly abandoned by the district.

MORAVEC ROAD DAM - BUTLER COUNTY - OPERATION & MAINTENANCE:

Bids were received from Hartmann Construction (\$11,455.20) and Hinkle Construction (\$7,824.26) for maintenance work on the Moravec Road Dam in Butler County. The maintenance work Would include repair of wave erosion and gully erosion, fence repair, tree removal and removal of logs from

the face of the dam.

Obermier made the motion (Motion #10) that the board of directors authorize Hinkle Construction Company to perform required maintenance work on the Moravec Road Dam in accordance with their bid in the amount of \$7,824.26. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Siebert

WATER COMMITTEE MEETING REPORT:

Committee Chairman Larry Moore gave a report on the Water Committee meeting held March 6, 1990 and reviewed the committee report as distributed.

CHEMIGATION PROGRAM UPDATE:

Moore advised the board that as of February 28, 1990, 390 renewals and 12 new chemigation applications had been received.

WELL DRILLING ACTIVITY REPORT:

There were 123 new wells and 26 replacement wells registered in 1989. The total active registered wells in the NRD is as

follows:

Irrigation	-	10,537
Municipal	-	109
Industrial	-	18
Other	-	<u>13</u>
Total		10,677

404/401 PERMIT APPLICATIONS - STATUS REPORT:

Date: March 23, 1990

Name of Applicant: Doug Nuttleman

Location: S 1/2 17-10N-3E Seward County

Purpose : Construct 3 to 6 ft. high coffer-dam in Crooked Creek for irrigation.

Status: Pending

NRD Position: No Objection

Date: August 11, 1990

Name of Applicant: Simeon Griess

Location: 28-9N-5W Hamilton County

Purpose: Channel straightening of West Fork Big Blue River

Status: 401 Water Quality certification approved

NRD Position: Object

MID-NEBRASKA WATER QUALITY DEMONSTRATION PROJECT:

The district has been asked to appoint a representative to the Water Quality Project Committee. In addition, NRD staff and/or a director may be asked to serve on county coordinating committees.

Moore made the motion (Motion #11) that the board authorize district participation in the Mid-Nebraska Water Quality Demonstration Project and appoint Rod DeBuhr as their representative to the project committee. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY- None
ABSENT: Siebert

EASTERN UPPER BIG BLUE SPA STUDY - DRAFT REPORT:

The Department of Environmental Control has provided the NRD with a draft of the Eastern Upper Big Blue SPA study report. The staff will meet with the Department of Environmental Control and officials from the City of Seward to review their findings as soon as possible.

IRRIGATION RUNOFF REGULATIONS:

Moore advised the board that the Water Committee had reviewed the rather complicated method of processing a runoff complaint and discussed the possible methods of simplifying this procedure. Moore made the motion (Motion #12) that the board authorize the staff and Water Committee to begin updating the irrigation runoff regulations. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Siebert

EDUCATION & PARKS COMMITTEE REPORT:

Committee Chairman Louis Oswald gave a report on the Education & Parks Committee meetings held March 6 and 22, 1990 and reviewed the committee reports as distributed.

1990 MASTER CONSERVATIONIST AWARD:

Oswald made the motion (Motion #13) that the NRD nominate Wes and Paul Huenefeld for the Master Conservationist Award. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Siebert

SOIL AND WATER STEWARDSHIP AWARDS:

Oswald made the motion (Motion #14) that the NRD award Soil and Water Stewardship pins and certificates to Kenneth and Pauline Moore. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Siebert

MARCH WILDLIFE HABITAT PROGRAM PAYMENTS:

Oswald made the motion (Motion #15) that the Upper Big Blue NRD Board of Directors approve payment of \$1,860 to the cooperators in the Wildlife Habitat Improvement Program as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer
NAY: Reichlinger, Dickinson
ABSENT: Siebert

BURLINGTON NORTHERN RAILROAD EASEMENT - YGRDP:

Oswald made the motion (Motion #16) that the board of directors approve the easement with the Burlington Northern Railroad located in the NW 1/4 of the SW 1/4 of Section 34, Township 11 North, Range 3 West of the 6th P.M., York County, Nebraska, lying within the Burlington Northern Railroad Company right-of-way and authorize the Chairman of the Board to sign said easement. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Siebert

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT - PIPELINE LAND RIGHTS:

Oswald made the motion (Motion #17) that the Upper Big Blue NRD file for a permit with the Burlington Northern Railroad Company for the purpose of burying a pipeline on railroad right-of-way to deliver cooling water from York Cold Storage to the York Groundwater Recharge Demonstration Project located in the N 1/2 of Section 2, Township 10 North, Range 3 West, York County, Nebraska. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Siebert

Oswald made the motion (Motion #18) that the Upper Big Blue NRD accept the appraisals for easements prepared by Deets Real Estate and Appraisal Service for Phase V of the York Groundwater Recharge Demonstration Project located in the N 1/2 of Section 2, Township 10 North, Range 3 West, York County, Nebraska. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Siebert

Oswald made the motion (motion #19) that the NRD staff begin negotiations with the necessary landowners involved in Phase V of the York Groundwater Recharge Demonstration Project, and that the appraised values constitute the offers to the landowners.

Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,

Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Siebert

REPLACEMENT TREE PROGRAM FOR TORNADO DAMAGE:

Oswald made the motion (Motion #20) to set up the program as follows: (1) Limited to trees around farmsteads hit directly by tornado; (2) Owner/tenant will be given bundles of 25, with a maximum of 100 seedlings, to plant him or herself; (3) Species will include anything that is available at the time the order is being placed; and (4) NRD must be contacted by June 1, 1990 to participate. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Siebert

Those eligible for the program may take the trees this spring or wait until the following season, provided they contact the district by the June 1st deadline.

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT:

Committee Chairman Wayne Hansen gave a report on the Budget, Planning & Legislative Committee meeting held March 20, 1990 and reviewed the committee report as distributed.

McCULLY, FRICK & GILMAN, INC.:

Hansen made the motion (Motion #21) to approve payment of \$2,878.70 to McCully, Frick & Gilman, Inc. for work completed in February 1990. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Siebert

WATTS & ASSOCIATES:

Hansen made the motion (Motion #22) to approve payment of \$960 to Watts & Associates for work completed in February 1990. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Siebert

SOLID WASTE MANAGEMENT:

The UNL Extension Service is conducting a series of meetings for communities on future requirements for solid waste management. Some communities are still unsure whether or not they will have to address the new EPA regulations. The committee consensus was that the district not tell the communities what to do, but rather provide assistance to the communities to accomplish what they want to do. The district will wait until the extension service meetings are complete before

proceeding with assistance.

COMMUNITY TREE RESOURCE PROGRAM:

The board was presented with the second draft of the tree resource program. Several changes were made by the committee.

Hansen made the motion (Motion #23) that the board of directors adopt the Community Tree Resources Program as amended. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Oswald, Reichlinger, Sedlak,
Dickinson
NAY: Ehlers, Jackson, Obermier, Volkmer
PASS: Moore, Regier
ABSENT: Siebert

EXECUTIVE COMMITTEE REPORT:

Vice Chairman Ray Burke gave a report on the Executive Committee meeting held March 22, 1990 and reviewed the committee report as distributed.

ATTORNEY FEES:

Burke made the motion (Motion #24) to approve payment of \$3,473.65 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through February 20, 1990. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,
Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Siebert

OUT-OF-STATE TRAVEL:

The Executive Committee authorized Rod DeBuhr to travel to Casper, Wyoming April 17-18 to speak at the Wyoming Association of Conservation Districts Convention.

NACD CONVENTION - DIRECTOR EXPENSES:

Ed Ediger requested reimbursement of \$782.35 for out-of-pocket expenses for travel and lodging while attending the NACD Convention. Travel & lodging expenses for the other directors who attended were charged directly to the district. His request does not include per diem.

Burke made the motion (Motion #25) to approve payment of \$782.35 to Ed Ediger for his expense of attending the NACD Convention. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier,
Oswald, Regier, Sedlik, Volkmer, Dickinson
NAY: Reichlinger
ABSTAIN: Ediger
ABSENT: Siebert

EQUIPMENT PURCHASE - RECHARGE PROJECT:

Burke advised the board that staff requested approval of the purchase of weather station equipment for the York Groundwater Recharge Demonstration Project. The equipment is necessary to gather the data for the recharge study.

Burke made the motion (Motion #26) to approve the purchase of metrological equipment for the York Groundwater Recharge Demonstration Project from the Qualimetrics Company for \$2,1519.65 and from the Forestry Supplies Company for \$2,451.35. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Siebert

EQUIPMENT PURCHASE - TRACTOR HYDRAULICS:

The district has on several occasions considered purchasing a deep soil probe for soils investigations. Deep soil sampling is necessary in the Nitrogen Management Demonstration Program, as well as initial investigations for project sites. The SCS has recently loaned a deep soil probe to the district. The staff has considered modifying the soil probe to mount on the tractor 3 point hitch for utilization of existing district equipment. However the tractor does not have remote hydraulics, which are necessary to operate the soil probe. The staff recommended the expenditure of \$2,500 to upgrade the tractor hydraulic system.

The Executive Committee directed staff to investigate the purchase of a new tractor instead. The reason being that add-on equipment is more trouble prone and the cost is not recoverable.

FINANCIAL STATEMENT:

Burke made the motion (Motion #27) to approve the financial statement and budget report as of February 28, 1990; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Siebert

Meeting adjourned at 3:50 p.m.

Louis Oswald, Secretary
:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
SPECIAL BOARD MEETING
MARCH 12, 1990

A special board of directors meeting was called to order at 8:00 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Doug Dickinson, Chairman	Ray Burke, Vice Chairman
Louis Oswald, Secretary	Perry Reichlinger, Treasurer
Ed Ediger, Director	Bob Ehlers, Director
Cal Goding, Director	Wayne Hansen, Director
Lance Hermansen, Director	Jim Jackson, Director
Norman Obermier, Director	Ron Sedlak, Director
John Turnbull, Manager	Jay Bitner, Proj. Dept. Mgr.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published March 6, 1990 in the York News-Times. A current agenda is kept on file for public inspection.

ROLL CALL

12 members were present with Anderson, Moore, Regier, Siebert and Volkmer absent.

BOYLE ENGINEERING CORPORATION - LANDMARK HEARING PREPARATION

Bitner went over the proposal from Boyle Engineering Corporation and reviewed the scope of services to be provided.

Burke made the motion (Motion #1) that the board of directors authorize the district to enter into an agreement with Boyle Engineering Corporation for the purpose of conducting a cumulative impact analysis on Platte River daily flows using the Platte River Daily Flow Model, for a fee not to exceed \$5,800. Seconded by Ediger. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Reichlinger, Sedlik, Dickinson

NAY: None

ABSENT: Anderson, Moore, Regier, Siebert, Volkmer

McCULLEY, FRICK GILMAN, INC. - LANDMARK HEARING PREPARATION

Bitner went over the proposal from McCulley, Frick Gilman, Inc. and reviewed the scope of services to be provided.

Ehlers made the motion (Motion #2) that the board of directors authorize the district to enter into an agreement with McCulley, Frick Gilman, Inc. for the purpose of conducting a cumulative impact analysis on Platte River water quality and adjacent well field yields, using the results of Boyle

Engineering Corporations analysis of Platte River daily flows as the basis of their study, for a fee not to exceed \$16,300. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Dickinson

NAY: None

ABSENT: Anderson, Moore, Regier, Siebert, Volkmer

JAMES M. MONTGOMERY ENGINEERS - LANDMARK HEARING PREPARATION

Bitner went over the proposal from James M. Montgomery Engineers and reviewed the scope of services to be provided.

Ediger made the motion (Motion #3) that the district enter into an agreement with James M. Montgomery Engineers for the purpose of obtaining the services of Young Yoon during the hearing for the Landmark Project, for a fee not to exceed \$12,000. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Reichlinger, Sedlik, Dickinson

NAY: None

ABSENT: Anderson, Moore, Regier, Siebert, Volkmer

WATTS ASSOCIATES - LANDMARK HEARING PREPARATION

Bitner went over the proposal from Watts Associates and reviewed the scope of services to be provided.

Burke made the motion (Motion #4) that the district enter into an agreement with Watts Associates for the purpose of obtaining the services of Gary Watts and John Raines during the hearing for the Landmark Project, for a fee not to exceed \$36,000. Seconded by Hermansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Reichlinger, Sedlik, Dickinson

NAY: None

ABSENT: Anderson, Moore, Regier, Siebert, Volkmer

Meeting adjourned at 9:15 p.m.

Louis Oswald, Secretary

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
FEBRUARY 22, 1990

A regular board of directors meeting was called to order at 1:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Doug Dickinson, Chairman	Ray Burke, Vice Chairman
Louis Oswald, Secretary	Perry Reichlinger, Treasurer
Bruce Anderson, Director	Bob Ehlers, Director
Cal Goding, Director	Wayne Hansen, Director
Lance Hermansen, Director	James Jackson, Director
Larry Moore, Director	Norman Obermier, Director
Kenneth Regier, Director	Ron Sedlik, Director
Roger Siebert, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Davis, Admin. Assistant
Jay Bitner, Projects Dept.	Rod DeBuhr, Water Department
Prudence Sadler, Info. Dept.	Ken Feather, Parks Department
Mark Nannen, Blue River Assn.	Jerry Willhoft, Aurora SCS
Paul E. Dammann, City of Seward	Dan Berlowitz, City of Seward
Bill Whitney, Aurora	Orville Davidson, City of York
Nora Tonnies, Milligan	Tom Schleif, Butler County SCS
Mike Bair, City of Aurora	Hap Fruits, Aurora News
Donna Rhoades, York News-Times	Fred Scheele, Waco, Nebraska
Lash Chaffin, League of Municipalities	

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published February 5, 1990 in the York NewsTimes. A current agenda is kept on file for public inspection.

ROLL CALL

16 members were present, with Ediger absent.

MINUTES

Ehlers made the motion (Motion #1) to approve the minutes of the January 18, 1990 board of directors meeting, as distributed. Seconded by Obermier. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ediger

PROJECTS COMMITTEE REPORT

Obermier gave a report on the Projects Committee meeting held February 5, 1990 and reviewed the committee report as distributed.

LAND TREATMENT - NRD FUND PAYMENTS

Obermier made the motion (Motion #2) to authorize payment of NRD land treatment funds in the amount of \$6,903.69 on 4 applications as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reich linger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Ediger

LAND TREATMENT - NWCP FUND NEW APPLICATIONS

Obermier made the motion (Motion #3) to approve 4 new applications as eligible for NWCP land treatment funds as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reich linger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Ediger

LAND TREATMENT - NWCP FUND PAYMENTS

Obermier made the motion (Motion #4) to authorize payment of NWCP land treatment funds in the amount of \$22,395.89 on 11 applications as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reich linger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Ediger

YORK GROUNDWATER RECHARGE PROJECT - PHASE II PAYMENT

Obermier made the motion (Motion #5) to authorize payment of \$39,041.67, of which \$3,904.17 is to be held as retainage, 'to Layne-Western, Inc. for work completed in January on Phase II, monitoring wells and recharge well, on the York Groundwater Recharge Project. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reich linger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Ediger

YORK GROUNDWATER RECHARGE PROJECT - PHASE III PAYMENT

In an agreement dated August 17, 1989 the district agreed to pay Nebraska Public Power District up to \$3,300 to install temporary power pole anchors, wrap the base of power poles which would be near the reservoir, de-energize their power line during bridge construction, re-energize the power line at the completion of bridge construction and to purchase and install orange navigation balls for their power line.

Obermier made the motion (motion #6) to authorize payment of \$3,027.63 to Nebraska Public Power District, in accordance with the agreement and NPPD's invoice, for work completed on Phase III of the York Groundwater Recharge Project. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reich linger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Ediger

YORK GROUNDWATER RECHARGE PROJECT - PHASE V AGREEMENT

An agreement between the district and York Cold Storage was presented to the Projects Committee. Terms of the agreement: are as follows:

- a. The district can use up to 300 gallons per minute of cooling water discharged from York Cold Storage at no cost to the district
- b. The initial term of the agreement is five years. The agreement can be extended for an additional five years at the district's option

Obermier made the motion (Motion #7) to authorize the district to enter into an agreement with York Cold Storage, subject to the terms reviewed and accepted by the committee, for the purpose of obtaining 300 gallons per minute of cooling water from York Cold Storage. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reich linger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Ediger

PROJECT 31-10-02W (KALIFF DAM; YORK COUNTY) - PAYMENT

Final drilling and testing is completed in accordance with the district's agreement with Geotechnical Services, Inc.. The agreement specified that the required work would be done for a fee not to exceed \$3,640. Obermier made the motion (Motion #8) to authorize payment of \$3,071.00 to Geotechnical Services, Inc. for drilling and testing performed on Project 31-10-02W in accordance with our agreement. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reich linger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Ediger

PROJECT 31-10-02W (KALIFF DAM; YORK COUNTY) - AGREEMENT

An agreement between the district and York County was presented to the board for approval. The purpose of the agreement is to define the terms necessary for York County and the district to cooperate in construction of a road dam to replace a bridge along the south line of Section 31, Township 10 North, Range 2 West of York County.

Obermier made the motion (Motion #9) to authorize the district to enter into an agreement with York County, subject to the terms reviewed and accepted by the Projects Committee, for the purpose of constructing Project 31-10-02W. Seconded by Anderson.

After some discussion of possible land rights complications due to transfer of lands between the Burlington Railroad and adjacent landowners the board decided to refer this agreement back to the

Projects Committee for further review.

Reichlinger made the motion (Motion #10) to refer the matter back to the Projects Committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ediger

An agreement between the district, Charles L. Kaliff and Janet Kaliff was presented to the board for approval. The purpose of the agreement is to define the terms necessary for the district to construct a dam without public access on the Kaliff property located in Section 31, Township 10 North, Range 2 West of York County.

Obermier made the motion (Motion #11) to enter into an agreement with Charles L. and Janet Kaliff, subject to the terms reviewed and accepted by the committee, for the purpose of defining the terms under which Project 31-10-02W will be constructed and operated. Seconded by Burke.

Following some discussion, it was the consensus of the board that the district not enter into the agreement with the Kaliffs until the agreement with York County is settled. Volkmer made the motion (Motion #12) to refer the matter back to the Projects Committee. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ediger

DISTRICT ROAD DAM POLICY

The Projects Committee reviewed the second draft of a policy to be used for administering a program of cost sharing with counties, or the state, on road dams to replace bridges and culverts when the county or state would design, construct, own and operate the road dam. A copy of the policy was forwarded to the board of directors for adoption.

Obermier made the motion (Motion #13) to adopt the Road Dam Cost-share Policy as reviewed and accepted by the Projects Committee and made a part of these minutes. Seconded by Anderson. Larry Moore expressed concern about the fact that there was no provision in the policy for inspection by the district to guarantee that Nebraska Department of Water Resources design specifications were met.

There was also concern expressed that the district would not hold the water storage or use rights on these structures. Ehlers made the motion (Motion #14) to table the matter. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

PASS: Anderson, Regier, Volkmer

ABSENT: Ediger

WATER COMMITTEE REPORT

Moore gave a report on the Water Committee meeting held February 6, 1990 and reviewed the committee report as distributed.

CONTROL AREA RULES AND REGULATIONS

Moore made the motion (Motion #15) that the board adopt revised draft 8(final draft) and forward it to the Department of Water Resources. Seconded by Anderson.

Chairman Dickinson asked for comments on the regulations.

ANDERSON: "Yes, I've got a lot of comments but at the rate we're going here today I don't know whether I should make them. First I want to compliment the Water Committee for all they've gone through; I'm not a member so I guess I can speak as an outsider. They've backed off on this, and put in that, taken out that, and I guess as you can see from the committee report, that last go around we had options in there. That seemed to create more problems, and what we actually did then was lose sight of the original goal of what we had a control area for. So we took the options out, both for the farmer and for the city. And the way we've got it set up now, Larry mentioned, it goes to the Department of Water Resources so what we do today won't etch it in stone I assure you. And even if he goes ahead and agrees mostly with what's in there, it's still not final in reality. The founder of all of this, Maurice Kremer, was laid away 8 days ago. It was his dream when he set up this ground water control area. I can remember when that was going on it wasn't easy.. I met with Kremer going into the legislature almost every Sunday and he was trying to gather information. He told me at that time, if you believe it isn't serious business, they damaged one of his wells, but what concerned him the most was that they threatened his family, especially his wife. So you see what we're dealing with here is serious business. But I guess in view of this, I can't think of a better thing that we could do in the memory of the founder of all this than to adopt these rules and go on ahead. In other words, I guess what I'm saying is that, it's time we stand up and be counted.

VOLKMER: I'm a little bit concerned. When we had our public hearing most of the farmers that I talked to were well pleased with the set aside reduction for several reasons; now we've knocked it out. I don't feel we've given these people any time or notice of what we've done this time. To me we've totally changed the program and I really don't know if we should be doing this without another public hearing.

LASH L. CHAFFIN, LEAGUE OF MUNICIPALITIES: I'll keep this very brief. Those were very thought provoking words Mr. Anderson. I would like to be on record in opposition to the final draft and the League of Municipalities position is well documented in that we supported the two option system for municipalities. Hopefully with two goals in mind, those being that municipal governments and the district maintain the regulatory power within their jurisdictional limits for their customers and secondly that there be some recognition of the existing conservation programs that they've taken through the years. And that primarily being those who have extensive metering within their jurisdictional boundaries for their customers. Does anybody have any questions?

BURKE: On Rule 5, Chapter 14, Paragraph 02 which reads "Within 120 days after implementation

of this chapter the municipal user shall adopt an ordinance that allows the municipal user to require water conservation practices and restrict the water use of its customers." What's your opinion on that?

CHAFFIN: Okay, I forgot about this, it's been awhile since I looked at these. Actually I think "an ordinance" may not be the correct language. Municipalities are set up in probably a half a dozen to a dozen different ways, some of which have the authority which you are envisioning without an ordinance. Some municipalities have what's called a board of public works and a board of public works has vested certain authorities, either the city council or the village board to take care of those matters. And some municipalities may be able to take care of that type of concern through the actual contract with each individual water user. I have no problem with the concept, if in fact there is a need, an urgency in the district, to reduce water use, if you can show that part of that need is municipal water use, in fact the municipalities, do go ahead and undertake some kind of conservation measures at that point. I guess I'm not really opposed to that concept, we all have to share in hard times. I do have some problems with the language itself. An ordinance is the ultimate form of a municipal law and this can probably 'be taken care of at a different stage and for some municipalities probably a more appropriate stage in their municipal government.

BURKE: What would be an appropriate word to put in place of ordinance?

CHAFFIN: You might put in legal mechanism, or rule and regulation or administrative procedure. I believe we suggested something to the staff at some point; some convoluted legal type sounding language.

ORVILLE DAVIDSON, CITY OF YORK: I think we suggested administrative procedure.

BURKE: "user shall adopt an ordinance", it kind of bothered me as to what that really meant.

CHAFFIN: It bothered me a little bit too because I guess 'you wouldn't want the city council telling you to adopt a certain law. The forms of government probably shouldn't be telling each other what they have to do. What good does it do for the city council to pass a law if that law is being written by another board? It really takes away from the power you have. You 'have certain powers vested in your board and they have powers vested in their board. And I know how mad we get when the state, and you guys probably have the same situation, dictates to us exactly how a city has to pass an ordinance. I'm sure it's just as frustrating for you when the state or federal government tells you exactly how you have to do something.

MOORE: I think, and I'm glad Ray pointed it out, that when the committee was thinking ordinance we weren't really thinking in that narrow a sense of the word. We could have just as well said administrative procedure, because a mechanism was what we were really wanting--a mechanism to do this.

CHAFFIN: Okay.

MOORE: I'm glad Ray brought it up because it is a galling point that you're raising, but it wasn't the intent of the committee to be that narrow in their scope on that, it was to get a procedure of some sort into the city's regulations.

CHAFFIN: Okay, I appreciate that too.

ANDERSON: Your point is well taken, it really is.

CHAFFIN: I don't have any problem with the concept itself, we all have to share if there's a time of problems. Some of the cities represented here may have some individual wording problems with the final draft that I'm not aware of. I do ask you to give them a chance to talk.

MIKE BAIR, CITY OF AURORA: I'm Mike Bair, with the City of Aurora, and we too appreciate Mr. Anderson's words regarding Senator Kremer and his efforts in the past. On page 5-16 you'll find Chapter 12, Article 15. It says "The district will consider variances in instances where Nebraska Department of Health regulations governing municipal water supply systems conflict with these rules and regulations." It looks to me like there's potential there that if we're in conflict with Department of Health or in conflict with EPA and we're in conflict with your rules and regulations, we're getting placed in between a set of different regulations. Do we obey yours and disobey theirs'? It would seem to me that perhaps the district should consider allowing variances in instances where Department of Health regulations governing our actions are coming into conflict with your rules and regulations.

EHLERS: Explain to me what the conflict would be.

BAIR: I have no idea at this point what it might be, but we're setting your rules and regulations to be supreme to the Department of Health rules and regulations, or at least you have that possibility with current wording.

TURNBULL: Well, again, I don't think it was the board or committee intent to do that.

DEBUHR: I'm not sure that it does that. It leaves the judgement of whether or not there is a conflict up to the district. It doesn't leave that up to anybody else to decide, it's this board's decision.

BAIR: And if there is a conflict

DEBUHR: Obviously, if there is a conflict, you grant a variance, but somebody has to make that determination.

BAIR: As long as there's a record of what the intent is I guess we can accept that. Perhaps my next comment comes not: as a city administrator but as a geologist, having worked in that profession, and received a degree in the same. As I look at the map from your more recent publication (BLUEPRINT) I see a wide variance in what's happening in groundwater levels as we look over this whole district. It's apparently gone from raising feet in some areas to dropping 20 feet in others during a 1 year period. That's really not a criticism as much as perhaps a question, and perhaps a

question that should be asked of staff later, but maybe just raised at this time. The complexity of where we get our water -- it is not a homogeneous aquifer that we have. There is some question even in my own quarter, where one of my wells is located, we're probably in a different water source than the well a 1,000 feet away from us. Because of depth and clay barriers that exist according to the gamma ray neutron logs that we have on our wells. So my question really is... "when you look at the average of such a broad diverse area is there relevance back to any one locality?" If the southern half has dropped significantly, the northern half is raised, but the average, because of the statistical accumulation of the two, would reflect that we might reach a trigger mechanism, when half the district has actually gone up. I'm sure you've given a lot of consideration to that, it's just really a question that I have that has lingered in my mind.

TURNBULL: Let me give you an answer for that, that doesn't address the technical side, but it addresses it from the board's point of view. When we first wrote regulations for the control area back in 1978 we went through the same process that we've been going through here for the last two years trying to sort out what we should do. I'd recommended at that time that we have a particular date that we choose that we would begin allocation of groundwater. It didn't make a difference what the date was, just pick a date. Then when that day came the meters would go on and allocation would begin. The board in no uncertain terms told me to go sit down in the corner and be quiet, that that wasn't the way that would be accepted by the public in general. There had to be some mechanism set up to offer the public, the citizen at large, a chance to try to control the groundwater declines themselves. At that point we arrived at the way of a foot and a half decline over a three year period as a way to begin allocation. In other words, if we exceeded that historic rate then we would begin allocation. Then we had an average, that you've commented has been calculated over a number of years district-wide, that showed a significant rise in the water -table and then in the last year and a half we've seen rapid decline begin to develop off the peak. The board then felt that there should be something other than that rate of decline mechanism in order to begin allocation, so it was decided then to use the average amount based on the earlier 1978 level. So it really doesn't address what you're talking about, and that is a particular well with specific geologic conditions, or varying conditions around the district, but rather a political way of trying to set up some fair way of controlling groundwater, of beginning the actual controls.

BAIR: That answers my question.

EHLERS: I'd like to make it clear too that there has been more than one board member all along feel that there should be specific regulations for specific areas, so far they haven't been successful.

BAIR: I suppose an analogy might be that if you had a glass of water and I had a glass of water and if you drank all of yours and I didn't touch mine, statistically it's half empty.

EHLERS: Well, yes, I agree with you. I happen to be one of those board members that feel there should be specific regulations for specific areas, but so far I haven't prevailed.

SEDLAK: I just want to ask Rod how the readings are checked for groundwater levels. These little squares on the map on the back of the Blueprint, are those townships?

DEBUHR: Yes, those are townships. The groundwater district measures wells twice a year. The rules and regulations are based on spring readings. There are some 600 or so irrigation wells that are measured annually to compile those averages. And those numbers, I am not sure, I think he's probably using the fall map there, but basically that's an average in those townships of the wells in that township that were measured. When we calculate for the rules and regulations we use a computer program that weights the value of each well according to the area it represents. In other words, some wells are closer together than others, so if you had measured 10 wells in an area where you had a big decline, and only 1 where you didn't, if you just used a straight average it would skew the number clear off one way. So we weight those according to area that they represent.

SEDLAK: How many wells do you use in each township; does it vary?

DEBUHR: It varies somewhat, Mark may know a range.

MARK NANNEN, BLUE RIVER ASSN. OF GWCD'S: We always try to have at least 6 to 10 in each township. 8 would be a good average.

SEDLAK: They're all active irrigation wells?

NANNEN: Yes.

DEBUHR: All the ones that they measure are. In the calculations we also use observation wells that the state has, there are about a dozen I think.

NANNEN: They're all measured at approximately the same time every year; within 2-3 days depending on weather of course. Normally the spring readings start the first of April, and we usually get done in April, so they're as close to the same day as they can be.

Burke amended the motion to make the motion (Motion #16) to strike the word "ordinance" and insert "administrative procedure" in Rule 5, Chapter 14, Paragraph 02. Seconded by Anderson. Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ediger

The Chairman recognized Orville Davidson's request to address the board.

ORVILLE DAVIDSON, CITY OF YORK: I'm Orville Davidson, representing the City of York. The City of York would like to go on record opposing the final draft before you today. There are a few things that I would like to discuss with you. Certainly we've been debating this issue for two months now and I'm not sure we've proceeded very far. We've certainly gained from the experience, I think, hopefully we have a better understanding of the problem that the irrigators face and I hope the irrigators have a better understanding of the problem that the municipalities face. I've made a few calculations based on some of the information received or handed out by the NRD that I would like

to share with you. It just kind of helps put in perspective the significance of the municipal use of groundwater. Within the district it appears that about 61% of the population is from within municipalities. Looking at York specifically, our consumption for 1989 amounts to about the same as a well pumping 1,140 gallons per minute on a 24 hour a day capacity. And that's a relatively insignificant amount when you consider that there are in excess of 10,000 irrigation wells within the district. If you look at the district-wide municipal use it appears that there are about 7,300,000 gallons per day consumed at the municipal level, which would equate to about 5,666 gallons per minute of necessary pumping capacity to serve the total needs of the municipal user. And again, if we look at the total irrigation wells in the district, and the figure I'm using is 10,490, those wells pumping at 700 gpm would pump more water than what the municipalities in the district would use in a 6 hour period.. So I think that kind of helps bring it into perspective as to the significance of the municipal use. It really is a very, very small part of the overall use of groundwater within the district. Some inequities that I see in the draft as proposed, again in Chapter 6, page 5-9, in Paragraph 04, the cities and villages are encouraged to require meters for customer services and it's stated that is to increase the awareness of the volume of domestic use. It seems inconsistent that in 03 that we would not recommend or encourage the similar use of meters for irrigation users. I can't help but believe that the volume of the use is irrigation use and there needs to be an awareness of that also. And it would seem that maybe metering would be one way to increase the awareness of the volume

of irrigation use as well as increasing the awareness of volume of domestic use. In Chapter 7, there appears to be yet another inconsistency in that in 06 all uses are required to report the annual groundwater withdrawn to the NRD with the exception of the irrigation use. Now again, it seems that it's probably very important for the district to have the total use of all groundwater within the district, I think it would be extremely important to know the amount of groundwater withdrawn from within the district for agriculture uses. As far as Chapter 14 - Allocation to Municipal Users, we favor the option of 1.02. I'm wondering about 03, if that section should not be stricken completely, and if that should not be a function of the NRD rather than place yet another burden on the municipalities that is not generally shared by other users in the district. As far as implementing the water conservation information and education program, certainly that's something that we do, but to make an additional requirement seems a little bit redundant and seems as though maybe it's isolating that type of requirement to a single user. That concludes my comments.

BURKE: Isn't irrigation use reporting required in the draft?

TURNBULL: Once the 1978 level is reached, and allocation is required, then ag use is required to report, but not until that point. The way this regulation is written is that other users have to report now, regardless of what level the water is at. That's a carryover from the old regulations.

EHLERS: They've operated under that regulation for the past twelve years. And if they hadn't had that regulation you wouldn't have those facts and figures that you're talking about.

DAVIDSON: We would have them, but you wouldn't.

EHLERS: A lot of them came from here I would imagine. And as far as this last item you objected to, that doesn't take effect until allocation is in effect over the whole district.

OBERMIER: Okay, Mr. Chairman, Rule 5, Chapter 6 - Efforts of the District. I'm a little puzzled. We go down the line to 03 outlining what we're to do and one item is control runoff from center pivot irrigation. I see nothing in here to control runoff. Have we eliminated this entirely?

DEBUHR: What do you mean; from gravity irrigation?

OBERMIER: Yes.

DEBUHR: The very first one (03.01) Install and use irrigation reuse systems.

OBERMIER: It doesn't say you can't have runoff.

EHLERS: That's against state law.

TURNBULL: Well we also have a separate set of regulations that govern irrigation runoff. They're completely separate of this. Whatever you do with this set of regulations has nothing to do with irrigation runoff regulations, they're completely separate.

FRED SCHEELE, WACO, NEBRASKA FARMER: At this meeting today, if it's passed, it will be allocation for the farmers; is that right?

EHLERS: No.

SCHEELE: Nobody handed me a sheet so we sit here kind of dumb.

TURNBULL: I'll explain it real briefly to you. Somebody want to pass that around to him. We've got a copy of the draft coming. The draft that we're talking about says that if the groundwater levels, as an average across the district, drop to the 1978 levels then we will require meters and allocation for ag users; for all users. But specific to your question, it will require allocation of water for irrigation.

SCHEELE: That would be finalized today? The farmers don't know a thing about it. A fellow called me about 12 o'clock.

EHLERS: Oh yes, farmers know about this.

SCHEELE: No farmers know about this.

TURNBULL: This is the same procedure that we talked about back in that special meeting in August, and also at our public hearing on December 14, 1989.

SCHEELE: I realize that but I believe the farmers should be notified if we're going to do this. You have a legal notice, I realize that.

TURNBULL: Let me explain the rest of the procedure for adoption to you so you understand that

part. Before any change can happen the board needs to adopt a set of regulations. It may be these, or they may decide something else today. When they do adopt a proposed change then we have to submit that to the State Department of Water Resources. The department then has the authority to call for another public hearing, and I suspect that they will, but it will be in Lincoln and it will be a short hearing. It won't be near as extensive as we had here. After that's completed then the department will probably consult with the Attorney General's Office to see if these fit under state statutes. Then they will come back to us and say they're going to approve them as written or they come back and say they won't accept anything, or they may come back and accept parts and recommend changes.

SCHEELE: I think it would've been kind of nice if you'd notified the people in the newspapers what this meeting was pertaining to.

EHLERS: I have to disagree with you, and we don't very often disagree, but I've got to disagree this time. I made the mistake of going to the Waco farm sale yesterday and I found out there are a lot of farmers who know what's going on. And before I got out of there I was pretty firmly told that if there were no regulations on the cities don't expect any cooperation from the farmers. And this wasn't from one or two, but a dozen. Anil I went to a meeting the other morning in Bradshaw, a chemical meeting, and basically I was told the same thing by three or four farmers, so I feel that most farmers are informed on this. Because we've been working at it since 1986 to make this change and the change came from the grassroots, it didn't come from this board. It came from outside of this board. And the old rules and regulations have been there since 1977, and most farmers know about those. I have to disagree with you.

SIEBERT: John, would you want to explain to him what the rules are if we don't approve this.

TURNBULL: The current set of rules and regulations now in effect, and have been in effect since 1979, say that if our rate of decline exceeds an average of one half foot a year for a three year period then we will call for meters in one season, and allocation the next. Last time we had spring measurements, which was taken in the spring of 1989, we had in excess of a three foot drop. The year before that was a rise, but when you add those two together, this spring's condition has to be six tenths of a foot rise or greater, or the board will be forced to call for allocation and meters this summer under existing regulations. And that set of regulations, the only thing it requires of municipalities is that they report their annual use.

SCHEELE: I don't think you've done a very good job controlling runoff. I'm for saving water, there's nobody hear more in favor than I am. I've put in alot of pits to keep my water and reuse it. But I've got water running through my farm that I'm ashamed of. It's not my water. But I haven't seen much control of runoff. I go to Henderson to go get peaches and I see water running. I go south to the next county south and the county north and heres water running; highway ditches are full. That's not controlling runoff.

TURNBULL: Would you call us and tell us specific legal descriptions so we can do something about it?

SCHEELE: We've got a guy that's paid to look at that.

TURNBULL: Will you call us and tell us?

SCHEELE: No! Because you know what your neighbor says? "You're a bad man."

TURNBULL: Do I have to be the bad man? Why can't you help me? Let's both wear the black hat. We'll follow up on that.

MOORE: As far as Fred and his family, I know their operation and they do a good job a good job irrigating, they've taken care of their runoff water. But as far as getting the word out, I don't take alot of papers, but I know the York paper has covered this pretty consistently, especially the last 6 months -- since early last summer. They've followed us pretty close; kept a pretty consistent series of articles coming on it. I've seen it in the Butler County paper. I know there's been at least one article in the Nebraska Farmer about our considered changes., In fact, I think it was just in the last month that there was an article by Don McCabe. And our own publication, that's inserted in papers across the district, has been trying to keep people informed. So I think that we've made an effort, I'm sure we haven't reached everybody, but I've sure caught enough devilment about it that somebody heard about it. I'm like Bob, if there's anything that's been driven into me, it was two things in our area. One, that people in our area did not like option 2, because they thought it just didn't do what the rules and regulations should, and two, they felt that if the farmers, even though they use the majority of the water, were asked to observe regulations, municipalities should have some restraints put on them. And I don't feel the regulations, as proposed, are real galling for municipalities. We set perimeters for how much water the municipality can use, we've got a provision for asking for additional water, we've got a provision if they annex more 'Land they've got a way to take the allocation and change it, if industry comes in, there's provision for industry to ask for water. And all we're saying is stay within this limit, use it anyway you want to. We've got provisions for emergency use., We tried to allow for the event of a fire; if they're a small town and furnish water to rural fire department and they haul it all over the country, and that can be more than some people realize at times, in a town the size of Surprise probably one fire takes a two year supply for what people in town use. we've tried to allow for that. I think we're pretty close to about right. The farmers are about half sore and the cities are about half sore, we must be about where we ought to be.

SCHEELE: Everybody wants to control everybody, but don't control me.

MOORE: You got it right, Fred.

SCHEELE: I think we're going to run out of water. I don't care what we do, I think it's going to come, and that's my honest opinion. I've been here quite awhile and I hate to see it, don't think I don't. Whenever you get a malted milk and you put one straw in it lasts quite awhile. You put ten in it, it goes down kind of quickly.

JACKSON: I have a question. As a new board member I'd like to say I supported this kind of action a long time ago. I have no information as to whether you have conducted studies on how long

this will prolong the life span of our aquifer. Have you got any projections?

DEBUHR: We do have studies, Jim, and I could get you copies of those. Whether you'll believe what you read or not; it's the best information available.

EHLERS: The main reason they wouldn't believe them is because they were all proven wrong by this rise.

DEBUHR: And that's another reason that the district has gone through this amendment process, because 10 years ago everything predicted a decline. All the modeling, all the work, and then just the opposite happened for a period of years, which no one predicted. So that's probably the major reason for making these changes.

JACKSON: I'd like to make one more comment. I realize a lot of farmers are going to be upset but I hope they realize it (metering) is one of the best public relations things they could ever do because when Orville gets up and says we (the municipalities) use this much water, if we (the farmers) could come back and say this is how much we're actually using, I -think we'd have money well spent for public relations on what we're doing. We'd better be finding ways to get by with less.

DEBUHR: I have a request. I'd like the board to consider a motion to make a change on page 5-12. John discovered a loophole when he went to work one day to figure out exactly what our well spacing rules were. In Paragraph 01 it says "A new well must be located at least one thousand feet from any other well under ownership". I would request that you change that to read "A well constructed after the effective date of these rules and regulations must be located at least one thousand feet from any other well under different ownership". The reason for striking the word "new" and adding that language would be that we discovered that if a replacement well were being drilled, where the original well was more than 1,000 feet from someone else's well, he could actually move to within 600 feet of that well, according to state law. And we did not have any provision for that. We said only new wells were subject to 1,000 foot spacing, not new and replacement wells. So if you strike the word "new" and add the language regarding the effective date that means all wells then would have to be located 1,000 feet from any other well. With the exceptions that are listed in Paragraph 02 and so on.

Moore amended the motion to make the motion (Motion #17) to strike the word "new" from Rule 5, Chapter 9, Paragraph 01 and insert language to make it read "A well constructed after the effective date of these rules and regulations must be located at least one thousand feet from any other well under different ownership". Seconded by Burke. Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ehlers, Goding, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: Hansen, Obermier

ABSENT: Ediger

Ehlers amended the motion to make the motion (Motion #18) to add to Rule 5, Chapter 6, Paragraph 03, an additional item, number 03.11, that would read "Encourage installation of flow meters".

Seconded by Hansen. Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ediger

NANNEN: Just as a point of information, was the main reason for dropping the acreage reduction option to make it consistent with other parts of the draft?

TURNBULL: Yes.

SCHEELE: Question. You irrigate pasture with a tow line and you've got a pond and you use water out of there. If it doesn't rain you use your irrigation runoff. What do you call that; irrigated land or dryland?

TURNBULL: If I was you I'd call that irrigated land.

SCHEELE: But if it rains it doesn't need to be irrigated.

TURNBULL: But if it doesn't rain and it needs water, you're probably going to need that allocation to protect yourself.

SCHEELE: I just didn't know what you called that.

TURNBULL: That question came up several times in committee discussion. And I think the final decision was that if the individual was willing to call it irrigated land and have it assessed as irrigated land on that pasture then it would be allocated water.

HANSEN: These regulations call for allocation on surface water?

TURNBULL: As I understood what he was saying he was talking about groundwater recirculation of some type. If you're going to keep it strictly as surface water, in other words whatever runs off the watershed, then this whole set of regulations does not apply. But if you're going to run groundwater through the system then they do apply.

HANSEN: If the groundwater you're catching isn't your own, once it's entered the public drainage of the watershed, then it's surface water.

TURNBULL: I think you and I and Rod need to sit down after the meeting and answer some of your technical questions.

Moore called for the question on the original motion as amended, which would read as follows: "To strike the word "ordinance" and insert "administrative procedure" in Rule 5, Chapter 14, Paragraph 02, and to strike the word "new" from Rule 5, Chapter 5, Paragraph 01 and insert language to make it read "A well constructed after the effective date of these rules and regulations

must be

located at least one thousand feet from any other well under different ownership." and to add to Rule 5, Chapter 6, Paragraph 03 an additional item, number 03.11, that would read "Encourage installation of flow meters." and that the board adopt the revised draft 8 (final draft) and forward it to the Department of Water Resources. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Dickinson

NAY: Obermier, Volkmer

PASS: Hermansen, Regier

ABSENT: Ediger

Moore made the motion (Motion #19) that the board delay implementation of the flowmeter and allocation parts of the existing control area rules and regulations pending review of the Department of Water Resources response to the new rules and regulations. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ediger

Anderson made the motion (Motion #20) that the record show -that the previous motion passed be dedicated to the memory of Maurice Kremer. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlik, Siebert, Dickinson

NAY: None

PASS: Goding, Volkmer

ABSENT: Ediger

EDUCATION PARKS COMMITTEE REPORT

Oswald gave a report on the Education Parks Committee meeting held February 6, 1990 and reviewed the committee report as distributed.

PRAIRIE PLAINS RESOURCES INSTITUTE - LINCOLN CREEK PARKWAY

Oswald made the motion (Motion #21) that upon receiving a signed agreement between the Prairie Plains Resources Institute and one or more of the following: the Youth Leadership Center, Hamilton County or the City of Aurora, the district will then hire Kirkham, Michael Associates to do the engineering on the first phase of the Lincoln Creek Parkway located in and near the City of Aurora, excluding the bridge designs, at a cost not to exceed \$9,500. The agreement must include an assignment clause which states that one or more of the aforementioned agencies would be willing to accept the operation and maintenance of the project if for some reason the Prairie Plains Resources Institute would dissolve and become nonfunctional. Seconded by Volkmer.

Bill Whitney, representing the Prairie Plains Resources Institute, was present and addressed the board. He had with him an agreement signed by the representatives of the Youth Leadership Center, Hamilton County and the City of Aurora accepting responsibility for maintenance of the project

should the institute cease to exist.

Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Sedlak, Volkmer
NAY: Goding, Obermier, Reichlinger
PASS: Siebert, Dickinson
ABSENT: Ediger

FEBRUARY WILDLIFE HABITAT PAYMENTS

Oswald made the motion (Motion #22) to approve payment of \$7,532 to the cooperators in the Wildlife Habitat Improvement Program as submitted and reviewed. Seconded by Regier.

Ehlers amended the motion to make the motion (Motion #24) that all new contracts be fully funded by the state. Seconded by Reichlinger. Question called on the amendment. Amendment failed.

AYE: Ehlers, Reichlinger
NAY: Anderson, Burke, Goding, Hansen, Jackson, Moore, Oswald, Regier, Sedlak, Volkmer, Dickinson
PASS: Hermansen, Obermier, Siebert
ABSENT: Ediger

Question called the original motion. Motion carried.

AYE: Anderson, Burke, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Sedlik, Siebert, Volkmer
NAY: Ehlers, Reichlinger
ABSTAIN: Dickinson
PASS: Moore
ABSENT: Ediger

NEW WILDLIFE HABITAT IMPROVEMENT PROGRAM CONTRACTS

Oswald made the motion (Motion #23) to accept the new Wildlife Habitat Improvement Program applications as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlik, Siebert, Volkmer
NAY: Ehlers, Reichlinger, Dickinson
ABSENT: Ediger

MILLIGAN RECREATION AREA PROJECT

Oswald made the motion (Motion #25) to approve funding for the Milligan Recreation Area Project with the cost not to exceed \$2,791, which is 25% of the estimated cost of \$11,164. Seconded by Obermier. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert., Volkmer, Dickinson
NAY: None
PASS: Moore, Reichlinger

ABSENT: Ediger

WACO RECREATION AREA PROJECT

Oswald made the motion (Motion #26) to approve funding for the Waco Recreational Project with the cost not to exceed \$1,350, which is 25% of the estimated cost of \$5,400. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ediger

QUOTES FOR MOWING RECREATION AREAS

Oswald made the motion (Motion #27) to approve the hiring of Joseph Block of Hampton, Nebraska to mow the picnic area, access road and parking areas at Pioneer Trails and Smith Creek Recreation Areas for a total of \$488.36, on a per time basis approved by the district staff. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlik, Siebert, Volkmer, Dickinson

NAY: Hansen

ABSENT: Ediger

APPRAISAL SERVICE

Oswald made the motion (Motion #28) that the Upper Big Blue NRD Board of Directors approve hiring Deets Real Estate and Appraisal Service of Geneva to appraise the following tracts of land for easements for a cost not to exceed \$1,000.

1. Irregular Tracts 6 and 7 and a parcel of land located in the SE 1/4 of the SE 1/4 of Section 36, Township 11 North, Range 3 West of the 6th P.M., City of York, owned by Pork Packers International, Inc..
2. The part of the SW 1/4 of the SW 1/4 of Section 36, Township 11 North, Range 3 West of the 6th P.M., York County, lying south and west of the roadway conveyed to York County, State of Nebraska, owned by Melvin P. Smith and Arlene C. Smith.
3. The N 1/2 of the NE 1/4 of Section 2, Township 10 North, Range 3 West of the 6th P.M., York County, owned by Leland P. Kopcho and Carolyn R. Kopcho.

Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Siebert, Volkmer, Dickinson

NAY: None

PASS: Reichlinger

ABSENT: Ediger

SOIL WATER STEWARDSHIP OBSERVANCE

Oswald made the motion (Motion #29) that the Upper Big Blue NRD continue to make inserts or bulletin covers available to the churches as before. Seconded by Burke. Question called. Motion

carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ediger

Obermier made the motion (Motion #30) to request the NARD to add another award category for farmers maintaining conservation practices for 25 years or more. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ediger

BUDGET, PLANNING LEGISLATIVE COMMITTEE REPORT

Hansen gave a report on the Budget, Planning Legislative Committee meeting held February 13, 1990 and reviewed the committee report as distributed.

SOLID WASTE MANAGEMENT

Turnbull reported on the Regional Meeting held January 31, 1990 in York. Elected officials from the surrounding counties and communities attended the session. A joint study by consultants was discussed, funded by the cities and counties. The study would explore the options of Regional Solid Waste Management. Turnbull recommended that the district act as the lead agency in the study effort by:

- (1) Cooperating with the cities and counties
- (2) Establishing a steering committee of county and city officials
- (3) Providing coordination and administrative staff support for the steering committee
- (4) Administering the contract with consultants, including collecting and disbursing funds for the steering committee

Hansen made the motion (Motion #31) that the Upper Big Blue NRD act as the lead agency in a cooperative effort with the local cities and counties in regional landfill study. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ediger

LANDMARK PROJECT

Hansen made the motion (Motion #32) to authorize McCulley, Frick Gilman, Inc. to review the TZA/GMI Groundwater Flow Model and Report for a cost not to exceed \$6,280, and further to authorize Boyle Engineering, Inc. to review TZA/GMI Platte River Surface Water Flow Model for a cost not to exceed \$7,100. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier,

Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Ediger

EXECUTIVE COMMITTEE REPORT

Burke gave a report on the Executive Committee meeting held February 13, 1990 and reviewed the committee report as distributed.

REQUEST FOR SALARY REIMBURSEMENT

Burke made the motion (Motion #33) to approve payment of \$2,417.34 to Lower Platte North NRD for 44% of Butler County SCS Clerk salary for the first half of FY 90. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Ediger

ATTORNEY FEES

Burke made the motion (Motion #34) to approve payment of \$1,978.20 to Crosby, Guenzel, Davis, Kessner Kuester for Steve Seglin's work on Landmark through January 20, 1990. Seconded by Hermansen. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Ediger

BOARD ROOM CHAIRS

At a request from the board the Executive Committee studied the need for new chairs for the board room. A need exists for additional guest chairs in the offices, conference room and the board room. Of the alternatives available, the committee believes the best solution is to utilize the existing board chairs as guest chairs, as needed, and that new swivel chairs be purchased for the board room.

Burke made the motion (Motion #35) to approve the purchase of 20 Steel case model 430 swivel chairs from Eakes Office Products Center, Inc. for \$7,380. Seconded by Moore. Question called. Motion failed.

AYE: Anderson, Burke, Moore, Oswald, Regier, Reichlinger, Sedlak, Dickinson, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Siebert, Volkmer
NAY: None
ABSENT: Ediger

FINANCIAL STATEMENT

Hansen made the motion (Motion #36) to approve the financial statement and budget report as of January 31, 1990; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Oswald,

Board of Director's Meeting

Reichlinger, Sedlak, Siebert, Volkmer
NAY: Moore, Regier, Dickinson
ABSENT: Ediger

Meeting adjourned at 4:55 p.m.

Louis Oswald, Secretary
:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
JANUARY 18, 1990

A regular Board of Directors meeting was called to order at 1:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Doug Dickinson, Chairman
Louis Oswald, Secretary
Bruce Anderson, Director
Bob Ehlers, Director
Lance Hermansen, Director
Larry Moore, Director
Ken Regier, Director
Roger Siebert, Director
John Turnbull, General Manager
Jay Bitner, Projects Dept. Mgr.
Prudence Sadler, Public Info.
Mark Nannen, Blue River Assn.
Carl Hansen, Clay Co. GWCD
Dennis Schroeder, Geneva SCS
Jim Hutchinson, Aurora SCS
Mike Bair, City of Aurora
Lash Chaffin

Ray Burke, Vice Chairman
Perry Reichlinger, Treasurer
Ed Ediger, Director
Wayne Hansen, Director
Jim Jackson, Director
Norman Obermier, Director
Ron Sedlak, Director
Merlin Volkmer, Director
Nancy Davis, Admin. Asst.
Rod DeBuhr, Water Dept. Mgr.
Ken Feather, Parks Dept. Mgr.
Mark Bailey, Clay Co. GWCD
Jerry Willhoft, Aurora SCS
Ken Franzen, Hastings SCS
Dwight Hansen, York SCS
Orville Davidson, City of York
Donna Rhoades, York News-Times

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published January 8, 1990 in the York News - Times. A current agenda is kept on file for public inspection.

ROLL CALL

16 members were present.

MINUTES

Ediger made the motion (Motion #1) to approve the minutes of the December 21, 1989 board of directors meeting, as distributed. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

EXECUTIVE COMMITTEE REPORT

Burke gave a report on the Special Executive Committee meeting held January 18, 1990 and reviewed the committee report as distributed.

Board of Director's Meeting

SUB-DISTRICT II VACANCY

The Executive Committee interviewed Diane Hofer and Cal Goding of Seward for the Directors vacancy in sub-district II. Their letters of application were also reviewed. Burke made the motion (Motion #2) that Calvin Goding of Seward be appointed to fill the unexpired term in sub-district II (present to January 1993). Seconded by Ediger. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Oswald, Regier, Reichlinger, Siebert, Dickinson

NAY: Anderson, Moore, Obermier, Sedlak

ABSTAIN: Volkmer

ABSENT: None

NOMINATING COMMITTEE

A Nominating Committee, comprised of Hansen, Moore, and Regier, met on Tuesday, January 16, 1990 in the NRD office at York. They submitted the following list of nominees for Board Officers. The Board was advised that nominations from the floor would be accepted.

Office of Chairman	-	Dickinson
Office of Vice Chairman	-	Burke & Ediger
Office of Secretary	-	Oswald & Volkmer
Office of Treasurer	-	Reichlinger & Ehlers

ELECTION OF BOARD OFFICERS

Rod DeBuhr and Ken Feather were asked to distribute and count ballots.

OFFICE OF BOARD CHAIRMAN

There being only one nominee for the Office of Chairman, Ehlers made the motion (Motion #3) that Dickinson be declared Chairman by a voice vote. Seconded by Obermier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer

NAY: None

ABSTAIN: Dickinson

ABSENT: None

OFFICE OF VICE CHAIRMAN

The nominees for the Office of Vice Chairman were Burke and Ediger. There were no additional nominations from the floor. Ballots were cast; the results were Burke 10 - Ediger 6. Ray Burke will serve as Vice Chairman for a period of one year.

OFFICE OF SECRETARY

The nominees for the Office of Secretary were Oswald and Volkmer. There were no additional nominations from the floor. Ballots were cast; the results were Oswald 9 - Volkmer 7. Buzz Oswald will serve as Secretary for a period of one year.

OFFICE OF TREASURER

The nominees for the Office of Treasurer were Reichlinger and Ehlers. There were no additional

nominations from the floor. Ballots were cast resulting in a tie vote. Ballots were again distributed and votes were recast. The results were; Reichlinger 9 - Ehlers 7. Reichlinger will serve as Treasurer for a period of one year.

PROJECTS COMMITTEE REPORT

Obermier gave a report on the Projects Committee meeting held January 8, 1990 and reviewed the committee report as distributed.

LAND TREATMENT - NRD FUNDS - NEW APPLICATIONS

Obermier made the motion (Motion #4) that the Board of Directors approve 1 new application as eligible for NRD land treatment funds, as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

LAND TREATMENT - NWCP FUNDS - PAYMENTS

Obermier made the motion (Motion #5) that the Board of Directors authorize payment of NWCP land treatment funds in the amount of \$19,883.92 on 13 applications, as submitted and reviewed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

LAND TREATMENT - NWCP FUNDS - NEW APPLICATIONS

Obermier made the motion (Motion #6) that the Board of Directors approve 8 new applications as eligible for NWCP land treatment funds, as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

YORK GROUNDWATER RECHARGE PROJECT - PHASE I PAYMENT

Obermier made the motion (motion #7) that the Board of Directors authorize payment of \$1,331.30, of which \$1,006.30 is to be paid from previous retainage, to Schwisow Enterprises, Inc. for construction work completed on Phase I of the York Groundwater Recharge Project between 12/1/89 and 12/31/89. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

YORK GROUNDWATER RECHARGE PROJECT - PHASE III PAYMENT

Obermier made the motion (Motion #8) that the Board of Directors authorize payment of \$34,983.71, of which \$9,074.37 is to be paid from previous retainage, to Capital Contractors, Inc. as final payment for work completed on Phase III of the York Groundwater Recharge Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

WATER COMMITTEE REPORT

Moore gave a report on the Water Committee meeting held January 9, 1990 and reviewed the committee report as distributed.

U.S. FISH AND WILDLIFE SERVICE MINIMAL EFFECT DENIAL

The U.S. Fish and Wildlife Service has rejected a minimal effect agreement for two irrigation reuse pits located in Section 24, Township 11 North, Range 2 West, York County. In a letter dated December 4, 1989 the Service contends that "to place two reuse pits in farmed wetlands would have adverse impacts on adjacent Rainwater Basin Wetlands. The Spikerush Wildlife Management Area (WMA), owned by the State of Nebraska, is most likely to be impacted by the reuse pits." Moore made the motion (Motion #9) that the District request the U.S. Fish and Wildlife Service to reconsider the Minimal Effect Agreement for the two irrigation reuse pits located in Section 24, Township 11 North, Range 2 West, York County, Nebraska. Seconded by Burke.. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

CONTROL AREA REGULATIONS

Moore made the motion (Motion #10) to adopt Draft 7B with the January 9, 1990 committee changes, as reviewed, for presentation to Mike Jess. Seconded by Oswald.

Lash L. Chaffin, Utilities Coordinating Manager with the League of Nebraska Municipalities was present and read his letter of January 18, 1990. Copies of that letter, and his letter of December 12, 1989, are attached to these minutes. The main concern Mr. Chaffin expressed, as far as regulations pertaining to municipalities, was that Draft 7B only required metering of wells pumping in excess of 100 gpm and not individual users. He argued that this takes away the municipalities power to set up a priority system for the water they distribute. Orville Davidson, Director of Public Works for the City of York, summarized his letter of January 16, 1990, a copy of which is attached to these minutes. He voiced his concern about the proposed change in the trigger method, as well as Option 2 for category 2 groundwater users. He felt municipalities should also have another option available to them. He expressed a desire to see Draft 7B returned to committee for further review, and possible changes. Mike Bair, City Administrator for Aurora, addressed the board briefly and expressed the City of Aurora's willingness to work with the District. He was in agreement with both Mr. Chaffin and Mr. Davidson that municipalities should have authority over how the water was allocated

within each community.

Moore amended the motion to make the motion (motion #11) to adopt Draft 7B Amended. Seconded by Ehlers. After considerable discussion Regier made the motion (Motion #12) to send Draft 7B back to the committee for further review and direct the committee to report back to the Board at the February meeting. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: Siebert

ABSENT: None

FEBRUARY & MARCH BOARD MEETING DATES

Reichlinger made the motion (Motion #13) to move the February and March, 1990 Board of Directors meeting back one week to the 22nd. Seconded by Regier. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: Anderson, Hansen

PASS: Hermansen

ABSENT: None

EDUCATION & PARKS COMMITTEE REPORT

Oswald gave a report on the Education & Parks Committee meeting held January 9, 1990 and reviewed the committee report as distributed.

LANDMARK PUBLIC INFORMATION PROGRAM

Oswald made the motion (Motion #14) that the board authorize the staff to contact Leslie Associates, Inc. for a proposal on the Landmark public information program. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

FENCING & SEEDING - PROGRESS PAYMENT

Oswald made the motion (Motion #15) that the board authorize a partial payment of \$27,218.49, with \$2,721.95 to be held as retainage, to B.A.B., Inc. for the fencing and seeding work completed on the York Groundwater Recharge Demonstration Project between November 6, 1989 and December 31, 1989. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Hansen gave a report on the Budget, Planning & Legislative Committee meeting held January 16, 1990 and reviewed the committee report as distributed.

GROUNDWATER CONSERVATION DISTRICTS

Mark Nannen, Manager, and Larry Paul, Chairman, of the Blue River Association of Groundwater Conservation Districts were present at the January 16th Budget Committee meeting to discuss LB848. LB848 has been introduced by Senator Scott Moore. The bill calls for the extension of the life of the Groundwater Conservation Districts from January 1, 1992 to January 1, 1997. Hansen made the motion (Motion #16) that the District support LB848. Seconded by Volkmer. After considerable discussion regarding this bill Moore amended the motion to make the motion (Motion #17) that the board take a neutral position on LB848. Seconded by Anderson. Question called on the amendment. Amendment failed.

AYE: Burke, Hansen, Moore, Regier, Reichlinger, Sedlik, Dickinson

NAY: Anderson, Ediger, Ehlers, Hermansen, Jackson, Obermier, Oswald, Siebert, Volkmer

ABSENT: None

Question called on the original motion. Motion carried.

AYE: Burke, Ehlers, Hansen, Hermansen, Jackson, Obermier, Sedlak, Siebert, Volkmer

NAY: Ediger, Moore, Oswald, Reichlinger, Dickinson

PASS: Anderson, Regier

ABSENT: None

Hansen made the motion (Motion #18) that Bob Ehlers and Ed Ediger be empowered by the Board to testify in favor of LB848. Seconded by Volkmer. Moore amended the motion to make the motion (Motion #19) to delete Ed Ediger's name. Seconded by Ediger. Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlik, Volkmer, Dickinson

NAY: Obermier, Siebert

ABSENT: None

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Burke, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Sedlak, Siebert, Volkmer

NAY: None

ABSTAIN: Ehlers, Dickinson

PASS: Regier, Reichlinger

LEGISLATIVE BILLS

LB906 - Change the NWCP Reserve Fund from 5% to 2% for funding 90% cost-share on sediment and erosion complaints.

Hansen made the motion (Motion #20) that the District support LB906 as written. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Siebert

LB931 - Allow elected officials to hold more than one elective office in all counties except Douglas and Lancaster.

Hansen made the motion (Motion #20) that the District support LB 931. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSTAIN: Siebert

ABSENT: None

LB969 - Allow NRD to establish improvement projects across boundaries with written consent of other NRD.

Hansen made the motion (Motion #21) that the District support LB 969. Seconded by Ehlers. Question called. Motion carried.

AYE- Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

LB1082 - Exempt NRDs from paying sales and use tax.

Hansen made the motion (Motion #22) that the District support and have the staff testify in favor of LB1082. Seconded by Regier. Question called.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

EXECUTIVE COMMITTEE REPORT

Burke gave a report on the Executive Committee meeting held January 16, 1990 and reviewed the committee report as distributed.

4TH QUARTER DIRECTOR'S PER DIEM & EXPENSES

Burke made the motion (Motion #23) to approve payment of 4th Quarter Per Diem of \$2,365.00 and expenses of \$1,943.40. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: None

ATTORNEY FEES

Burke made the motion (Motion #24) to approve payment of \$6,998.78 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through December 20, 1989. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald,

Regier, Reichlinger, Siebert, Volkmer, Dickinson
NAY: Ehlers, Sedlak
ABSENT: None

NACD DUES

Burke made the motion (Motion #25) to approve payment of \$550.00 to National Association of Conservation Districts for 1990 dues. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer. Dickinson.

NAY: None

ABSENT: None

NARD LEGISLATORS DINNER

Burke made the motion (Motion #26) that Moore and Ehlers escort Senator Moore to dinner on January 29, 1990 on behalf of the District. Seconded by Hermansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

PASS: Moore

ABSENT: None

FINANCIAL STATEMENT

Volkmer made the motion (Motion #27) to approve the financial statement and budget report as of December 31, 1989; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

Meeting adjourned at 4:50 p.m.

Louis Oswald, Secretary

:nd

attachment

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
DECEMBER 19, 1991

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 1:30 p.m.

PRESENT

Doug Dickinson, Chairman
Bob , Treasurer
Ed Ediger, Director
Lance Hermansen, Director
Larry Moore, Director
Kenneth Regier, Director
Ron Sedlak, Director
Merlin Volkmer, Director
Nancy Davis, Staff
Rod DeBuhr, Staff
Ken Feather, Staff
Mark Nannen, GWCD
Bob Bettger, Fairmont
Dennis Schroeder, Aurora SCS
Kristi Schleif, Osceola SCS
Kelly Harre, York News-Times

Ray Burke, Vice Chairman
Bruce Anderson, Director
Wayne Hansen, Director
Jim Jackson, Director
Norman Obermier, Director
Perry Reichlinger, Director
Roger Siebert, Director
John Turnbull, Manager
Jay Bitner, Staff
Prudence Sadler, Staff
Bill Gilliam, York SCS
Senator Scott Moore
Jim Hutchinson, Aurora SCS
Tom Schleif, SCS
Kent Norquest, Geneva SCS

ROLL CALL

15 members were present during the meeting. Reichlinger arrived following roll call; Goding and Oswald were absent.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification

Board of Director's Meeting

was made by a "Notice of Public Meeting" published December 11, 1991 in the York News Times. A current agenda is kept on file for public inspection.

MINUTES OF THE NOVEMBER BOARD MEETING

Regier made the motion (Motion #1) to approve the minutes of the November 21, 1991 board of directors meeting as distributed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier,
Regier, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Goding, Oswald, Reichlinger

LANDMARK WATER RIGHTS

Turnbull advised the board that on December 16, 1991 Mike Jess, Director of the Department of Water Resources, issued an Order of Denial for the Landmark Project water rights applications. The Upper Big Blue NRD has 30 days from the date the Order was issued to file an appeal with the State Supreme Court, should the District decide to pursue the matter.

Turnbull recommended to the board that they schedule a special board of directors meeting to decide whether or not to appeal the Directors decision.

Moore made the motion (Motion #2) to hold the January budget committee meeting on the 8th at 9:30 a.m. and a special board of directors meeting at 2:00 p.m. to discuss the Landmark Project water rights applications. Seconded by Ehlers. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Sedlak, Siebert, Volkmer, Dickinson
NAY: Reichlinger
PASS: Anderson, Regier
ABSENT: Goding, Oswald

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held December 9, 1991 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS

Regier made the motion (Motion #3) that 33 new applications for NSWCP funds, which were reviewed by the committee, be approved as eligible for cost-share assistance. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ehlers, Hansen, Hermansen, Jackson, Obermier, Regier, Sedlak, Siebert, Dickinson
NAY: Anderson, Ediger, Moore, Reichlinger
PASS: Volkmer
ABSENT: Goding, Oswald

LAND TREATMENT PROGRAM - NSWCP FUNDS - PAYMENTS

Regier made the motion (Motion #4) that payment of \$12,099.150 be approved for six NSWCP applications, which were reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Goding, Oswald

WATER COMMITTEE MEETING REPORT

Reichlinger gave a report on the Water Committee meeting held December 9, 1991 and reviewed the committee report as distributed.

GROUNDWATER QUALITY MANAGEMENT OPTIONS

Reichlinger made the motion (Motion #9) that in the event the Department of Environmental Control's Special Protection Area Study indicates a need for a groundwater quality management regulatory program in the Upper Big Blue NRD, the district pursue the Special Protection Area form of management. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Jackson, Moore, Obermier, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

PASS: Hermansen, Volkmer

ABSENT: Goding, Oswald

Reichlinger made the motion (Motion #10) that the district authorize the staff to begin work on the formation of a groundwater quality management advisory committee to begin operation, if needed, after DEC has issued the SPA study report. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Goding, Oswald

AQWACAP - TENTATIVE APPROVAL

Reichlinger made the motion (Motion #11) to approve one AQWACAP tentative application for \$291.27, as submitted and reviewed. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Jackson, Moore, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Goding, Hermansen, Oswald

AQWACAP - FINAL PAYMENTS

Reichlinger made the motion (Motion #12) to approve two AQWACAP applications for final payment totaling \$192.63, as submitted and reviewed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Goding, Oswald

SCHOOL CREEK WATERSHED - SUTTON FLOOD CONTROL STUDY

Regier made the motion (Motion #5) that E.A. Engineering be paid \$3,912.98, in accordance with the Agreement between E.A. Engineering and the District, for work completed in September and October on the Sutton Area Flood Control Study. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Goding, Oswald

Regier made the motion (Motion #6) that staff be authorized to hire contractors to perform maintenance work as requested and shown on the attached summary. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Goding, Oswald

EDUCATION & PARKS COMMITTEE MEETING REPORT

Anderson gave a report on the Education & Parks Committee meeting held December 12, 1991 and reviewed the committee report as distributed.

NATURAL RESOURCES DISTRICTS' 20TH ANNIVERSARY

Anderson made the motion (Motion #7) that the staff continue planning the Upper Big Blue NRD's 20th anniversary observances. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Goding, Oswald

CROP DAMAGE - ENID CONNELL, GREGG EASLEY AND LINDA EASLEY

Anderson made the motion (Motion #8) that the Upper Big Blue Natural Resources District make payment of \$1,062.08 to Enid Connell, Gregg Easley and Linda Easley for 8.2 acres of milo and 1.0 acre of soybeans that were damaged during the construction of Project 04-0802E, Johnson Creek Site 12. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Goding, Oswald

LATE WELL PERMIT

Reichlinger made the motion (Motion #13) to approve a late permit for an irrigation well in the NE ¼ of Section 10, Township 7 North, Range 3 West, Fillmore County, Nebraska owned by Martin E. Lauber. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Goding, Oswald

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT

Moore gave a report on the Budget, Planning & Legislative Committee meeting held December 12, 1991 and reviewed the committee report as distributed.

PROPOSED LEGISLATION - NEBRASKA GROUNDWATER QUALITY ACT

Draft legislation on water quality was reviewed. The draft included:

- A. Five cents per pound fee on active ingredients in pesticides paid by the distributor
- A. \$3.00 per ton fee on nitrogen fertilizers or soil conditioners, paid by the distributor
- B. fund to be administered by the state tax commissioner
- C. 75% of monies in the fund to be used for University of Nebraska to research and implement programs and methods of sustainable agriculture
- D. 25% of monies in the fund to be used by the Natural Resources Commission to assist NRDs to establish and regulate Special Protection Areas.

Moore made the motion (Motion #14) that the district oppose the Nebraska Groundwater Quality Act as written. At a minimum the draft should be changed to: treat all classes of fertilizers equally; use 25% of the fund for university research; and return 75% of the fund directly to NRDs for administration and operation of Special Protection Areas, and Groundwater Management Areas for quality; and further to direct staff to write letters to Senators Moore, Johnson, Coordsen and Schmidt. Seconded by Reichlinger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Goding, Oswald

PROPOSED LEGISLATION-SURFACE WATER/GROUNDWATER INTERRELATIONSHIP

In response to LR 145, which directs the Legislature's Natural Resources Committee to review the legal interrelationship between surface and groundwater, the Budget, Planning & Legislative Committee reviewed the draft proposals.

The Budget, Planning & Legislative Committee directed staff to develop and present testimony at the Natural Resources Committee hearing on LR 145 on December 17, 1991. A copy of that testimony is attached to the original of these minutes and available upon request.

Moore made the motion (Motion #15) to approve the testimony staff developed and presented, under the direction of the Budget, Planning & Legislative Committee, at the Natural Resources Committee's December 17, 1991 hearing on LR 145. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier,

Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Goding, Oswald

EXECUTIVE COMMITTEE MEETING REPORT

Burke gave a report on the Executive Committee meeting held December 16, 1991 and reviewed the committee report as distributed.

ATTORNEY FEES

Burke made the motion (Motion #16) to approve payment of \$1,556.64 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through November 20, 1991. Seconded by Siebert. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Goding, Oswald

BOARD OFFICERS FOR 1992

Burke made the motion (Motion #17) that the past chairmen serve as a nominating committee for board officer elections. Seconded by Ediger.

Ediger amended the motion to make the motion (Motion #18) that two names be submitted by the nominating committee for each position to be filled. Seconded by Anderson. Question called on the amendment. Amendment carried.

AYE: Anderson, Ediger, Ehlers, Hermansen, Moore, Obermier, Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: Burke, Jackson, Reichlinger
PASS: Hansen
ABSENT: Goding, Oswald

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Burke, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Regier, Sedlak, Volkmer, Dickinson
NAY: Ehlers, Reichlinger, Siebert
ABSENT: Goding, Oswald

FINANCIAL STATEMENT

Regier made the motion (Motion #19) to approve the financial statement and budget report as of November 30, 1991; to make payment of the accounts payable and approve the expenditures of publication. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

Board of Director's Meeting

NAY: None

ABSENT: Goding, Oswald

Meeting adjourned at 4:00 p.m.

Louis Oswald, Secretary

:nd

UPPER BIG BLUE
Natural Resources District
TESTIMONY ON PROPOSED
LEGISLATION - SURFACE/GROUNDWATER
LR 145 STUDY
BEFORE THE NATURAL RESOURCES COMMITTEE
DECEMBER 17, 1991

Mr. Chairman, and members of the Committee, I am John C. Turnbull, General Manager of the Upper Big Blue NRD, York, Nebraska. I am here today of behalf of the Board of Directors.

The Upper Big Blue NRD comprises 3.8% of Nebraska's total land area, but has more irrigated acreage than any other NRD, 14.1% of the state's total. The district has about 1,000,000 acres that are under irrigation, almost all from private wells.

10,680 irrigation wells
111 municipal wells
19 industrial wells
9 other
10,819 total registered

The Upper Big Blue is one of 3 Groundwater Control Areas in Nebraska. Regulations have been in place since 1979. Current regulations become more restrictive as groundwater declines worsen.

The District has reviewed the proposed Legislative Bill Requests 1291, 1317, 1318, 1319F 1320, 1321, 1322, 1323, 1324, and 1325. We understand and recognize that there is a physical interrelationship between ground and surface waters. We also understand the basic legal principles of law which govern the uses of groundwater and surface water.

Groundwater laws in Nebraska are based on the "Share and Share Alike" doctrine in times of shortage. The three Control Areas in Nebraska are set up to manage the groundwater use, on a shared basis, by allocation. That is, so many acre inches of water per year per acre. (The date land was first irrigated or when the well was registered or permitted has no bearing.) The 3 Control Areas manage more than ¼ of the total irrigated acres in the state.

Surface water laws in this state are based on the appropriative doctrine, which when simply stated, is "First in Time-First in Right."

In times of shortage, the older rights get all of their appropriation at the expense of the junior right. The filing date of the original application governs all.

"Share and share alike" and "First in time-first in right" are in direct conflict. Therein lies the basic underlying problem of legally recognizing the interrelationship of ground and surface water.

There are instances where legal recognition is important the M.U.D. and Lincoln well fields along

the Platte are prime examples of wells dependent on recharge from a stream. The Big and Little Blue Rivers' daily flows into Kansas are interstate problems caused, to a certain degree, by wells intercepting groundwater flow into the otherwise gaining streams.

We aren't sure what the best solution is, but bringing groundwater use under the appropriate doctrine statewide is not the answer. Conservation of groundwater is the Upper Big Blue District's primary responsibility. A first in time first in right principle does not necessarily promote conservation.

The recognition of ground and surface water should be done in such a fashion so as to blend the two legal doctrines together in limited geographic areas.

The district feels strongly that new statutes should not undermine the Nebraska Groundwater Management Act, its principles, or effectiveness.

Areas of potential conflict with that act are:

IRRIGATION RUNOFF

-Surface Water

46-265. "Embankments; maintenance; return of unused water; duties of owner. The owner or owners of any irrigation ditch or canal shall carefully maintain the embankments thereof so as to prevent waste therefrom, and shall return the unused water from such ditch or canal with as little waste thereof as possible to the stream from which such water was taken, or to the Missouri River."

-Ground Water

46-664. "Action to control or prevent runoff of water; district; rules and regulations; power to issue cease and desist orders; notice; hearing. (1) In order to conserve ground water supplies and to prevent the inefficient or improper runoff of such ground water, after August 24, 1975, each person who uses ground water irrigation in the state shall take action to control or prevent the runoff of water used in such irrigation."

If a well were to come under the appropriative doctrine because it is close to a stream, the district believes any runoff which occurs because of the use of that well needs to be controlled by the user, and by regulation as per the Groundwater Management Act.

ALLOCATION OF USE

-Surface Water

46-231. "No allotment from natural flow of streams for irrigation shall exceed 1 c. f.s. of time for each 70 acres of land, nor 3 acre feet in the aggregate during one calendar year . . . Such limitations do not apply to storage waters."

In times of shortage the Senior right may continue to divert at his maximum rate, and the Junior right must curtail his use of water to allow it to happen.

-Groundwater

46-666. "A District (NRD) in which a Control Area has been designated . . . may determine the permissible withdrawal of groundwater for each day, month, or year and allocate such withdrawal among groundwater users."

The District believes that a Control Area allocation should still apply to a landowner, whose land is in a Control Area, when he is granted an appropriative right for a well within jurisdictional limits of a stream. That is even if the owner is granted a surface-type right for the well, any groundwater allocation in effect should apply our initial allocation is 16" of water per acre per year - considerably different than 3 acre feet (36 inches) allowed under 46-231.

The following summarizes the District's current position on the various Legislative Bill Requests:

Request 1291 - Zones of administration of groundwater - 60 day- travel time from streams.

District position - We recommend that only wells of 100 gpm capacity or more fall under this proposal. That way the proposal will coincide with the Nebraska Groundwater Management Act which permits the regulation of only those wells that have a capacity of 100 gpm or greater. Any conflicts with control areas need to be resolved to allow control area regulations to remain effective.

Request 1317 - Principles of equity between ground and surface water users.

District position - We recommend that the nine factors be weighed equally; economic value should not be more important. My directors are nervous about manufacturing or industrial water needs outweighing Ag water needs.

Request 1318 - Instream flows for recharge of public water supplies.

District position - No position at this time.

Request 1319 - Groundwater within one mile each side of natural streams to come under the appropriative doctrine.

District position - The District opposes REQ 1319 because it is in direct conflict with the legal doctrine of groundwater in Nebraska. Our concern lies with the language of Sections 3 & 4, page 4 which, if strictly interpreted, would bring most of the wells in the Upper Big Blue under the Appropriative Doctrine. I have a map of York County which shows the impact of Sections 3 & 4; it is typical for our district. We are afraid that this extensive action will cause major conflicts with our Control Area and its regulations.

We will remain opposed until the effort to protect public water supplies can be worded narrowly enough to prevent the widespread administration of groundwater through the Appropriative doctrine. We are also concerned about restricting groundwater use in order to provide senior surface water appropriations water.

Request 1320 - Require drainage plans and acceptance of responsibility by applicant on projects; larger than 4,000 acres.

District position - We recognize the problem and support reasonable legislation.

Request 1321 - Control area purpose expansion - add streamflow reductions.

District position - The district opposes REQ 1321 because among other things, a downstream NRD can initiate control area establishment in an upstream NRD. Control Areas are politically difficult enough as it is.

Request 1322 - Groundwater transfer

District position - It is important to watch out for conflict with control area regulations, such as transfer limitations, and allocations.

Request 1323 - Fees for incidental underground water storage.

District position - The district is opposed to change at this time, but we need to consider it further.

Request 1324 - General well fees, groundwater use fees, property tax for recharge facilities in control and management areas.

District position - Any general well fees or ground water use fees ought to be on a prorated scale with increasing fees with increasing quantity pumped.

An example of such a prorated scale is:

<u>Water pumped @ Acre</u>	<u>Fee @ Acre Foot</u>
0"-12"	no fee
12"-16"	low fee
16"-20"	moderate fee
20" +	high fee

Also, NRDs need clear authority to decide if fees and/or a recharge tax is to be established in control or management areas.

Line 13, page 4, of REQ 1324 states that funds raised by a tax levy shall only be utilized for construction. Operation and Maintenance costs need to be authorized, also.

Request 1325 - Research funds from state general fund to NRC for streamflow, lakes and wetlands studies.

District position - We oppose REQ 1325. Isn't some of this already occurring?

This concludes my testimony. I'll be glad to answer any questions.

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
NOVEMBER 21, 1991

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 1:30 p.m.

PRESENT

Doug Dickinson, Chairman
Louis Oswald, Secretary
Bruce Anderson, Director
Cal Goding, Director
Lance Hermansen, Director
Larry Moore, Director
Kenneth Regier, Director
Ron Sedlak, Director
Merlin Volkmer, Director
Nancy Davis, Staff
Rod DeBuhr, Staff
Ken Feather, Staff
Omer E. Troester, Henderson
Ken Goertzen, Aurora
Curtis Carlson, Marquette
Lee Friesen, Giltner

Ray Burke, Vice Chairman
Bob Ehlers, Treasurer
Ed Ediger, Director
Wayne Hansen, Director
Jim Jackson, Director
Norman Obermier, Director
Perry Reichlinger, Director
Roger Siebert, Director
John Turnbull, Manager
Jay Bitner, Staff
Prudence Sadler, Staff
Bill Gilliam, York SCS
Ken Kremer, Aurora
Kevin Epp, Aurora
Dick Kremer, Giltner
Kelly Harre, York News-Times

ROLL CALL

17 members were present during the meeting; Anderson and Sedlak arrived following roll call.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published November 8, 1991 in the York News Times. A current agenda is kept on file for public inspection.

MINUTES OF THE OCTOBER BOARD MEETING

Volkmer made the motion (Motion #1) to approve the minutes of the October 17, 1991 board of directors meeting as distributed. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Sedlak

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held November 12, 1991 and reviewed the committee report as distributed.

SCHOOL CREEK WATERSHED - SUTTON FLOOD CONTROL PROJECT

E.A. Engineering is continuing to work on a study of possible flood control measures at Sutton. The District is continuing to work with the Federal Emergency Management Agency (FEMA) to prepare a request for federal and state grant money to be used for construction of flood protection works at Sutton. FEMA has extended the deadline for filing a grant application to December 5, 1991. The City of Sutton has requested that the District take the lead in project planning and cost-share with the City in project construction.

Regier made the motion (Motion #2) that the District take the administrative lead as applicant, as requested by the City of Sutton, to prepare and administer a grant application for federal and state cost-share assistance to construct flood control facilities at Sutton. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

Regier made the motion (Motion #3) that the District enter into an Agreement with the City of Sutton to define the terms, conditions, responsibilities and limits of liability to be accepted by the City and District in carrying out the Sutton Flood Control Project. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore,

Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

Regier made the motion (Motion #4) that the District cost-share with the City of Sutton at the rate of 50 percent of the local 25 percent share of Phase 1 flood control project construction cost, not to exceed \$12,500. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - SURGE VALVES

The District has had several requests that the Board of Directors reconsider allowing surge valves as an eligible practice under the land treatment program. Some residents of the District were present to express their support for the surge valve practice. Staff explained that the purpose of the land treatment program is to provide cost-share as an incentive for farmers to install soil and water conservation measures.

Regier made the motion (Motion #5) that the District allow cost sharing on surge valves for the remainder of fiscal year 1992, that the total cost-share for all surge valve applications not exceed \$20,000 and that each landowner/applicant be limited to one surge valve. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Goding, Hansen, Jackson, Oswald, Regier, Sedlak, Volkmer
NAY: Ediger, Ehlers, Hermansen, Moore, Obermier, Siebert, Dickinson
PASS: Reichlinger
ABSENT: None

LAND TREATMENT - NSWCP FUNDS

Regier made the motion (Motion #6) that 24 new applications for NSWCP funds, which were reviewed by the Committee, be approved as eligible for cost-share assistance. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: Jackson
ABSENT: None

Regier made the motion (Motion #7) that payment of \$16,457.16 be approved for eight NSWCP applications, which were reviewed by tie Committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - NRD FUNDS

Regier made the motion (Motion #8) that one new application for NRD funds, which was reviewed by the Committee, be approved as eligible for cost-share assistance. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

PROJECT 4-8-2E - JOHNSON CREEK SITE 12

Greg Easley, tenant, on lands within the reservoir conservation pool at Johnson Creek Site 12, has requested that the District construct a stream crossing at the tailwater of the reservoir. The crossing is being requested to provide access for farming operations between the west property line and the reservoir.

Regier made the motion (Motion #9) that the District install a stream crossing, as requested by Greg Easley, across the reservoir tailwater of Project 4-8-2E to provide access for farming operations, that the District's cost for the crossing no exceed \$1,200 and that the District not be responsible for operation and maintenance of the crossing. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Siebert, Volkmer, Dickinson
NAY: Ediger, Reichlinger, Sedlak
ABSENT: None

SCHOOL CREEK WATERSHED - HARVARD FLOOD CONTROL PROJECT

An Administrative Agreement between Harvard and the District was approved at the District's October 1991 Board Meeting. After reviewing the Agreement, the Harvard City Council requested the following amendments:

Paragraph 5 - Original

The CITY agrees to contract for all engineering services and for the construction of the FLOOD CONTROL WORKS, and to make timely payments due under such agreements, prior to requesting reimbursement from the grant funds held by the District. It is agreed between the parties that the grant funds shall be drawn upon and exhausted before the DISTRICT is required to expend the funds which it obligates to the FLOOD CONTROL WORKS, in accordance with paragraph four above.

Paragraph 5 - Amended

The CITY agrees to contract for all engineering services and for the construction of the FLOOD CONTROL WORKS, and to make timely payments dues under such agreements, prior to requesting reimbursement from the grant funds.

Paragraph 10 - Original

The CITY agrees to support and testify in favor of any future flood control planning efforts undertaken by the DISTRICT in the School Creek watershed.

Paragraph 10 - Amended

The City agrees to actively support future flood control planning efforts undertaken by the DISTRICT in the School Creek watershed.

Regier made the motion (Motion #10) that Paragraph 5 of the Administrative Agreement between the City of Harvard and the District be amended to read as follows: "5. The CITY agrees to contract for all engineering services and for the construction of the FLOOD CONTROL WORKS, and to make timely payments due under such agreements, prior to requesting reimbursement from the grant funds." Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

Regier made the motion (Motion #11) that Paragraph 10 of the Administrative Agreement between the City of Harvard and the District be amended to read as follows: "10. The CITY agrees to actively support future flood control planning efforts undertaken by the DISTRICT in the School Creek watershed." Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: Goding
ABSENT: None

YORK GROUND WATER RECHARGE PROJECT

Kaiser Excavation of York has completed repair of erosion on the emergency spillway at the York Ground Water Recharge Project. The work was completed within the amount previously authorized by the Board.

Regier made the motion (Motion #12) that Kaiser Excavation be paid the amount of \$2,500 for repair of erosion on the emergency spillway at the York Ground Water Recharge Project. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

PROJECT 18-9-1W - BAILEY DAM MODIFICATION

Staff is beginning design work on the Bailey Dam modification which is proposed to elevate the principal spillway crest by 5 feet. A proposal for geotechnical engineering services was received from Woodward Clyde Engineers. Staff recommended that Woodward Clyde's proposal be accepted.

Regier made the motion (Motion #13) that the District award a contract to Woodward Clyde Engineers for providing geotechnical engineering services on Project 18-9-1W, in accordance with their proposal dated November 6, 1991, and that the fee for Woodward Clyde's services not exceed \$4,000. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

WATER COMMITTEE MEETING REPORT

Reichlinger gave a report on the Water Committee meeting held November 12, 1991 and reviewed the committee report as distributed.

AQWACAP PROGRAM - FINAL PAYMENTS

Reichlinger made the motion (Motion #14) to approve final payment to Viola Biegert for AQWACAP cost-share in the amount of \$75.40 for a domestic well in the NW ¼ of the NE ¼, Section 34, Township 11 North, Range 3 West, York County. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

AQWACAP PROGRAM - NEW APPLICATIONS

Reichlinger made the motion (Motion #15) to approve three applications for AQWACAP cost-share assistance in an amount totaling \$474.82, as submitted and reviewed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
PASS: Ediger
ABSENT: None

LATE WELL PERMIT

The water department staff recently discovered an unregistered well, which the current owners attempted to register. The well registration showed that the well was drilled in 1980 without a permit. The current owners, Dennis and Aldeen Riha, did not own the property when the well was

drilled. Except for not having a permit, the well complies with all of the district's Control Area Rules and Regulations. The Riha's have applied for a late permit.

Reichlinger made the motion (Motion #16) that the late pe lit be granted for a well in the SW ¼ of the SW ¼ of Section 4, Township 14 North, Range 2 East, Butler County, for the well dug on June 10, 1980, and currently owned by Dennis and Aldeen Riha. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

EXECUTIVE COMMITTEE MEETING REPORT

Burke gave a report on the Executive Committee meeting held, November 12, 1991 and reviewed the committee report as distributed.

ATTORNEY FEES

Burke made the motion (Motion #17) to approve payment of \$2,764.68 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through October 20, 1991. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

NARD WASHINGTON, D.C. LOBBYING TRIP

Burke made the motion (Motion #18) to authorize out-of-state travel to Washington, D.C. for John Turnbull, Perry Reichlinger, and Buzz Oswald to attend the NARD Washington, D.C. lobbying tri March 28 through April 2, 1992 and to designate Cal Goding as the alternate. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: Reichlinger
PASS: Goding, Oswald
ABSENT: None

Following the voting it was brought to the board's attention by Dickinson that Oswald was registered for the GMDA Conference in Colorado Springs, Colorado in December. As a result the previous motion conflicts with the board's policy on out-of-state travel for directors which states "that each director be authorized to attend only one organization's out-of-state functions per fiscal year at the district's expense."

If Oswald attends the GMDA Conference at district expense this would eliminate him from attending the Washington, D.C. lobbying trip because he will have already had his one out-of-state trip for the fiscal year.

Moore made the motion (Motion 120) to exempt Buzz Oswald from the policy limiting directors to one out-of-state trip per fiscal year to allow him to attend both the GMDA Conference and the NARD Washington, D.C. lobbying trip. Seconded by Hansen.

Following a lengthy discussion Oswald offered to either pay his own way to the GMDA Conference or to cancel his registration for the GMDA conference. As a result Moore withdrew his motion with the approval of Hansen who seconded the motion.

EDUCATION & PARKS COMMITTEE MEETING REPORT

Oswald gave a report on the Education and Parks Committee meeting held November 14, 1991 and reviewed the committee report as distributed.

KIRKHAM, MICHAEL & ASSOCIATES - PAYMENT

Oswald made the motion (Motion #21) that the Upper Big Blue NRD make final payment of \$967.59 for the engineering work completed on the Lincoln Creek Parkway Trail located in Aurora. Seconded by Sedlak. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

NOVEMBER WILDLIFE PAYMENTS

Oswald made the motion (Motion #22) that the Upper Big Blue NRD board of directors approve payment of \$2,759.00 to the cooperators of the wildlife program for the month of November, as submitted and reviewed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer

NAY: Ediger, Ehlers, Reichlinger, Dickinson

ABSENT: None

CHUCK KAISER EXCAVATION - PAYMENT

Oswald made the motion (Motion #23) that the Upper Big Blue NRD Board of Directors approve payment of \$1,000 to Chuck Kaiser Excavation for the work completed on the boat ramp located at

Recharge Lake. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

OVERLAND - PAYMENT

Oswald made the motion (Motion #24) that the Upper Big Blue NRD Board of Directors approve the payment of \$283.86 for the white rock placed on the boat ramp located at Recharge Lake. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

MARQUETTE SCHOOL DISTRICT - PAYMENT

Oswald made the motion (Motion #25) that the Upper Big Blue NRD make payment of \$685.82 to the Marquette School District for the renovation work completed on the restrooms at the baseball field. Seconded by Hermansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT

Moore gave a report on the Budget, Planning & Legislative Committee meeting held November 14, 1991 and reviewed the committee report as distributed.

NEBRASKA WATER RESOURCES ASSOCIATION MEMBERSHIP

Moore made the motion (Motion #26) that the Upper Big Blue NRD join the Nebraska Water Resources Association and pay \$900.00 for the annual dues. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Siebert

FINANCIAL STATEMENT

Ehlers made the motion (Motion #27) to approve the financial statement and budget report as of October 31, 1991; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Siebert

Board of Director's Meeting

Meeting adjourned at 3:55 p.m.

Louis Oswald, Secretary
:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
OCTOBER 17, 1991

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Doug Dickinson, Chairman	Ray Burke, Vice Chairman
Louis Oswald, Secretary	Bob Ehlers, Treasurer
Bruce Anderson, Director	Ed Ediger, Director
Cal Goding, Director	Wayne Hansen, Director
James Jackson, Director	Larry Moore, Director
Norman Obermier, Director	Kenneth Regier, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Davis, Staff	Prudence Sadler, Staff
Rod DeBuhr, Staff	Ken Feather, Staff
Dennis Schroeder, SCS	Kent Norquest, SCS
Stu Simpson, SCS	Ronald Moreland, SCS
Dick Hayes, SCS	Kelly Harre, York News-Times

ROLL CALL:

13 members were present at the meeting. Hermansen, Reichlinger, Sedlak, and Siebert were absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published October 7, 1991 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE SEPTEMBER BOARD MEETING:

Ediger made the motion (Motion #1) to approve the minutes of the September 19, 1991 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

PROJECTS COMMITTEE MEETING REPORT:

Hansen gave a report on the Projects Committee meeting held October 7, 1991 and reviewed the committee report as distributed.

CITY OF HARVARD - FLOOD CONTROL PROJECT - AGREEMENT:

Hansen made the motion (Motion #2) that the District approve the Agreement, which was submitted and reviewed, between Harvard and the District, subject to any modifications the District's attorney might recommend to limit District liabilities. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

LAND TREATMENT - NSWCP FUNDS - NEW APPLICATIONS:

Hansen made the motion (Motion #3) that 16 new applications for NSWCP funds, which were submitted and reviewed, be approved as eligible for cost-share assistance. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Hansen made the motion (Motion #4) that the payment of \$13,756.42 be approved for six NSWCP applications, which were submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

PROJECT 4-8-2E - JOHNSON CREEK SITE 12:

Slepicka Brothers, Inc., contractors, have completed construction work on the dam at Johnson Creek Site #12. The work meets -the requirements of the Contract and has passed final inspection.

The quantity of site clearing was estimated at the time of bids to be 7.7 acres; Slepicka bid the work at \$400 per acre (total bid for this item was \$3,080). It was explained to the contractors bidding the work that the acres to be cleared were approximate at bid time since the number of trees to be left standing had not been determined. It was agreed that the final payment would be based on the number of acres actually cleared. During construction the Engineer decided to stop clearing after 2.7 acres had been completed. Final payment on the clearing was then computed to be \$1,080 based on \$400 per acre. Slepicka Brothers have filed a claim stating that they should be paid \$3,080 for the clearing. This claim would increase final payment for clearing by \$2,000.

Bitner advised the board that since the October 7 Projects Committee meeting the District offered

Slepicka Brothers \$1,000 to settle their claim and they have accepted the offer. Slepicka Brothers signed the final progress payment, release of all claims, and the contract change order.

Hansen made the motion (Motion #5) that the District offer Slepicka Brothers, Inc. \$1,000 to settle their claim for additional payment for clearing at Project 4-8-2E. Seconded Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Jackson, Moore, Obermier, Oswald, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert
PASS: Goding, Regier

Hansen made the motion (Motion #6) that the District make final payment of \$64,128.68 to Slepicka Brothers, Inc. for work completed in September 1991, release of retainage, and settlement of Slepicka's claim for additional payment on clearing at Project 4-8-2E. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

EXECUTIVE COMMITTEE MEETING REPORT:

Burke gave a report on the Executive Committee meeting held October 7, 1991 and reviewed the committee report as distributed.

ATTORNEY FEES:

Burke made the motion (Motion #7) to approve payment of \$3,4112.60 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through September 20, 1991. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

3RD QUARTER DIRECTORS' PER DIEM AND EXPENSES:

Burke made the motion (Motion #8) to approve the Directors' 3rd quarter per them of \$2,520 and expenses of \$2,092.81. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

GMDA DUES:

Burke made the motion (Motion #9) to pay GMDA dues of \$200 for 1992. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson
NAY: Ehlers
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

NEBRASKA GROUNDWATER FOUNDATION:

Burke made the motion (Motion #10) to pay Nebraska Groundwater Foundation organizational dues of \$50.00. Seconded by Goding.

Turnbull advised the board that since the Executive Committee meeting it was determined that in the past the District has paid dues as a business member rather than an organizational member. The cost of a business membership is \$100.

Hansen amended the motion to make the motion (Motion #11) to pay Nebraska Groundwater Foundation business membership dues of \$100.00. Seconded by Anderson. Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Jackson, Moore, Oswald, Regier, Volkmer, Dickinson
NAY: Obermier
PASS: Ediger
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Oswald, Regier, Volkmer, Dickinson
NAY: Obermier
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

WATER COMMITTEE MEETING REPORT:

Jackson gave a report on the Water Committee meeting held October 8, 1991 and reviewed the committee report as distributed.

HUEBERT RUNOFF SOLUTIONS:

Dennis Schroeder, District Conservationist, Hamilton County SCS, met with the Water Committee on October 8th and was present at the board meeting to discuss the design of a pit to collect irrigation runoff from Denton Huebert's farm. This is the site of the complaint filed by Lawrence Cranston, which resulted in a formal hearing before the Board.

Jackson made the motion (Motion #12) that due to the special circumstances related to the irrigation

runoff situation, the District recognizes the need for an irrigation reuse pit at this location, NW ¼ Section 36, Township 9 North, Range 6 West, owned by Denton Huebert; and further, that any future projects of this type will be considered by the District on a case by case basis. Seconded by Moore.

Following the August 15, 1991 irrigation runoff hearing (Cranston vs. Huebert) Denton Huebert voluntarily agreed to build an irrigation runoff reuse pit on his property in order to control runoff from his property onto the property owned by Lawrence Cranston. Mr. Huebert was not found in violation by the board at the August 15th hearing.

Mr. Huebert applied for cost-share assistance under the NSWCP program to construct this pit. His application was given tentative approval for cost-share funding up to \$5,000. It was later brought to the attention of the staff that only reuse pits that collect water from gravity irrigation systems are eligible for funding under NSWCP guidelines. In Mr. Huebert's case the runoff is coming from a center pivot. It is unlikely that the NNRC will waive this stipulation.

The Upper Big Blue NRD staff felt that since the District had already advised Mr. Huebert that funding of up to \$5,000 would be available, and to save the cost of further staff time as a result of the repeated runoff complaints associated with this property, the District should honor this commitment of funds.

Turnbull suggested that the application be transferred from an NSWCP to NRD application and that the Board make an exception and allow this application to exceed the \$3,500 limit and authorize cost-share funding up to the \$5,000 limit Mr. Huebert was promised.

Moore amended the motion to make the motion (Motion #13) to transfer the irrigation runoff reuse pit application from NSWCP to NRD funds and that in this case the District exceed the \$3,500 limit and fund up to \$5,000. Seconded by Regier. Question called on the amendment. Amendment carried.

AYE: Ediger, Ehlers, Hansen, Jackson, Moore, Oswald, Regier
NAY: Burke, Goding, Obermier, Volkmer, Dickinson
PASS: Anderson
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Ediger, Ehlers, Hansen, Jackson, Moore, Oswald, Regier
NAY: Burke, Goding, Obermier, Volkmer, Dickinson
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

AQWACAP TENTATIVE APPLICATIONS:

Jackson made the motion (Motion #14) to approve four AQWACAP applications for cost-share assistance totaling \$989.23, as submitted and reviewed. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier,

Oswald, Regier, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

EDUCATION AND PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education & Parks Committee meeting held October 8, 1991 and reviewed the committee report as distributed.

NARD I & E LONG-RANGE PLAN PROPOSAL:

The Education & Parks Committee reviewed the NARD's proposed long-range plan for information and education activities including budget proposals. The committee suggested the deletion of several activities and proposed adjustments in others. The board reviewed these proposed changes.

Oswald made the motion (Motion #15) that the NARD's long-range I & E Plan be supported with the Upper Big Blue NRD's amendments. Seconded by Hansen.

Turnbull advised the board that the staff had been studying the matter since the committee met and had suggestions for additional cuts, which he reviewed.

Ehlers amended the motion to make the motion (Motion #16) to strike the word "amendments" and insert the words "staff recommendations". Seconded by Goding.

Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

Goding amended the motion to make the motion (Motion #17) to add the words "for long-range plan funding up to, but not to exceed, the total amount as recommended by the staff for each fiscal year". Seconded by Volkmer. Question called on the amendment. Amendment carried.

AYE: Burke, Ediger, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson
NAY: Anderson, Ehlers
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

Question called on the original motion as amended, which will read as follows: "that the NARD's Long-range I & E Plan be supported with the Upper Big Blue NRD's staff recommendations for long-range plan funding up to, but not to exceed, the total amount as recommended by the staff for each fiscal year." Motion carried.

AYE: Burke, Ediger, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Dickinson

NAY: Anderson, Ehlers
PASS: Volkmer
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

Moore made the motion (Motion #18) that the Upper Big Blue NRD Board direct the NARD Representative to encourage the NARD Board at their meeting in Grand Island and McCook not to allow NARD funds to be expended on the Auxiliary. Seconded by Goding.

Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Oswald, Regier, Volkmer, Dickinson

NAY: Anderson, Obermier

ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

FY 92 TREE PROGRAM:

Oswald made the motion (Motion #19) that the Upper Big Blue Natural Resources District charge 40 cents per tree and 25 cents per tree for planting, the total being 65 cents per tree. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

Oswald made the motion (Motion #20) that the Upper Big Blue NRD offer the spraying program at a cost of six cents per tree for conifers only. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson

NAY: Goding

ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

SEEDING & MULCH - JOHNSON CREEK SITE 12:

Oswald made the motion (Motion #21) that the Upper Big Blue NRD accept the bid of \$5,623.50, and enter into a contract with B.A.B., Inc., Box 122A, Adams, Nebraska, for the seeding and mulch of Project 4-8-2E, Johnson Creek Site 12, located in Section 4, Township 8 North, Range 2 East of the 6th P.M., Saline County, Nebraska. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

CROP DAMAGE - KENNETH L. AND GLADYS M. MILLER:

Oswald made the motion (Motion #22) that the Upper Big Blue NRD make payment to Kenneth L.

Miller and Gladys M. Miller in the amount of \$137.76 for 1.6 acres of soybeans that were damaged during the construction of Project 4-8-2E, Johnson Creek Site 12. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

BOAT RAMP - PROJECT 2-10-3W - RECHARGE LAKE:

Oswald made the motion (Motion #23) that the Upper Big Blue NRD hire Chuck Kaiser Excavation for a sum of \$2,000, to reconstruct the boat ramp, and haul and compact some dirt along the road located at the north parking area, which is located at Project 2-10-3W, Recharge Lake. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

NEW WILDLIFE CONTRACTS:

Oswald made the motion (Motion #24) that the Upper Big Blue NRD Board of Directors accept the new Wildlife Habitat Improvement Program applications, as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Volkmer
NAY: Ediger, Ehlers, Regier, Dickinson
PASS: Anderson
ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT:

Goding gave a report on the Budget, Planning & Legislative Committee meeting held October 10, 1991 and reviewed the committee report as distributed.

FY 91 AUDIT:

Goding made the motion (Motion #25) to accept the FY 91 audit as presented by Romans, Wiemer & Schulz, CPA. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Oswald, Regier, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Obermier, Reichlinger, Sedlak, Siebert

CNPPID FILINGS:

The Central Nebraska Public Power and Irrigation District filed storage use applications A-17111 and A-17112 to use Lake McConaughy stored water to irrigate a total of about 33,000 acres in the

Board of Director's Meeting

CNPPID service area.

Goding made the motion (Motion #26) that the Upper Big Blue NRD file as an objector to CNPPID's applications A-17111 and A-17112 for permits to appropriate water from Lake McConaughy. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

FINANCIAL STATEMENT:

Burke made the motion (Motion #27) to approve the financial statement and budget report as of September 30, 1991; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Reichlinger, Sedlak, Siebert

Meeting adjourned at 10:49 p.m.

Louis Oswald, Secretary

:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
SEPTEMBER 19, 1991

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Doug Dickinson, Chairman	Ray Burke, Vice Chairman
Louis Oswald, Secretary	Bob Ehlers, Treasurer
Bruce Anderson, Director	Ed Ediger, Director
Cal Goding, Director	Wayne Hansen, Director
Lance Hermansen, Director	Jim Jackson, Director
Larry Moore, Director	Norman Obermier, Director
Kenneth Regier, Director	Ron Sedlak, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Davis, Staff	Jay Bitner, Staff
Rod DeBuhr, Staff	Prudence Sadler, Staff
Ken Feather, Staff	Donna Rhoades, YNT
Dennis Bryant, Harvard	Glen Becker, Harvard
Gene Heathers, Clay Center SCS	

ROLL CALL:

15 members were present at the meeting, with Hermansen and Jackson arriving following roll call; Reichlinger and Siebert were absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published September 9, 1991 in the York News Times. A current agenda is kept on file for public inspection.

MINUTES OF THE FY92 BUDGET HEARING:

Regier made the motion (Motion #1) to approve the minutes of the August 15, 1991 FY92 Budget Hearing as distributed. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Jackson, Reichlinger, Siebert

MINUTES OF THE AUGUST BOARD MEETING:

Volkmer made the motion (Motion #2) to approve the minutes of the August 15, 1991 board of

directors meeting as distributed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Jackson, Reichlinger, Siebert

MINUTES OF THE IRRIGATION RUNOFF PUBLIC HEARING:

Ediger made the motion (Motion #3) to approve the minutes of the September 10, 1991 Irrigation Runoff Public Hearing as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Moore, Oswald, Regier, Sedlak, Dickinson

NAY: None

PASS: Goding, Obermier, Volkmer

ABSENT: Hermansen, Jackson, Reichlinger, Siebert

PROJECTS COMMITTEE MEETING REPORT:

Regier gave a report on the Projects Committee meeting held September 9, 1991 and reviewed the committee report as distributed. CITY OF HARVARD - FLOOD CONTROL PROJECT: Harvard is requesting that the District assist with filing the application for federal/state cost-share of 75 percent and that the District pay 50 percent of the local 25 percent of project cost. It is estimated that the project cost will not exceed \$250,000. On this basis, the cost-share limits would be as follows:

Federal (50%)	125,000
State (25%)	62,500
Harvard (12.5%)	31,250
NRD (12.5%)	31,250
<u>Total Project Cost</u>	<u>250,000</u>

Regier made the motion (Motion #4) that the District take the administrative lead as applicant, as requested by the City of Harvard, to prepare and administer a grant application for federal and state cost-share assistance to construct flood control facilities at Harvard. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Reichlinger, Siebert

Regier made the motion (Motion #5) that the District enter into an Agreement with the City of Harvard to define the terms, conditions, responsibilities and limits of liability to be accepted by the City and District in carrying out the Harvard Flood Control Project. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Reichlinger, Siebert

Regier made the motion (Motion #6) that the District cost-share with the City of Harvard at the rate of 50 percent of the local 25 percent share of Phase 1 flood control project construction cost, as defined in the Olsson Associates November 1990 study, not to exceed \$31,250. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Reichlinger, Siebert

CITY OF SUTTON - FLOOD CONTROL STUDY:

Moore made the motion (Motion #7) that the District take the administrative lead as applicant, as requested by the City of Sutton, to prepare and administer a grant application for federal and state cost-share assistance to construct flood control facilities at Sutton. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Reichlinger, Siebert

Volkmer made the motion (Motion #8) that the District enter into an Agreement with the City of Sutton to define the terms, conditions, responsibilities and limits of liability to be accepted by the City and District in carrying out the Sutton Flood Control Project. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Reichlinger, Siebert

PROJECTS STATUS AND PRIORITIES:

Regier made the motion (Motion #9) that Project 18-09-01W be moved to priority no. 6 and that Project 12-13-01E be moved to priority no. 7. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Reichlinger, Siebert

LAND TREATMENT - NSWCP FUNDS - NEW APPLICATIONS:

Regier made the motion (Motion #10) that 19 new applications for NSWCP funds, which were submitted and reviewed, be approved as eligible for cost-share assistance. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None
ABSENT: Reichlinger, Siebert

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Regier made the motion (Motion #11) that payment of \$3,077.80 be approved for two NSWCP applications, which were submitted and reviewed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None
ABSENT: Reichlinger, Siebert

LAND TREATMENT - NRD FUNDS - NEW APPLICATION:

Regier made the motion (Motion #12) that one new application for NRD Land Treatment Program funds, which were submitted and reviewed, be approved as eligible for cost-share assistance. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None
ABSENT: Reichlinger, Siebert

PLUM CREEK FLOOD CONTROL STUDY:

Olsson Associates has submitted a late billing for \$486.38 of expenses not previously billed. The current billing states that this is the "final accounting". Regier made the motion (Motion #13) that Olsson Associates be paid the amount of \$486.38 for final billing of expenses incurred during preparation of the Plum Creek Flood Control study at Seward. Seconded by Hansen. Question called. Motion carried.

AVE: Anderson, Burke, Ediger, Ehlers, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: Goding
ABSENT: Moore, Reichlinger, Siebert

PROJECT 04-08-02E - JOHNSON CREEK SITE 12:

Project construction is proceeding on schedule and is approximately 40 percent complete. Regier made the motion (Motion #14) that payment of \$36,810.45, \$3,681.05 of which is to be held as retainage, be paid to Slepicka Brothers, Inc. for construction work completed in August 1991 on Project 04-08-02E. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None
ABSENT: Moore, Reichlinger, Siebert

PROJECT 29-11-01W - WACO FLOOD CONTROL STUDY:

Regier made the motion (Motion #15) that the District offer to provide project management, design

and construction inspection on Project 29-11-01W and that Waco be required to pay for 50 percent of the District's cost of providing this service. Seconded by Volkmer. Since the Projects Committee meeting, Bitner has met with the Chairman and several other members of the Village Board. They have indicated that they are not really sure at this point if they want to proceed. Bitner indicated that it may be premature on our part to enter into any agreements or to process any applications with the railroad for this crossing. The NRD has written a study, and the project is now number 1 on the projects priority list.

Bitner recommends that the board not act on this motion so that they may complete the study and submit it to the Waco Village Board for review and leave it with them. At such time that they would like to continue with this project, or take some action at a later date, we can open it up for discussion. This motion (Motion #15) was withdrawn by Regier with the approval of Volkmer, who seconded the motion.

PROJECT 28-10-03E - DARGELOH DAM:

Regier made the motion (Motion #16) that the District enter into a Contract with Geotechnical Services, Inc. to provide foundation drilling and testing for the dam proposed at Project 28-10-3E, and that the fee for these services not exceed \$4,400. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Oswald, Regier, Sedlak, Volkmer, Dickinson
NAY: Obermier
PASS: Moore
ABSENT: Reichlinger, Siebert

EXECUTIVE COMMITTEE MEETING REPORT:

Ehlers gave a report on the Executive Committee meeting held September 9, 1991 and reviewed the committee report as distributed.

ATTORNEY FEES:

Burke made the motion (Motion #17) to approve payment of \$382-66 to Crosby, Guenzel, Davis, Kessner and Kuester for Steve Seglin's work thru August 20, 1991. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Reichlinger, Siebert

NARD BUILDING ASSESSMENT:

Burke made the motion (Motion #18) to approve payment of \$1,828.40 to the NARD for the FY92 Building Assessment. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Dickinson
NAY: Volkmer

ABSENT: Reichlinger, Siebert

NARD REPRESENTATIVE:

Larry Moore has resigned as the NARD representative. A permanent appointment is in order. Burke made the motion (Motion #19) to appoint Bob Ehlers to fill the unexpired term of this District's NARD representative, and further, to appoint Cal Goding to fill the unexpired term of NARD alternate. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None

ABSTAIN: Ehlers

PASS: Goding

ABSENT: Reichlinger, Siebert

WATER COMMITTEE MEETING REPORT:

Jackson gave a report on the Water Committee meeting held September 10, 1991 and reviewed the committee report as distributed.

AQWACAP FINAL PAYMENTS:

Jackson made the motion (Motion #20) to approve final AQWACAP payment of \$99.58 to Heinzman Brothers, Inc. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Reichlinger, Siebert

AQWACAP TENTATIVE APPROVALS:

Jackson made the motion (Motion #21) to give tentative approval on five (5) AQWACAP applications totaling \$1,122.15. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: Ediger, Ehlers

ABSENT: Reichlinger, Siebert

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education & Parks Committee meeting held September 12, 1991 and reviewed the committee report as distributed.

MODEL AQUIFER COST-SHARE PROGRAM - NEW APPLICATION:

Oswald made the motion (Motion #22) that the board of directors approve the application of Geneva High School as eligible for the Model Aquifer Cost-Share Program. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Dickinson

NAY: None
ABSENT: Reichlinger, Siebert, Volkmer

PAYMENT TO GREEN ACRE SERVICES:

Oswald made the motion (Motion #23) that the Upper Big Blue NRD Board of Directors approve payment of \$551.00 to Green Acre Services for the mowing of Pioneer Trails and Smith Creek Recreation Areas in the month of August. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Dickinson

NAY: None

ABSENT: Reichlinger, Siebert, Volkmer

“Q” STREET PARK - GENEVA:

The original Agreement for the “IQ” Street Park Project in Geneva was signed in December 1989. The District agreed to fund 25% of the cost, with the District's share not to exceed \$4,231.25. The Agreement expired on July 1, 1991.

	TOTAL	CITY	NRD
1989 Estimate	16,925.00	12,693.75	4,231.25
Expenses thru 8/91	<u>7,715.83</u>	<u>5,786.88</u>	<u>1,928.95</u>
Balance	9,209.17	6,906.87	2,302.30

The Project is not yet completed, therefore, a new Agreement to cover the balance is in order. Oswald made the motion (Motion #24) that the Upper Big Blue NRD enter into an Agreement with the City of Geneva to fund the remaining portion of the "IQ" Street Park, at a cost not to exceed \$2,302.30, which is 25% of the estimated cost of \$9,209.17. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Dickinson

NAY: None

ABSENT: Reichlinger, Siebert, Volkmer

BUDGET COMMITTEE MEETING REPORT:

Obermier gave a report on the Budget, Planning & Legislative Committee meeting held September 12, 1991 and reviewed the committee report as distributed.

ELECTION - SUB-DISTRICTS:

Obermier made the motion (Motion #25) that the board of directors make no change in the sub-districts or in the method of election of Directors. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Dickinson

NAY: None

ABSENT: Reichlinger, Siebert, Volkmer

FINANCIAL STATEMENT:

Regier made the motion (Motion #26) to approve the financial statement and budget report as of August 31, 1991; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Dickinson

NAY: None

ABSENT: Reichlinger, Siebert, Volkmer

Meeting adjourned at 10:25 p.m.

Louis Oswald, Secretary

:mt

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
AUGUST 15, 1991

CALL TO ORDER:

A regular board of directors meeting was called to order by Vice Chairman Ray Burke in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:15 p.m.

PRESENT:

Raymond Burke, Vice Chairman	Louis Oswald, Secretary
Bob Ehlers, Treasurer	Bruce Anderson, Director
Ed Ediger, Director	Cal Goding, Director
Wayne Hansen, Director	Lance Hermansen, Director
Jim Jackson, Director	Larry Moore, Director
Norman Obermier, Director	Kenneth Regier, Director
Perry Reichlinger, Director	Ron Sedlak, Director
Roger Siebert, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Davis, Staff
Prudence Sadler, Staff	Lori Hoemann, Staff
Russell Callan, Staff	Ken Feather, Staff
Rod DeBuhr, Staff	Jay Bitner, Staff
Bill Gilliam, York SCS	Dennis Schroeder, Aurora SCS
Lowell Peters, Aurora	Denton W. Huebert, Henderson
Arylie Huebert, Henderson	Dale Cranston, Baldwin, KS
Lawrence Cranston, Aurora	Michael Owens, Aurora
Evalyn Cranston, Aurora	Larry Hansen, Utica
Donna Rhoades, YNT	Burdon Peters, Aurora
Henry Kliewer, Aurora	Ervin Griess, Aurora

ROLL CALL:

16 members were present with Dickinson absent and Moore arriving following roll call.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each members as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published August 5, 1991 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE JULY BOARD MEETING:

Anderson made the motion (Motion #1) to approve the minutes of the July 18, 1991 board of directors meeting as distributed. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Burke

NAY: None

ABSENT: Dickinson, Moore

PUBLIC HEARING - CRANSTON VS. HUEBERT:

Vice Chairman Ray Burke reconvened the August 6, 1991 irrigation runoff hearing at 8:20 p.m..A complete transcript of the hearing is available at the office. Following is the board motion regarding the runoff hearing. Anderson made the motion (Motion #2) that the Board of Directors of the Upper Big Blue Natural Resources District, after considering the testimony and evidence presented during the formal hearing, finds that the irrigation runoff complaint filed by Mr. Lawrence Cranston, of Aurora, Nebraska, on July 1, 1991, against Mr. Denton Huebert of Henderson, Nebraska, alleging improper irrigation runoff from the Northwest Quarter of Section 36, Township 9 North, Range 6 West, onto the Southwest Quarter of Section 25, Township 9 North, Range 6 West, all in Hamilton County, Nebraska, was properly dismissed by Rod DeBuhr, NRD Water Department Manager. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Obermier, Oswald, Regier, Reichlinger, Siebert, Burke
NAY: Goding, Hansen, Hermansen, Jackson, Moore, Sedlak, Volkmer
ABSENT: Dickinson

NARD REPORT:

Moore advised the board that he did not attend the last NARD board meeting, but that Anderson was present to represent the district. He further advised the board that he did not expect to attend the September Conference, but that Bob Ehlers, as the NARD Alternate, had indicated that he would try to cover that meeting. Ehlers requested that a second NARD Alternate be named in the event he is unable to attend the September Conference. Goding indicated he would be interested in acting as the second Alternate. Hansen made the motion (Motion #3) that Cal Goding be appointed as the Alternate to the Alternate for the September NARD Conference. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Burke
NAY: None
PASS: Goding
ABSENT: Dickinson

BOARD RECOMMENDATION - CRANSTON VS. HUEBERT:

Dale Cranston, son of Lawrence Cranston, addressed the board regarding his desire to see the runoff onto his father's property stopped. Volkmer made the motion (Motion #4) that the Upper Big Blue NRD Board of Directors recommend to the three landowners (Huebert, Janzen, Griess) and any tenants involved that they work together to eliminate the runoff water onto Mr. Cranston's property before the next irrigation season. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Burke
NAY: Ehlers
ABSTAIN: Reichlinger
ABSENT: Dickinson

Rod DeBuhr advised the board that while they were discussing their recommendation he met with Mr. Huebert and Mr. Griess. They have arranged to meet with the Hamilton County SCS and begin

work on a solution.

ADOPTION OF FY 92 BUDGET:

Ehlers made the motion (Motion #5) to adopt the FY 92 budget. as presented. Seconded by Regier. Question called. Motion carried.

A YE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Burke

NAY: None

PASS: Moore, Volkmer

ABSENT: Dickinson

Turnbull advised the board during the budget hearing that the mil levy shown on the cover sheet of the budget document was not correct because the final valuations were not available from the county assessors. Final valuations are expected to be available by August 20. Regier made the motion (Motion #6) to authorize the board secretary to set the levy upon receipt of final valuations. Seconded by Hansen. Question called. Motion carried.

A YE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Burke

NAY: None

PASS: Moore

ABSENT: Dickinson

Moore asked that it be noted in the minutes that he did not vote on the two previous motions due to the fact that he was not present during the budget hearing.

PROJECTS COMMITTEE MEETING REPORT:

Hansen gave a report on the Projects Committee meeting held August 5,1991 and reviewed the committee report as distributed.

SUTTON AREA FLOOD CONTROL PROJECT:

Proposals for providing engineering services on the Sutton Area Flood Control Study have been received from Olsson and Associates and E.A. Engineering. The Olsson firm proposed to complete the study in February 1992 for a fee not to exceed \$36,970. E.A. Engineering proposed to complete the study in December 1991 for a fee not to exceed \$30,000. The proposals were reviewed by the Projects Committee and officials from the City of Sutton. Hansen made the motion (Motion #7) that E.A. Engineering be selected as the firm to provide engineering services on the Sutton Area Flood Control Study. Seconded by Ediger. Question called. Motion carried.

A YE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Burke

NAY: None

ABSENT: Moore, Dickinson

An Agreement, specifying the administration and cost-share arrangements, between the District and City of Sutton, was developed at the Projects Committee meeting. Officials from the City were

present at the Projects Committee meeting to discuss the Agreement. Hansen made the motion (Motion #8) that the board of directors enter into an Agreement, drafted at the August 1991 Projects Committee meeting, with the City of Sutton for the purpose of conducting a flood control study. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Burke

NAY: None

ABSENT: Moore, Dickinson

LAND TREATMENT - NSWCP FUNDS - NEW APPLICATIONS:

Hansen made the motion (Motion #9) that 10 new applications for NSWCP funds, as submitted and reviewed, be eligible for funding. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Burke

NAY: None

ABSTAIN: Volkmer

ABSENT: Moore, Dickinson

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Hansen made the motion (Motion #10) that payment of \$7,704 be authorized on 4NSWCP applications, as submitted and reviewed. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Burke

NAY: None

ABSENT: Moore, Dickinson

PROJECT 4-8-2E - JOHNSON CREEK SITE 12- PROGRESS PAYMENT:

Hansen made the motion (Motion #11) that payment of \$1,115.19, \$111.52 of which is to be held as retainage, be made to Slepicka Brothers, Inc. for construction work completed in July 1991 on Project 4-8-2E. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Burke

NAY: None

ABSENT: Moore, Dickinson

WATER COMMITTEE MEETING REPORT:

Reichlinger gave a report on the Water Committee meeting held August 6, 1991 and reviewed the committee report as distributed.

AQWACAP - APPLICATIONS - TENTATIVE APPROVAL:

The District has received three applications for cost-share under the Aquifer Quality Well Abandonment Cost-share Assistance Program. The total of the three applications is \$353.76, with a cost-share amount of \$261.01. Reichlinger made the motion (Motion #12) that the board of directors give tentative approval for three AQWACAP applications, as submitted and reviewed,

totaling \$261.01. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Siebert, Volkmer, Burke

NAY: None

ABSENT: Moore, Dickinson

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education & Parks Committee meeting held August 8, 1991 and reviewed the committee report as distributed.

GENEVA PARK PAYMENT:

Oswald made the motion (Motion #13) that the Upper Big Blue NRD make payment of \$347.92 to the City of Geneva for work completed on the Geneva Park. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Siebert, Volkmer, Burke

NAY: None

ABSENT: Moore, Dickinson

KIRKHAM, MICHAEL & ASSOCIATES - PAYMENT:

Oswald made the motion (Motion #14) that the Upper Big Blue NRD make payment of \$3,021.91 for the engineering work completed to-date on the Lincoln Creek Parkway Trail located at Aurora. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier,
Reichlinger, Sedlak, Siebert, Volkmer, Burke

NAY: None

PASS: Goding

ABSENT: Moore, Dickinson

BUDGET COMMITTEE MEETING REPORT:

Goding gave a report on the Budget, Planning & Legislative Committee meeting held August 8, 1991 and reviewed the committee report as distributed.

NARD RESOLUTIONS:

Resolution 91-1

Goding made the motion (Motion #15) that the Upper Big Blue NRD support Resolution 91-1. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Siebert, Volkmer, Burke

NAY: None

ABSENT: Moore, Dickinson

Resolution 91-2

Goding made the motion (Motion #16) that the Upper Big Blue NRD support Resolution 91-2. Seconded by Hansen. Question called. Motion carried.

AYE: Ediger, Ehlers, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Sedlak, Burke
NAY: Anderson, Goding, Reichlinger, Siebert
PASS: Volkmer
ABSENT: Moore, Dickinson

Resolution 91-3

Goding made the motion (Motion #17) that the Upper Big Blue NRD oppose Resolution 91-3. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Burke
NAY: Hermansen
ABSENT: Moore, Dickinson

Resolution 91-4

Goding made the motion (Motion #18) that the Upper Big Blue NRD oppose Resolution 91-4. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Burke
NAY: Ediger, Volkmer
ABSENT: Moore, Dickinson

Resolution 91-5

Goding made the motion (Motion #19) that the Upper Big Blue NRD oppose Resolution 91-5. Seconded by Regier. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Burke
NAY: Anderson
ABSENT: Moore, Dickinson

Resolution 91-6

Goding made the motion (Motion #20) that the Upper Big Blue NRD support Resolution 91-6. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Burke
NAY: None
ABSENT: Moore, Dickinson

Resolution 91-7

Goding made the motion (Motion #21) that the Upper Big Blue NRD support Resolution 91-7 as amended. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Burke

NAY: None

ABSENT: Moore, Dickinson

Resolution 91-8

Goding made the motion (Motion #22) that the Upper Big Blue NRD oppose Resolution 91-8. Seconded by Hermansen. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Sedlak, Siebert, Burke

NAY: Jackson

PASS: Volkmer

ABSENT: Moore, Reichlinger, Dickinson

Resolution 91-9

Goding made the motion (Motion #23) that the Upper Big Blue NRD support Resolution 91-9. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Burke

NAY: None

ABSENT: Moore, Reichlinger, Dickinson

Resolution 91-10

Goding made the motion (Motion #24) that the Upper Big Blue NRD oppose Resolution 91-10. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Burke

NAY: None

PASS: Hermansen

ABSENT: Moore, Reichlinger, Dickinson

Resolution 91-11

Goding made the motion (Motion #25) that the Upper Big Blue NRD support Resolution 91-11. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Burke

NAY: None

ABSENT: Moore, Reichlinger, Dickinson

Resolution 91-12

Goding made the motion (Motion #26) that the Upper Big Blue NRD oppose Resolution 91-12. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Burke

NAY: None
ABSENT: Moore, Reichlinger, Dickinson

EXECUTIVE COMMITTEE MEETING REPORT:

Ehlers gave a report on the Executive Committee meeting held August 5, 1991 and reviewed the committee report as distributed.

ATTORNEY FEES:

Ehlers made the motion (Motion #27) to approve payment of \$3,035.02 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through July 20, 1991. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Burke
NAY: None
ABSENT: Moore, Reichlinger, Dickinson

SALARY REIMBURSEMENT:

Ehlers made the motion (Motion #28) to reimburse the Little Blue NRD \$10,205.00, the Lower Big Blue NRD \$2,361.09, and the Lower Platte North NRD \$2,524.46 for our share of field office payroll costs incurred July 1, 1990 through June 30, 1991. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Burke
NAY: None
ABSENT: Moore, Reichlinger, Dickinson

DISTRICT LIABILITY INSURANCE:

Ehlers made the motion (Motion #29) to approve payment of \$39,111.05 to York Insurance for the commercial, liability, auto, worker's compensation, umbrella, and errors and omissions insurance. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Burke
NAY: None
PASS: Volkmer
ABSENT: Moore, Reichlinger, Dickinson

PART-TIME EMPLOYEE BENEFITS:

The District's policy is to provide paid benefits, including health, dental, term life, and disability insurance for part-time, and full-time, employees. The General Manager recommended that the District consider changing the policy for part-time employees hired in the future. His recommendation did not include the elimination of benefits for current part-time employees.

The Aurora field office clerk resigned effective August 14, 1991. The District could realize a savings of \$1,800 a year if paid benefits were not offered for this part-time position. Ehlers made the motion

(Motion #30) that the District not provide district-paid group health and dental insurance, life, accidental death and dismemberment, and long term disability insurance for any part-time employee hired after August 15, 1991; that the District allow part-time employees hired after August 15, 1991 to purchase these insurances through a payroll deduction for themselves, and group health and dental insurance for their families; that personnel policies #26 and #27 be amended, as, submitted and reviewed, by virtue of this action, to reflect these changes. Seconded by Obermier. Dennis Schroeder, DC at the Aurora SCS Office, expressed his concern that without the benefits package his office would see a much higher turnover rate as well as a reduction in the quality of personnel. Volkmer voiced concern regarding the legality of offering paid benefits for only some part-time employees. A lengthy discussion ensued. Volkmer made the motion (Motion #31) to refer the matter back to Committee. Question called. Motion failed.

AYE: Hermansen, Obermier, Volkmer

NAY: Anderson, Ediger, Ehlers, Hansen, Jackson, Oswald, Regier, Sedlak, Siebert, Burke

ABSENT: Goding, Moore, Reichlinger, Dickinson

Question called on the original motion. Motion failed.

AYE: Anderson, Ehlers, Sedlak, Siebert

NAY: Ediger, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Volkmer, Burke

ABSENT: Goding, Moore, Reichlinger, Dickinson

Turnbull advised the board that when the new personnel policy was written and adopted reference to part-time employees in policy #26 and #27 was accidentally omitted, though it was the district's intent to offer paid benefits to both full and part-time employees. In view of that fact and the action just taken he felt that this would be an appropriate time for the board to correct that omission. Ehlers made the motion (Motion #32) to insert the words "and each part-time employee" into Policy #26 and "and all part-time employees" into Policy #27. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Burke

NAY: None

ABSENT: Goding, Moore, Reichlinger, Dickinson

The policies will now read as follows:

Personnel Policy No. 26: GROUP HEALTH AND DENTAL INSURANCE PLAN

The District provides a Group Health and Dental Insurance Plan for each full-time employee, and each part-time employee, and his or her spouse and dependent children. The District pays 100% of the single coverage but none of the cost of additional family coverage for Health Insurance. Family coverage is handled through payroll deduction. The District also pays 100% of both single and family coverage for Dental Insurance. It is possible, under IRS regulations and the District's Employee Health and Welfare Benefit Plan, for employee contributions for Health Insurance to be treated as pretax income.

Personnel Policy No. 27: **LIFE INSURANCE, ACCIDENTAL DEATH AND
DISMEMBERMENT AND LONG-TERM DISABILITY**

The District provides Group Life Insurance, Accidental Death and Dismemberment Benefits and Long-Term Disability Benefits to all full-time employees, and all part-time employees, in amounts determined on the basis of each employee's annual salary. The District pays 100% of the cost.

FINANCIAL STATEMENT:

Hansen made the motion (Motion #33) to approve the financial statement and budget report as of July 31, 1991; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Ediger, Ehlers, Hansen, Hermansen, Jackson, Obermier, Oswald, Regier,
 Sedlak, Siebert, Volkmer, Burke

NAY: None

ABSENT: Goding, Moore, Reichlinger, Dickinson.

Meeting adjourned at 11:15 p.m.

Louis Oswald, Secretary

:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
JULY 18, 1991

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Doug Dickinson, Chairman	Bob Ehlers, Treasurer
Cal Goding, Director	Lance Hermansen, Director
Kenneth Regier, Director	Ron Sedlak, Director
Merlin Volkmer, Director	Mary Thomas, Staff
Prudence Sadler, Staff	Bill Gilliam, York SCS
Louis Oswald, Secretary	Ed Ediger, Director
Wayne Hansen, Director	Norman Obermier, Director
Perry Reichlinger, Director	Roger Siebert, Director
John Turnbull, Manager	Jay Bitner, Staff
Ken Feather, Staff	Donna Rhoades, YNT

ROLL CALL:

13 members were present at the meeting, with Hermansen arriving following roll call; Anderson, Burke, Jackson and Moore were absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published July 8, 1991 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE JUNE BOARD MEETING:

Ediger made the motion (Motion #1) to approve the minutes of the June 20, 1991 board of directors meeting as distributed. Seconded by Hansen. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Hermansen, Jackson, Moore

PROJECTS COMMITTEE MEETING REPORT:

Hansen gave a report on the Projects Committee meeting held July 8, 1991 and reviewed the committee report as distributed.

LAND TREATMENT - NSWCP FUNDS - NEW APPLICATIONS:

Hansen made the motion (Motion #2) that the board of directors approve four new applications, as submitted and reviewed, as eligible for NSWCP funds. Seconded by Goding.

Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Hermansen, Jackson, Moore

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Hansen made the motion (Motion #3) that the board of directors authorize payment of \$5,122.64 on four NSWCP applications, as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Hermansen, Jackson, Moore

PROJECT 04-08-02E - JOHNSON CREEK SITE 12 - BIDS:

The following bids were submitted in response to the District's advertisement for bids to construct Johnson Creek Dam Site 12:

CONTRACTOR	TOTAL BID (\$)
Slepicka Brothers, Dorchester	95,082.51
J.P. Theisen & Sons, Osmond	114,779.18
Hartmann Construction, Seward	(withdrawn)
Engineer's estimate	88,279.83

Hartmann Construction withdrew their bid by written request immediately prior to the bid opening. The staff recommended that the low bid of \$95,082.51 submitted by Slepicka Brothers be accepted. Hansen made the motion (Motion #4) that the District award Slepicka Brothers a Contract to construct Johnson Creek Dam Site 12 in accordance with their bid in the amount of \$95,082.51. Seconded by Ediger. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Hermansen, Jackson, Moore

PROJECT 04-08-02E - JOHNSON CREEK SITE 12 - TESTING:

Geotechnical Services, Inc. has completed drilling and testing of foundation and soils at Johnson Creek Site 12. The fee for services was not to exceed \$5,850; actual cost for services is \$4,805.00. Hansen made the motion (Motion #5) that the board of directors approve final payment of \$4,805.00 to Geotechnical Services, Inc. for drilling and testing of foundation and soils at the Johnson Creek Site 12 dam site. Seconded by Volkmer. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Hermansen, Jackson, Moore

APPOINT HEARING EXAMINER FOR FORMAL HEARING:

Lawrence Cranston of rural Aurora has requested a formal hearing before the board of directors concerning a runoff complaint he filed on July 1, 1991, against Denton Huebert of Henderson. Chairman Dickinson has scheduled this hearing for August 6, 1991 at 8:00 p.m., (this is the regular date for the Water Committee meeting.) The board must appoint a hearing examiner for this hearing. Regier made the motion (Motion #6) that John Turnbull be appointed hearing examiner for the August 6, 1991 formal adjudicatory hearing. Seconded by Obermier. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Hermansen, Jackson, Moore

WATER COMMITTEE MEETING REPORT:

Reichlinger gave a report on the Water Committee meeting held on July 9, 1991 and reviewed the committee report as distributed.

EPA WETLAND ADVANCED IDENTIFICATION STUDY ACTIVITY:

It has been suggested by the SCS state wetlands specialist that the NRDs involved with the Rain Water Basin area make a formal request to the SCS for modifications to the technical guides for practices such as irrigation reuse pits to accommodate special requirements in wetlands. Reichlinger made the motion (Motion #7) that the district make a formal request to the State Conservationist for consideration of possible modification to SCS technical guides regarding soil and water conservation practices in wetland areas. Seconded by Goding. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

PASS: Hermansen

ABSENT: Anderson, Burke, Jackson, Moore

Rod recently attended a meeting of the advanced identification study technical committee. At this meeting Rod was told that the Corps of Engineers has determined that class III wetland determinations cannot be removed from the advanced identification manual as we had been told earlier. Gene Glock from Senator Kerry's staff contacted the district concerning this matter and asked that the NRDs involved make a request to the EPA and Corps in another effort to change this ruling and to send copies of this correspondence to him so the Senator can work on it in Washington.

Reichlinger made the motion (Motion #8) that the district request that the determination denying the removal of class III wetlands (pits) be reconsidered by EPA and the Corps of Engineers and that copies of this request be submitted to the congressional delegation.

After considerable discussion, Siebert made the motion (Motion #9) to refer this back to the Water Committee. Seconded by Regier. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Jackson, Moore

EDUCATION AND PARKS COMMITTEE REPORT:

Oswald gave a report on the Education and Parks Committee meeting held July 11, 1991 and reviewed the committee report as distributed.

SNEES

The Education and Parks Committee reviewed the financial summary for the 1991 SNEES. The total cost was \$9,814.46. Our share is \$1,432.59. We have already paid \$212.42 in miscellaneous expenses, so we owe the Little Blue NRD.

Oswald made the motion (Motion #10) that payment of \$1,220.17 be made to the Little Blue NRD for the 1991 SNEES. Seconded by Volkmer. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Jackson, Moore

The 1992 SNEES will be held June 8-19. It is time to begin planning the promotion for the seminar. Oswald made the motion (Motion #11) that the Upper Big Blue NRD support and participate in the 1992 SNEES. Seconded by Hansen. Question called. Motion carried.

AYE: Ediger, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: Ehlers

ABSENT: Anderson, Burke, Jackson, Moore

WATER RICHES II FUNDING REQUEST:

The Cooperative Extension Service is requesting funding from the NRDs to help develop a junior high level water quality education program to be used in the schools as a 4-H enrichment program. (Water Riches I is an enrichment program for 4th and 5th graders that is currently being used in many of the schools.) Extension is requesting \$370 from the Upper Big Blue NRD which is based on the percentage of school children in the district (3.7% of all Nebraska students.) Oswald made the motion (Motion #12) that the Upper Big Blue NRD contribute \$300 to Cooperative Extension for Water Riches 11. Seconded by Siebert. Question called. Motion carried.

AYE: Ehlers, Hansen, Hermansen, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson

NAY: Ediger, Goding, Obermier, Reichlinger

ABSENT: Anderson, Burke, Jackson, Moore

UTICA BALL PARK:

Oswald made the motion (Motion #13) that the Upper Big Blue NRD make payment of \$882.87 to the Village of Utica for the work completed to renovate the Utica baseball field. Seconded by Obermier. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Jackson, Moore

YORK COLD-STORAGE:

Oswald made the motion (Motion #14) that the Upper Big Blue NRD approve payment of \$125.00 to York Cold Storage for the use of their cold storage facility during the month of June. Seconded by Goding. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Jackson, Moore

GREEN ACRE SERVICES:

Oswald made the motion (Motion #15) that the board of directors approve payment of \$551.00 to Green Acre Services for the mowing of Pioneer Trails and Smith Creek Recreation Areas for the month of July. Seconded by Ediger. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: Hansen

ABSENT: Anderson, Burke, Jackson, Moore

EASEMENT - PROJECT 04-08-02E - ENID CONNELL:

Oswald made the motion (Motion #16) that the Upper Big Blue NRD approve the easement with Enid Connell located in the SE1/4 of Section 4 and the NW1/4 of the NE1/4 of Section 9, Township 8 North, Range 2 East of the 6th P.M., Saline County, Nebraska for the purpose of storing permanent water on 29.1 acres, storing temporary water on 35.2 acres of which 2.5 acres of storage is located in the NE1/4 of Section 9, and construction of the dam on 2.7 acres which includes reshaping downstream channel to county road right-of-way and clearing the trees within the permanent pool. Seconded by Hansen. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSTAIN: Reichlinger

ABSENT: Anderson, Burke, Jackson, Moore

AGREEMENT - PROJECT 04-08-02E - ENID CONNELL AND GREGG AND LINDA EASLEY AND THE UPPER BIG BLUE NATURAL RESOURCES DISTRICT:

Oswald made the motion (Motion #17) that the Upper Big Blue NRD approve the agreement between Enid Connell and Gregg Easley and Linda Easley and the Upper Big Blue Natural

Resources District, and authorize Chairman Dickinson to sign agreement. Seconded by Hansen. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSTAIN: Reichlinger
ABSENT: Anderson, Burke, Jackson, Moore

AGREEMENT - PROJECT 04-08-02E - SALINE COUNTY AND THE UPPER BIG BLUE NATURAL RESOURCES DISTRICT:

Oswald made the motion (Notion #18) that the Upper Big Blue NRD approve the agreement between Saline County and the Upper Big Blue Natural Resources District and authorize Chairman Dickinson to sign agreement. Seconded by Volkmer. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSTAIN: Reichlinger
ABSENT: Anderson, Burke, Jackson, Moore

EASEMENT - PROJECT 04-08-02E - KEITH E. SPOHN AND SHIRLEY A. SPOHN:

Oswald made the motion (Motion #19) that the Upper Big Blue NRD approve the easement with Keith E. Spohn and Shirley A. Spohn located in the SW1/4 of Section 4, Township 8 North, Range 2 East of the 6th P.M., Saline County, Nebraska for the purpose of storing permanent water on .1 of an acre and storing temporary water on 12.9 acres. Seconded by Regier. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSTAIN: Reichlinger
ABSENT: Anderson, Burke, Jackson, Moore

EASEMENT - PROJECT 04-08-02E - KEITH E. SPOHN AND SHIRLEY A. SPOHN AND RICHARD A. BRANDT-AND JANET D. BRANDT AND BRUCE HANSON D CAROL A. HANSON:

Oswald made the motion (Motion #20) that the Upper Big Blue NRD approve the easement with Keith E. Spohn, Shirley A. Spohn and Richard A. Brandt, Janet D. Brandt and Bruce Hanson and Carol A. Hanson located in the SE1/4 of the NW1/4 of Section 4, Township 8 North, Range 2 East of the 6th P.M., Saline County, Nebraska for the purpose of storing temporary water on .3 of an acre. Seconded by Volkmer. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSTAIN: Reichlinger
ABSENT: Anderson, Burke, Jackson, Moore

EASEMENT - PROJECT 04-08-02E KENNETH L. MILLER AND GLADYS M. MILLER:

Oswald made the motion (Motion #21) that the Upper Big Blue NRD approve the payment of \$5,700 to purchase an easement from Kenneth L. Miller and Gladys M. Miller located in the S1/2 of the N1611/4 of Section 4, Township 8 North, Range 2 East of the 6th P.M., Saline County, for the purpose of constructing the emergency spillway on 3.8 acres and storing temporary water on 1.2 acres. Seconded by Ediger. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSTAIN: Reichlinger

ABSENT: Anderson, Burke, Jackson, Moore

AGREEMENT - PROJECT 04-08-02E - KENNETH L. MILLER AND GLADYS M. MILLER AND THE UPPER BIG BLUE NATURAL RESOURCES DISTRICT:

Oswald made the motion (Motion #22) that the board of directors approve the agreement as written between Kenneth L. Miller and Gladys M. Miller and the Upper Big Blue NRD, and authorize Chairman Dickinson to sign the agreement. Seconded by Hansen. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSTAIN: Reichlinger

ABSENT: Anderson, Burke, Jackson Moore

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT:

Regier gave a report on the Budget, Planning & Legislative Committee meeting held July 15 and July 18, 1991 and reviewed the committee report as distributed.

COST-SHARE POLICY - DISTRICT STUDIES:

Regier made the motion (Motion #23) to assist selected studies within the district, and to cost-share 50% of the total study costs (in-house and/or out-of-pocket expenses) on studies that exceed \$2,500. Seconded by Reichlinger amended the motion to make the motion (Motion #24) to assist selected studies within the district, and to cost-share 50% of the total study costs (in-house and/or out-of-pocket expenses) on studies that exceed \$2,500, and to become effective on August 1, 1991. Seconded by Goding. Question called on the amendment. Amendment carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Jackson, Moore

Question called on the original motion as amended. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Jackson, Moore

FY 92 BUDGET:

Regier made the motion (Motion #25) to adopt the FY 92 budget for the purpose of a public hearing. Seconded by Goding. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Jackson, Moore

Regier made the motion (Motion #26) to set the budget hearing for 8:00 p.m. Thursday, August 15, 1991. Seconded by Goding. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Jackson, Moore

EXECUTIVE COMMITTEE REPORT:

Ehlers gave a report on the Executive Committee meeting held July 18, 1991 and reviewed the committee report as distributed.

2ND QUARTER DIRECTORS PER DIEM AND EXPENSES:

Ehlers made the motion (Motion #27) to approve 2nd Quarter Per Diem of \$2,475.00 and expenses of \$2,049.75. Seconded by Ediger. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Jackson, Moore

ATTORNEY FEES:

Ehlers made the motion (Motion #28) to approve payment of \$2,305.81 to Crosby, Guenzel, Davis, Kessner and Kuester for Steve Seglin's work through June 20, 1991. Seconded by Goding. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Jackson, Moore

COMPUTER SPECTRUM:

Ehlers made the motion (Motion #29) to approve payment of \$9,845.00 to Computer Spectrum, Inc. of Aurora, Nebraska, for 3 CSI Computer systems. Seconded by Volkmer. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None
ABSENT: Anderson, Burke, Jackson, Moore

1991-92 NARD DUES:

Ehlers made the motion (Motion #30) to approve payment of \$10,554.00 to the NARD for 1991-92 dues. Seconded by Obermier. Question called. Motion failed.

AYE: Hansen, Oswald, Regier, Dickinson
NAY: Ediger, Ehlers, Goding, Hermansen, Obermier, Reichlinger, Sedlak, Siebert, Volkmer
ABSENT: Anderson, Burke, Jackson, Moore

Ehlers made the motion (Motion #31) to approve a total payment for dues of \$10,148.00 to the NARD for 1991-92 dues. Seconded by Goding. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Sedlak, Dickinson
NAY: Siebert, Volkmer
PASS: Regier, Reichlinger
ABSENT: Anderson, Burke, Jackson, Moore

DISTRICT CREDIT CARDS:

The visa cards expire July 31, 1991. The District can no longer get all of the cards it needs for one flat fee. First Tier Bank, the current agent for our Visa, now charges \$25 per card issued. The District has 27 cards, 10 for staff and 17 for the directors. National Bank of Commerce charges \$20 per card, if 25 or more cards are ordered. Both banks provide accounting for each separate card, along with a consolidated billing. Ehlers made the motion (Motion #32) to apply for the Silver Mastercard from the National Bank of Commerce, to approve the resolution for same, and to request 27 sub-accounts. Seconded by Volkmer. Question called. Motion carried.

AYE: Ehlers, Goding, Hansen, Hermansen, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: Ediger, Obermier
ABSENT: Anderson, Burke, Jackson, Moore

PERSONAL TYPING SYSTEM:

The Personal Typing System that Nancy Davis uses has a 20 megabyte hard drive for storage of files and programs. All the space is full, and more is needed to properly run the accounting and payroll softwares, and to store files. Because of the design of the IBM PTS, there is no space for either a larger hard drive or a hard card. To add space, three options are available.

Eakes Office Products Center

- a- Replace IBM PTS 86 with new PTS 286 with 80 mg drive
Cost - \$2,436.00
- b- Add expansion box and 40 mg hard card, but the 20 mg drive would no longer be hooked up
Cost - \$1,278.00

Computer Spectrum, Inc.

- c- Add CSI 286 Computer with 80 mg drive, and switchbox, to the existing PTS system, in order to be able to also use the PTS system, keyboard, monitor, and printer (total storage will be 100 megabytes)
Cost - \$1,695.00

Ehlers made the motion (Motion #33) to present the purchase of one CSI 286computer and switchbox from Computer Spectrum, Inc. for \$1,695.00. Seconded by Oswald. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Jackson, Moore

FINANCIAL STATEMENT:

Volkmer made the motion (Motion #34) to approve the financial statement and budget report as of June 30, 1991; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Oswald. Question called. Motion carried.

AYE: Ediger, Ehlers, Goding, Hansen, Hermansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Burke, Jackson, Moore

Meeting adjourned at 10:15 p.m.

Louis Oswald, Secretary

:mt

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
JUNE 20, 1991

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Doug Dickinson, Chairman	Louis Oswald, Secretary
Bruce Anderson, Director	Cal Goding, Director
Jim Jackson, Director	Ken Regier, Director
Ron Sedlak, Director	Merlin Volkmer, Director
Nancy Davis, Staff	Rod DeBuhr, Staff
Prudence Sadler, Staff	Ray Divis, Beaver Crossing
Ray Burke, Vice Chairman	Bob Ehlers, Treasurer
Ed Ediger, Director	Wayne Hansen, Director
Norman Obermier, Director	Perry Reichlinger, Director
Roger Siebert, Director	John Turnbull, Manager
Jay Bitner, Staff	Ken Feather, Staff
Bill Gilliam, York SCS	Donna Rhoades, YNT

ROLL CALL:

15 members were present at the meeting. Regier and Sedlak arrived following roll call; Hermansen and Moore were absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published June 10, 1991 in the York News-Times A current agenda is kept on file for public inspection.

MINUTES OF THE MAY BOARD MEETING:

Ediger made the motion (Motion #1) to approve the minutes of the May 16, 1991 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Moore, Regier, Sedlak

PROJECTS COMMITTEE MEETING REPORT:

Regier gave a report on the Projects Committee meeting held June 10, 1991 and reviewed the committee report as distributed.

LAND TREATMENT - NSWCP FUNDS - NEW APPLICATIONS:

Regier made the motion (Motion #2) that the board of directors approve five new applications, which were submitted and reviewed, as eligible for NSWCP funds. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Moore

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Regier made the motion (Motion #3) that the board of directors authorize payment of \$18,243.35 on 13 NSWCP applications, which were submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Moore

YORK GROUNDWATER RECHARGE PROJECT - CONTRACT PAYMENT:

The staff has reached final settlement with Capital Bridge Company on the contract for bridge construction at the recharge project site. Capital Bridge has signed the waiver of claims and has agreed to final payment terms. Regier made the motion (Motion #4) that the board of directors approve final payment of \$4,766.43 to Capital Bridge Company for construction of County road bridge at the York Groundwater Recharge Project. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Moore

YORK GROUNDWATER RECHARGE PROJECT - MAINTENANCE:

Kaiser Excavation Company has been authorized to perform ditch grading, culvert installation and erosion repair at the recharge project site. Ditch grading and culvert installation is completed. Erosion repair will be done when the site is dry. Regier made the motion (Motion #5) that Kaiser Excavation Company be paid \$1,410 for ditch grading and culvert installation completed at the York Groundwater Recharge Project site. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Moore

WATER COMMITTEE MEETING REPORT:

Reichlinger gave a report on the Water Committee meeting held June 11, 1991 and reviewed the committee report as distributed.

COST-SHARE PROGRAM FOR PLUGGING ABANDONED WELLS:

The Water Committee reviewed programs developed by four other NRDs. After discussing several options, the following program was recommended to the board.

AQWA - CAP
Aquifer Quality Well Abandonment
Cost-share Assistance Program

- 01 This practice shall allow for cost-share for proper plugging of abandoned wells according to Title 178, Chapter 12 of the Department of Health Regulations governing water well abandonment standards.
- 02 All plugging activities must be conducted by a licensed well driller or by the owner of the well.
 - 02.01 If the plugging is done by a licensed well driller the cost-share rate shall be 65% of labor and materials.
 - 02.02 If the plugging is done by the well owner the cost-share rate shall be 100% of materials only.
 - 02.03 The district may require that a district representative be present during the actual plugging process.
 - 02.04 The maximum cost-share for the proper plugging of wells of various sizes is as follows:

02.04a	Less than 6 inches	\$100
	6 to 12 inches	\$150
	Over 12 to 18 inches	\$300
	Over 18 inches	\$400
- 03 All below ground pipe and any above ground pipe, tower or other apparatus that may impede the plugging activity must be removed.
 - 03.01 Any cost incurred in this removal is not eligible for cost-share.
- 04 The Nebraska Department of Health regulations shall be followed when plugging a well. The district handout titled "PROPER ABANDONMENT PROCEDURES" is a general guide for the approved plugging procedure.
- 05 Quantities of materials and methods used in plugging the well must be reported on forms provided by the district.

06 The procedures established for all other NRD cost-share programs will be followed.

07 Cost-share payment shall be made upon approval of the completed work by the board of directors.

Reichlinger made the motion (Motion #6) to adopt the Aquifer Quality Well Abandonment Cost-share Assistance Program, as reviewed, and to begin on July 1, 1991. Seconded by Obermier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Moore

Reichlinger made the motion (Motion #7) to put \$5,000 in the FY91-92 budget for the abandoned well plugging cost-share program. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Moore

PARKVIEW ESTATES - AURORA - NITRATE SAMPLING:

The NRD and Blue River Association of Groundwater Conservation Districts cooperated in providing water sampling for nitrate and bacteria for the residents of Parkview Estates on the north side of the city of Aurora. Some residents of the area have found nitrates above 10 p.p.m.. The NRD and Blue River Association's work revealed that out of 21 samples, five exceeded 10 p.p.m. nitrate and two were about 9 p.p.m. All bacteria samples tested negative. The staff will be working with the city and residents to see if more can be determined as to why some wells are showing higher nitrates.

MID-NEBRASKA WATER QUALITY MANAGEMENT DEMONSTRATION - VADOSE; ZONE BASELINE ANALYSIS:

The Demonstration Project committee has recommended that additional baseline data on vadose zone nitrates and Atrazine levels be collected in 1991. The total estimated cost for the sampling done to-date and remaining sampling and analysis is \$106,950.00. The federal grant for the project does not cover the cost of this work. In May the Water Committee included \$10,000 in the proposed budget for vadose zone sampling, partly in anticipation of this proposal.

Reichlinger made the motion (Motion #8) that \$8,000 be earmarked as the NRD's contribution for the Mid-Nebraska Water Quality Demonstration Project Vadose Zone Monitoring. Seconded by Jackson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Moore

EDUCATION AND PARKS COMMITTEE REPORT:

Oswald gave a report on the Education and Parks Committee Meeting held June 17, 1991 and reviewed the committee report as distributed. 1992

FARM CONSERVATION AWARD:

Oswald made the motion (Motion #9) that the 1992 Farm Conservation Awards be presented to Mr. and Mrs. Allen Klute of Hampton (Hamilton County) and Mr. and Mrs. Howard McKeag of Osceola (Polk County). Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Moore

MODEL AQUIFER COST-SHARE PROGRAM - NEW APPLICATIONS:

Oswald made the motion (Motion #10) that the board approve the application of Osceola High School as eligible for the Model. Aquifer Cost-share Program. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Moore

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT - DISPLAY SIGNS:

Oswald made the motion (Motion #11) that the board of directors authorize payment of \$853.55 to Sign Studio as final payment for the three display signs in the visitors center at the York Groundwater Recharge Demonstration Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Moore

PAYMENT TO YORK COLD STORAGE:

Oswald made the motion (Motion #12) that the board of directors approve payment of \$500.00 to York Cold Storage for the use of their cold storage facility during the months of April and May. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Moore

JUNE WILDLIFE HABITAT PROGRAM PAYMENTS:

Oswald made the motion (Motion #13) that the board of directors approve payment of \$3,151.80 to

the cooperators of the wildlife program for the month of June, as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer
NAY: Ehlers, Dickinson
ABSENT: Hermansen, Moore

PAYMENT TO GREEN ACRE SERVICES:

Oswald made the motion (Motion #14) that the board of directors approve payment of \$1,102.00 to Green Acre Services for the mowing of Pioneer Trails and Smith Creek Recreation Area for the months of May and June. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: Hansen
ABSENT: Hermansen, Moore

JOHNSON CREEK SITE 12 - EASEMENT - MARY ANN & MILO VYHNALEK:

Oswald made the motion (Motion #15) that the board of directors approve the easement with Mary Ann Vyhnalek and Milo Vyhnalek located in the NW1/4 of Section 9, Township 8 North, Range 2 East of the 6th P.M., Saline County, Nebraska for the purpose of storing temporary floodwater on .2 of an acre. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
PASS: Reichlinger
ABSENT: Hermansen, Moore

EASEMENT - JOHNSON CREEK SITE 12 - ENID CONNELL:

Oswald made the motion (Motion #16) that the district make the necessary improvements to the channel downstream of the dam and clear the necessary trees out of the permanent pool area as requested by Don Williams, who will represent the Connell property. And further, that the district pay for any crop damage as a result of the flooding due to the embankment of the dam. Seconded by Hansen.

Goding amended the motion to make the motion (Motion #17) to insert the words "to the 1991 crop" in the second sentence. Seconded by Hansen. The amended motion would read as follows: "That the district make the necessary improvements to the channel downstream of the dam and clear the trees out of the permanent pool area as requested by Don Williams, who will represent the Connell property. And further, that the district pay for any crop damage to the 1991 crop as a result of flooding due to the embankment of the dam." Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None
ABSENT: Hermansen, Moore

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald,
Regier, Siebert, Sedlak, Volkmer, Dickinson
NAY: None
PASS: Reichlinger
ABSENT: Hermansen, Moore

EASEMENT - JOHNSON CREEK SITE 12 - KENNETH L. & GLADYS M. MILLER:

Oswald made the motion (Motion #18) that the board of directors offer Kenneth L. Miller and Gladys M. Miller \$5,700.00 for the easement on 3.8 acres for the emergency spillway and 1.2 acres for temporary floodwaters for a total of 5.0 acres located in the NE 1/4 of Section 4, Township 8 North, Range 2 East of the 6th P.M., Saline County, Nebraska. Seconded by Volkmer.

Hansen amended the motion to make the motion (Motion #19) to insert the words "an amount not to exceed". Seconded by Anderson. The amended motion would read "That the board of directors offer Kenneth L. Miller and Gladys M. Miller an amount not to exceed \$5,700.00 for the easement on 3.8 acres for the emergency spill way and 1.2 acres for temporary flood waters for a total of 5.0 acres located in the NE 1/4 of Section 4, Township 8 North, Range 2 East of the 6th P.M., Saline County, Nebraska."

Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald,
Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSTAIN: Reichlinger
ABSENT: Hermansen, Moore

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald,
Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSTAIN: Reichlinger
ABSENT: Hermansen, Moore

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT:

Goding gave a report on the Budget, Planning & Legislative Committee meeting held June 18, 1991 and reviewed the committee report as distributed.

PLATTE RIVER WATER RIGHTS:

Goding made the motion (Motion #20) to have the district's legal counsel attend the Central Platte NRD instream flow water right shearing for key witness testimony only. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Moore

COST-SHARE POLICY - DISTRICT STUDIES:

The committee considered a new policy of requiring cost-sharing on district studies. The committee discussed the need for meaningful studies leading to project construction.

Goding made the motion (Motion #21) to require cost-sharing of 50% on district studies that exceed \$4,000 (in-house and/or out of pocket costs); and further that 75% of the applicants 50% be applied towards the applicants share of the project costs if the project proceeds to construction. Seconded by Ediger.

Volkmer amended the motion to make the motion (Motion #22) that the applicant shall have two years after the study is completed to be eligible for the 75% of their share (50%) of the study costs. Seconded by Goding.

Concern was expressed that the two-year time limit was too restrictive and would be unfair to large projects which could easily take more than two years to reach the design stage.

Oswald made the motion (Motion #23) to refer back to the Budget Committee. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: Burke, Ehlers, Goding, Volkmer

PASS: Ediger

ABSENT: Hermansen, Moore

EXECUTIVE COMMITTEE REPORT:

Burke gave a report on the Executive Committee meeting held June 18, 1991 and reviewed the committee report as distributed.

ATTORNEY FEES:

Burke made the motion (Motion #24) to approve payment of \$1,488.42 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through May 20, 1991. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Moore

CREDIT CARDS:

The district currently has FirstTier VISA cards. They expire in July 1991. The district can only get the business account upon renewal. Each staff member or director who has a card would be treated

as a separate sub-account, with the district getting a consolidated billing. The district currently holds 27 cards. The fee would be \$675 per year.

The Executive Committee has directed the general manager to shop around.

MAILING SYSTEM:

The district currently has a Pitney Bowes postage meter which it has been leasing from Pitney Bowes since 1974. Pitney Bowes has advised the district that this model is being discontinued and must be turned in. Staff has recommended that a mailing system be purchased to save both time and money processing mail.

The mailing system features

- A. Semi-automatic feeder which feeds and seals 60-80 envelopes per minute
- B. Seal-only mode (payroll or bulk mailings)
- C. Auto-on/auto-off power
- D. Electronic scale weighs up to 10 pounds
- E. Interfacing which automatically transfers amount of postage from scale to postage meter
- F. Scale allows shopping for best rate, including UPS
- G. Scale calculates postage for other mailing zones
- H. Stack unit for ease of handling envelopes
- I. Lock-out key to prevent misuse

The district would own the mailing system itself, but not the meter. Federal law requires that all meters be leased. The district would still have to pay meter rent.

Quotes have been received from two suppliers.

Eakes Office Products

IMS Hassler \$2,295

Pitney Bowes

\$3,779

Pitney Bowes has an excellent reputation and a good service record. The IMS Hassler machine offered by Eakes Office Products is very new to the market and very few have been sold in our area. Based on IMS Hassler's newcomer status in the marketplace staff has recommended the purchase of the Pitney Bowes model 6462.

Burke made the motion (Motion #25) to approve purchase of a Pitney Bowes model 6264 semiautomatic mailing machine for \$3,779.00. Seconded by Ehlers. Question called. Motion

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Jackson, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSTAIN: Reichlinger

PASS: Hansen, Obermier

ABSENT: Hermansen, Moore

COMPUTERS:

The staff and Executive Committee recommended that the district purchase three new computers, one laser printer, a printer control system, and trade in the two oldest IBM computers for a cost not to exceed \$10,000. Quotes were received from Computer Spectrum in Aurora and Eakes Office Products in Grand Island.

Computer Spectrum, Inc.

CSI 286 Computer 80 MB HD	\$ 2,290
CSI 286 Computer 80 MB HD	2,290
CSI 386 Computer 110 MB HD	3,390
Laser Printer	2,190
Printer Control System	590
Corel Draw Software	<u>395</u>
	\$11,145
Less trade in	<u>1,300</u>
	\$ 9,845

Eakes Office Equipment

IBM 386 Computer 80 MB HD	\$ 4,700
Laser Jet III Printer	1,995
Electronic Printer Switchbox	495
Network System (4 computers)	2,786
Replace Hard Drives in IBM XTs	<u>790</u>
	\$10,766

Burke made the motion (Motion #26) to approve the purchase of 2 CSI 286 computers, 1 CSI 386 computer, 1 Texas Instrument laser printer and printer control system, and 1 Corel Draw software package from Computer Spectrum, Inc. of Aurora, Nebraska for a cost not to exceed \$10,000 plus tax. Seconded by Sedlak. Question called. Motion carried.

- AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Oswald, Regier, Sedlak, Volkmer, Dickinson
NAY: Reichlinger, Siebert
PASS: Obermier
ABSENT: Hermansen, Moore

INSURANCE:

A quote of \$38,869 has been received from York Insurance Agency for property and liability insurance. The current policy expires July 1. The cost of dam collapse liability has increased from \$16,000 to \$21,000 per year. Burke made the motion (Motion #27) to approve the purchase of insurance from York Insurance Agency for \$38,869 for FY 92. Seconded by Goding. Question called. Motion carried.

- AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Moore

PAY SCALE AND JOB CLASSIFICATIONS:

The manager recommended that a new pay scale be adopted by the board to replace the one originally adopted in 1981. The old one had rigid step increases (raises) of 3.5%. The new scale system will have a minimum and maximum pay only. It is based on the State of Nebraska system. The pay scale will need to be adjusted periodically to account for the impact of inflation. The manager also recommended that the job classifications be adopted. Burke made the motion (Motion #28) to adopt the minimum/maximum pay scale, with \$4.25 per hour as the starting point, as presented and further to adopt the job classifications. Seconded by Reichlinger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson
NAY: None
PASS: Volkmer
ABSENT: Hermansen, Moore

SALARY AND WAGE REVIEW:

Burke made the motion (Motion #29) to increase the total annual salaries of the district staff, with the exception of the general manager, by \$8,920 (3%) for merit, and to authorize the general manager to determine and make salary adjustments. Seconded by . Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
PASS: Anderson
ABSENT: Hermansen, Moore

Burke made the motion (Motion #30) to increase the general manager's salary by \$1,459 (3%) from \$48,638 to \$50,097. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson
NAY: Volkmer
ABSENT: Hermansen, Moore

FINANCIAL STATEMENT:

Volkmer made the motion (Motion 431) to approve the financial statement and budget report as of May 31, 1991; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Moore

Meeting adjourned at 10:40 p.m.

Louis Oswald, Secretary

:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MAY 16, 1991

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Doug Dickinson, Chairman	Louis Oswald, Secretary
Ed Ediger, Director	Wayne Hansen, Director
Jim Jackson, Director	Norman Obermier, Director
Ron Sedlak, Director	Merlin Volkmer, Director
Nancy Davis, Staff	Jay Bitner, Staff
William Gilliam, York SCS	Lance Boyle, York High School
Peggy Sandall, York High School	Ray Burke, Vice Chairman
Bob Ehlers, Treasurer	Cal Goding, Director
Lance Hermansen, Director	Larry Moore, Director
Perry Reichlinger, Director	Roger Siebert, Director
John Turnbull, Manager	Rod DeBuhr, Staff
Ken Feather, Staff	Jess Spotanski, York High
Mike Sandall, York High School	Jon Kauffeld, U.S. Fish & Wildlife Service

ROLL CALL:

15 members were present at the meeting. Hermansen arrived following roll call. Anderson and Regier were absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published May 9, 1991 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE APRIL BOARD MEETING:

Ediger made the motion (Motion #1) to approve the minutes of the April 25, 1991 board of directors meeting as distributed. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Hermansen, Regier

SLIDE PRESENTATION:

Jon Kauffeld of U.S. Fish and Wildlife Service was present and gave a slide presentation on rainwater basin management.

PROJECTS COMMITTEE MEETING REPORT:

Hansen gave a report on the Projects Committee meeting held May 6, 1991 and reviewed the committee report as distributed.

LAND TREATMENT - NSWCP FUNDS - NEW APPLICATIONS:

Hansen made the motion (Motion #2) that the board of directors approve four new applications, as submitted and reviewed, as eligible for NSWCP funds. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Regier

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Hansen made the motion (Motion #.3) that the board of directors authorize payment of \$6,849.04 on four NSWCP applications, as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Regier

LAND TREATMENT COST-SHARE RATE:

The possible reasons for the decrease in land treatment activity were discussed. The general consensus was that the decrease is economically driven and that a slightly higher cost-share rate might increase the incentive to install more practices. The current ACP and district cost-share rates were reviewed. Hansen made the motion (Motion #4) that the board of directors authorize changing the cost-share rate for NRD and NSWCP funded land treatment to 65 percent. Seconded by Hermansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Regier

YORK GROUNDWATER RECHARGE PROJECT - PHASE 4 - ELECTRICAL:

Hansen made the motion (Motion #5) that the board of directors authorize payment of \$1,308.71 to Lundy Electric Company as final payment for electrical wiring at the water treatment plant of the York Groundwater Recharge Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Regier

Hansen made the motion (Motion #6) that the board of directors authorize payment of \$325.29 to Mullendore Consultants as final payment for electrical engineering services at the water treatment

plant of the York Groundwater Recharge Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Anderson, Regier

SUTTON AREA FLOOD CONTROL STUDY:

Mac Tilberg, Sutton City Administrator, and Virgil Ulmer, Mayor of Sutton, were present at the Projects Committee meeting to request that the district obtain proposals for engineering services required to conduct a reconnaissance level study of the local flooding problem at Sutton. The study would identify several options, and associated costs, for resolving the flooding problem. Sutton has verbally agreed to pay a portion of the study cost; the district and City of Sutton will discuss cost-sharing arrangements after proposals have been received. Hansen made the motion (Motion #7) that the board of directors authorize the staff to request proposals for engineering services to conduct a reconnaissance level study of local flooding problems at Sutton. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Anderson, Regier

PROJECT 4-8-2E - JOHNSON CREEK SITE 12:

The construction cost estimate of \$88,000 was discussed. Based on the geotechnical report, no special construction requirements are anticipated. It is expected that the land rights will be obtained by July 1991 and construction could begin during the first week of August. Hansen made the motion (Motion #8) that the board of directors authorize the staff to proceed with advertisement for bids in time for contract award in July. Seconded by Ehlers. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSTAIN: Reichlinger
ABSENT: Anderson, Regier

WATER COMMITTEE MEETING REPORT:

Reichlinger gave a report on the Water Committee meeting held May 7, 1991 and reviewed the committee report as distributed.

SURGE VALVE COST-SHARE PROGRAM:

Burke made the motion (Motion #9) that the NSWCP cost-share program for surge valves be made available by the district. Seconded by Jackson. Question called. Motion failed.

AYE: Burke, Goding, Hansen, Jackson, Moore, Volkmer
NAY: Ediger, Ehlers, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Dickinson
PASS: Hermansen

ABSENT: Anderson, Regier

PLUGGING OF ABANDONED WELLS COST-SHARE PROGRAM:

This program was discussed by the Water Committee at their May 7th meeting. There was a motion made in committee to adopt a cost-share program to plug abandoned wells. The motion failed in committee.

There was strong sentiment among several of the board members that this would be a good incentive program to encourage proper well abandonment as well as an inexpensive way to protect the quality of the groundwater. A lengthy discussion followed.

Ehlers made the motion (Motion #10) to refer back to committee for further discussion. Seconded by Moore. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Obermier, Regier

PART-TIME HELP FOR WATER DEPARTMENT:

Rod has requested authorization to hire a part-time chemigation inspector for approximately eight weeks during the months of June, July and August. Additional help is needed primarily because of added workload on Rod and Russ due to the Recharge Project, Special Protection Area studies and the Ground Water Management Planning activities. The estimated cost is \$2,000 to \$2,500. The Water Committee voted unanimously to support Rod's request. Due to the nature of the request (hiring of personnel) the Executive Committee will take action on the matter during their report later in the meeting.

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Sedlak gave a report on the Education and Parks Committee Meeting held May 9, 1991 and reviewed the committee report as distributed.

YORK HIGH SCHOOL OUTDOOR CLASSROOM PROPOSAL:

The Education and Parks Committee heard a presentation from Mike Sandall, natural resources instructor from York High School, and four students on a proposal for cost-share assistance under the Outdoor Classroom Program. The students, under the direction of Sandall, have designed an outdoor classroom to be planted east of the high school incorporating an existing native grass plot. Total cost of the materials for the proposed project is \$1,500. The students will provide the labor. The Outdoor Classroom Program provides cost-share assistance for materials at a rate of 50% with a \$400 ceiling.

Mr. Sandall and his students were present at the board meeting to answer questions regarding their outdoor classroom project.

Sedlak made the motion (Motion #11) that the Upper Big Blue NRD accept the application of York High School for cost-share funding under the Outdoor Classroom Program at 50% of the actual cost of seed, materials and related items, not to exceed \$400. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hanson, Hermansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Obermier, Regier

1992 CONSERVATION FARM AWARD NOMINATIONS:

The committee reviewed 10 nominees for this award, however, they felt more time was needed to complete the selection process. Sedlak made the motion (Motion #12) to delay selection of the award winners until the June meetings, but to notify the aerial photographer that two photos will be ordered from this district. Seconded by Hermansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Obermier, Regier

1991 MASTER CONSERVATIONIST AWARD NOMINATION:

The World-Herald and University of Nebraska-Lincoln's Institute of Agriculture and Natural Resources are soliciting nominations for the 1991 Master Conservationist Awards which will be presented at the Nebraska Association of Resources Districts fall conference. The awards are presented to farmers who have excelled in the use of new and traditionally-acknowledged methods of soil and water conservation.

Sedlak made the motion (Motion #13) that the Upper Big Blue NRD submit Lyle Weedon of Aurora as a candidate for the Master Conservationist Award. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Obermier, Regier

REVIEW OF OUTDOOR CLASSROOM COST-SHARE CEILING:

The presently used ceiling of \$400 was adopted in 1978 and has not been changed since. The program includes the planting of trees, shrubs and native grasses. Cost-share payments are based on a 50% rate for grass seed, materials and related items. Sedlak made the motion (Motion #14) that the ceiling for the Outdoor Classroom Program be increased to \$800. Seconded by Question called. Motion carried.

AYE: Burke, Ediger, Goding, Hansen, Moore, Oswald, Sedlak, Siebert, Volkmer

NAY: Ehlers, Hermansen, Jackson, Reichlinger

ABSTAIN: Dickinson
ABSENT: Anderson, Obermier, Regier

PAYMENT TO GREEN ACRE SERVICES:

Sedlak made the motion (Motion #15) that the board of directors approve payment of \$551.00 to Green Acre Services for the mowing of Pioneer Trails and Smith Creek Recreation Areas for the month of April. Seconded by Hermansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hermansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: Hansen
ABSENT: Anderson, Obermier, Regier

PAYMENT TO LINCOLN-OAKES NURSERY:

Sedlak made the motion (Motion #16) that the board of directors approve payment of \$917.63 for the 3,200 trees which were purchased from Lincoln-Oakes Nursery. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Anderson, Obermier, Regier

PAYMENT TO UNIVERSITY OF NEBRASKA-LINCOLN:

Sedlak made the motion (Motion#17) that the board of directors approve payment of \$17,857.08 for the purchase of 56,800 trees through the Clarke-McNary Program. Seconded by Goding. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Anderson, Obermier, Regier

RISING CITY BASEBALL PARK RENOVATION:

Sedlak made the motion (Motion #18) that the Upper Big Blue NRD approve the funding of the Rising City Baseball Park renovation, with the cost not to exceed \$750.00, which is 25% of the estimated cost of \$3,000.00. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Anderson, Obermier, Regier

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT:

Goding gave a report on the Budget, Planning & Legislative Committee meeting held May 13, 1991 and reviewed the committee report as distributed.

PERSONAL PROPERTY TAX IMPACT:

The district has been officially notified by four counties to refund certain personal property taxes that have been collected. Other notices are expected. Unless the board certifies to the county treasurers, within 30 days from the date of notice, that such refunds at this point in time would interfere with the governmental functions of the district the refunds will be paid from tax collections held by the county treasurers belonging to the district.

Reichlinger made the motion (Motion #19) to pay the requests for refunds as they are received. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Obermier, Regier

NRD BUDGETS:

The Budget, Planning & Legislative Committee reviewed the draft department budgets.

Concern was expressed about planning studies conducted by the district for cities and villages. It was suggested that a studies and planning policy should be developed that would require cities and villages to pay a portion of the study and planning cost.

Long range program costs and public benefits were also discussed, including wildlife habitat contracts and costs vs. benefits.

WILDLIFE HABITAT IMPROVEMENT PROGRAM:

Goding made the motion (Motion #20) that no new or renewal of wildlife habitat contracts be accepted in FY92, or thereafter. Seconded by Ediger. There was considerable discussion regarding the merits of the Wildlife Habitat Improvement Program and the impact discontinuing the program would have on other district programs. Question called. Motion failed.

AYE: Ediger, Ehlers, Reichlinger, Sedlak, Siebert, Dickinson

NAY: Burke, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Volkmer

ABSENT: Anderson, Obermier, Regier

WOODWARD-CLYDE BILLING:

Goding made the motion (Motion #21) to approve payment of \$4,804.34 to Woodward-Clyde Consultants for completion of Quentin Bliss' work on the Landmark biological opinion. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Obermier, Regier

NARD BUDGET:

Goding made the motion (Motion #22) to direct the district's NARD Representative to vote for 0% dues increase for FY92 NARD budget. Seconded by Ediger. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSTAIN: Moore

ABSENT: Anderson, Obermier, Regier

EXECUTIVE COMMITTEE MEETING REPORT:

Burke gave a report on the Executive Committee meeting held May 13, 1991 and reviewed the committee report as distributed.

PERSONNEL POLICY:

The corrected personnel policy dated 5/16/91 was sent to each board member for review. The Executive Committee recommended that the policy be adopted as presented.

Consideration of last month's pending board motion and amendment are now in order. The motion and amendment are:

Burke made the motion (Motion #20) to adopt the personnel policies as revised, and that these personnel policies become effective May 1, 1991. Seconded by Goding.

Moore amended the motion to make the motion (Motion #21) to strike the words "employee or" from policy no 39. Seconded by Sedlak. Question called on the amendment brought from table. Amendment failed.

AYE: Ediger, Moore, Oswald, Sedlak, Dickinson

NAY: Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Reichlinger, Siebert

PASS: Volkmer

ABSENT: Anderson, Obermier, Regier

Reichlinger pointed out that the effective date stated in the main motion was no longer correct and should be amended to coincide with the May 16, 1991 date on the corrected copy of the personnel policy that the board of directors are now considering.

Reichlinger amended the motion to make the motion (Motion #23) that the personnel policies become effective May 16, 1991. Seconded by Hansen. Question called on the amendment. Amendment carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Obermier, Regier

Question called on the main motion as amended to read as follows: "To adopt the personnel policies as revised, and that these personnel policies become effective May 16, 1991." Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

PASS: Hermansen, Volkmer

ABSENT: Anderson, Obermier, Regier

LINTEL SYSTEMS PAYMENT:

The board approved the purchase of a new telephone system from Lintel Systems (LTT) for \$8,490. The installation of the new system is complete. The final bill is \$8,190. Burke made the motion (Motion #24) to approve payment of \$8,190 to Lintel Systems for the Telrad Key BX 2464 phone system. Seconded by Ehlers. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Obermier, Regier

ATTORNEY'S FEES:

Burke made the motion (Motion #25) to approve payment of \$7,257.36 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through April 20, 1991. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

PASS: Ehlers

ABSENT: Anderson, Obermier, Regier

OCCASIONAL EMPLOYEES:

Two requests need to be considered for additional occasional employees during the summer season. Both the Parks and Projects Departments are requesting one summer employee for operation and maintenance work, and the Water Department is requesting one employee for chemigation inspections. The committees have budgeted funds for these temporary positions.

An occasional employee, according to the new personnel policy, is seasonal and does not receive any paid benefits.

Burke made the motion (Motion #26) to authorize the hiring of two occasional employees, one operation and maintenance employee for 13 weeks, and one chemigation inspector for eight weeks. Seconded by Hansen. Question called. Motion carried.

Board of Director's Meeting

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald,
Reichlinger, Sedlak, Siebert, Dickinson

NAY: Volkmer

ABSENT: Anderson, Obermier, Regier

FINANCIAL STATEMENT:

Volkmer made the motion (Motion #27) to approve the financial statement and budget report as of April 30, 1991; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Goding. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald,
Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Obermier, Regier

Meeting adjourned at 11:15 p.m.

Louis Oswald, Secretary

:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
APRIL 25, 1991

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Doug Dickinson, Chairman
Ed Ediger, Director
Larry Moore, Director
Ron Sedlak, Director
Jay Bitner, Staff
Ray Burke, Vice Chairman
Cal Goding, Director
Norman Obermier, Director
Merlin Volkmer, Director
Ken Feather, Staff
Donna Rhoades, York News-Times

Louis Oswald, Secretary
Wayne Hansen, Director
Ken Regier, Director
John Turnbull, Manager
Prudence Sadler, Staff
Bob Ehlers, Treasurer
Jim Jackson, Director
Perry Reichlinger, Director
Nancy Davis, Staff
William Gilliam, York SCS

ROLL CALL:

14 members were present at the meeting; with Jackson, Regier, and Sedlak arriving following roll call. Anderson, Hermansen, and Siebert were absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published April 15, 1991 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE MARCH BOARD MEETING:

Ehlers made the motion (Motion #1) to approve the minutes of the March 21, 1991 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Moore, Obermier, Oswald, Reichlinger, Volkmer, Dickinson

NAY: None

PASS: Jackson

ABSENT: Anderson, Hermansen, Regier, Sedlak, Siebert,

WASHINGTON, D.C. TRIP REPORT:

Reichlinger and Turnbull each gave a brief report on their trip to Washington, D.C. Anderson had

Board of Director's Meeting

not yet returned, but will give a report on his trip at the May meeting.

PROJECTS COMMITTEE MEETING REPORT:

Regier gave a report on the Projects Committee meeting held April 15, 1991 and reviewed the committee report as distributed.

LAND TREATMENT - NSWCP FUNDS - NEW APPLICATIONS:

Regier made the motion (Motion #2) that the board of directors approve 15 new applications, which were submitted and reviewed, as eligible for NSWCP funds. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Hermansen, Siebert

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Regier made the motion (Motion #3) that the board of directors authorize payment of \$13,486.27 on 10 NSWCP applications, which were submitted and reviewed. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Hermansen, Siebert

YORK GROUNDWATER RECHARGE PROJECT - PHASE 4 ELECTRICAL:

Regier made the motion (Motion #4) that the board of directors authorize payment of \$6,008.34 to Lundy Electric Company as progress payment for electrical wiring at the water treatment plant of the York Groundwater Recharge Project. Seconded by Ediger. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Hermansen, Siebert

PLUM CREEK FLOOD CONTROL STUDY - SEWARD:

Regier made the motion (Motion #5) that the board of directors make final payment of \$1,905.86 to Olsson and Associates for work completed on the Plum Creek Flood Control Screening Study. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Hermansen, Siebert

YORK GROUNDWATER RECHARGE PROJECT - PAYMENT:

Regier made the motion (Motion #6) that final payment be made to Johnson Systems, Inc. in the

amount of \$16,480 for equipment installed at the water treatment plant for the York Groundwater Recharge Project, and that this payment be made contingent upon proper operation of the system. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Hermansen, Siebert

WATER COMMITTEE MEETING REPORT:

Jackson gave a report on the Water Committee meeting held April 16, 1991 and reviewed the committee report as distributed. Regier requested that the Water Committee discuss the possibility of cost-share on surge valves and asked that this item be included in the May Water Committee agenda.

EDUCATION PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education and Parks Committee meeting held April 18, 1991 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE PROJECT - VISITORS DISPLAY:

Bids were solicited for the display signs to be installed in the visitors center at the demonstration project site. The display will consist of three signs - a 4'x6' map in the center flanked by two 4'x4' panels describing the features on the map.

The bids were as follows:

Nebraska Sign Company

Three panels, prefinished aluminum with angle iron frames

3M vinyl lettering and graphics

Lexan cover, mounted with vandal-resistant hardware

\$2,808.75

892.00 down payment

balance on completion

Sign Studio

Three panels, medium density overlay plywood with double coat of sealer

3M vinyl lettering, painted graphics

Lexan cover, mounted with vandal-resistant hardware

\$1,544.55

686.00 down payment

balance on completion

Oswald made the motion (Motion #7) that the Upper Big Blue NRD accept the proposal of \$1,544.55 from Sign Studio of Lincoln for a three-paneled explanatory visitors sign to be installed at the York Groundwater Recharge Demonstration Project visitors center. Seconded by Goding. Question called. Motion carried.

AYE: Ehlers, Goding, Hansen, Jackson, Moore, Oswald, Regier, Sedlak, Volkmer, Dickinson
NAY: Burke, Obermier
PASS: Ediger, Reichlinger
ABSENT: Anderson, Hermansen, Siebert

MILLIGAN CITY PARK:

Total cost of renovation	\$ 11,148.05
25% cost-share	2,787.01

Oswald made the motion (Motion #8) that the Upper Big Blue NRD make payment of \$2,787.01 to the Village of Milligan for work completed renovating the city park. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Anderson, Hermansen, Siebert

LINCOLN CREEK PARKWAY TRAIL:

Oswald made the motion (Motion #9) that the Upper Big Blue NRD make payment to Kirkham, Michael and Associates in the amount of \$713.83, for the professional services completed in connection with the Lincoln Creek Parkway Trail in Aurora. Seconded by Goding. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Anderson, Hermansen, Siebert

NEBRASKA OUTSTANDING TREE PLANTER AWARD:

Oswald made the motion (motion#10) that the Upper Big Blue NRD nominate Mervin Ransom of Osceola for the NARD Outstanding Tree Planter Award. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson
NAY: None
ABSENT: Anderson, Hermansen, Siebert

KRVN TREE CONTEST WINNER:

The KRVN tree contest winner from the Upper Big Blue NRD was Rich Walters of Shickley.

EXECUTIVE COMMITTEE MEETING REPORT:

Burke gave a report on the Executive Committee meeting held April 22, 1991 and reviewed the committee report as distributed.

DIRECTORS' PER DIEM EXPENSE SUMMARY
1ST QUARTER 1991

NAME	NO. DAYS	PER DIEM	EXPENSES
Anderson	15	225	279.00
Burke	11	165	536.12
Dickinson	10	150	152.57
Ediger	13	195	123.24
Ehlers	9	135	63.96
Goding	8	120	119.60
Hansen	10	150	176.28
Hermansen	4	60	61.36
Jackson	10	150	74.36
Moore	11	165	183.32
Obermier	9	135	56.16
Oswald	11	165	177.32
Regier	7	105	200.19
Reichlinger	12	180	30.16
Sedlak	7	105	127.40
Siebert	7	105	80.08
Volkmer	9	<u>135</u>	<u>173.68</u>
		2,445	2,614.80
*Reichlinger	6	<u>90</u>	<u>53.15</u>
		\$2,535	\$2,667.95

*Washington, D.C. trip per them and expenses.

DIRECTORS' PER DIEM EXPENSES:

Burke made the motion (Motion #11) to approve payment of \$2,535 and \$2,667.95 for directors' per them and expenses. Seconded by Regier. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None

PASS: Reichlinger

ABSENT: Anderson, Hermansen, Siebert

DIRECTORS' PER DIEM CHANGE:

LB 264 has been signed into law by the governor and reads as follows.

22-3218. Board members shall be compensated for their actual and necessary expenses incurred in connection with their duties. Each board may provide a per diem payment for directors of not to exceed fifty dollars for each day that such director attends meetings of the board or is engaged in matters concerning the district, but no director shall receive more than two thousand dollars in anyone year. Such per them payments shall be in addition to and separate from compensation for expenses.

Burke made the motion (Motion 12) to change the directors' per them to \$30.00 a day effective October 1, 1991. Seconded by Ehlers. There was considerable discussion regarding where the rate should be set.

Obermier made the motion (Motion #13) to table the matter until the May board meeting. Seconded by Jackson. Question called. Motion failed.

AYE: Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Sedlak

NAY: Burke, Moore, Oswald, Regier, Reichlinger, Dickinson

PASS: Volkmer

ABSENT: Anderson, Hermansen, Siebert

Question called on the previous motion (Motion #12). Motion failed.

AYE: Burke, Ehlers, Moore, Oswald, Sedlak, Volkmer

NAY: Ediger, Goding, Jackson, Obermier, Regier, Reichlinger, Dickinson

PASS: Hansen

ABSENT: Anderson, Hermansen, Siebert

Goding made the motion (Motion #14) to change the directors' per diem to \$50.00 a day effective October 1, 1991. Seconded by Moore. Question called. Motion carried.

AYE: Ediger, Goding, Hansen, Moore, Obermier, Regier, Reichlinger, Dickinson

NAY: Burke, Ehlers, Jackson, Oswald, Sedlak, Volkmer

ABSENT: Anderson, Hermansen, Siebert

ATTORNEY'S FEES:

Burke made the motion (Motion #15) to approve payment of \$3,070.58 to Crosby, Guenzel, Davis, Kessner Kuester for Steve Seglin's work through March 20, 1991. Seconded by Ediger. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Hermansen, Siebert

WOODWARD-CLYDE:

Burke made the motion (Motion #16) to approve payment of \$7,464.03 to Woodward-Clyde for Quentin Bliss' work on Landmark through March 22, 1991. Seconded by Regier. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Hermansen, Siebert

BOYLE ENGINEERING:

Burke made the motion (Motion #16) to approve payment of \$2,568.58 to Boyle Engineering for Jerry Kenny's work on Landmark through March 31, 1991. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Hermansen, Siebert

BOARD COMMITTEE APPOINTMENTS:

The board of directors need to take action on Motion #22 of the March 21, 1991 board of directors meeting, which was held over until the next board meeting at Ehler's request.

Motion #22 read "that in the future the committee appointments made by the Executive Committee be final".

Reichlinger read the board motion from February 19, 1981, which cited as the basis for his hold-over request on a matter affecting district policy. That board motion read "that the board of directors adopt the policy that if requested by any board member, any proposed district policy change be held over to the next regular board meeting after its presentation for action."

After reading the previous motion Reichlinger stated he did not feel the intent of the March 21st motion was a policy change, but rather an amendment to the bylaws. As a result, the March 21st motion should not have been carried over based on the February 19, 1981 motion. The proper way to resolve the matter would be to amend the bylaws.

Reichlinger withdrew Motion #22 with the approval of Ediger, who withdrew his second.

Burke made the motion (Motion #18) to amend Article III, C-1 of the bylaws to read.... "Any requests for changes in committee assignments are to be submitted to the Executive Committee for reconsideration, and the committee will forward the matter -to the board for ratification. Such requests should only be considered in the first 30 days following the effective date of the committee assignments." Seconded by Hansen.

Ehlers amended the motion to make the motion (Motion #19) "Any requests for changes in committee assignments are to be submitted to the Executive Committee for reconsideration, and the committee will forward the matter to the board for ratification. Such requests should be made prior to the next Executive Committee meeting following the effective date of the committee assignments. Seconded by Reichlinger. Question called on the amendment. Amendment carried.

AYE: Burke, Ehlers, Hansen, Jackson, Oswald, Regier, Reichlinger, Dickinson
NAY: Ediger, Goding, Moore, Sedlak
PASS: Obermier, Volkmer
ABSENT: Anderson, Hermansen, Siebert

Question called on the original motion as amended. Motion carried.

AYE: Burke, Ehlers, Hansen, Oswald, Regier, Sedlak, Volkmer, Dickinson
NAY: Ediger, Goding, Jackson, Moore
PASS: Obermier, Reichlinger
ABSENT: Anderson, Hermansen, Siebert

Article III, C-1 of the bylaws now reads as follows:

C. MEMBERSHIP

1. The membership of the committees shall be appointed by the Executive Committee and approved by the board of directors. Committee memberships will be reviewed and new appointments made every two (2) years but not later than the March board meeting immediately following the general elections. Any requests for changes in committee assignments are to be submitted to the Executive Committee for reconsideration, and the committee will forward the matter to the board for ratification. Such requests should be made prior to the next Executive Committee meeting following the effective date of the committee assignments.

PERSONNEL POLICY:

Turnbull reviewed the latest draft of the personnel policy that the Executive Committee has been working on.

Burke made the motion (Motion #20) to adopt the personnel policies as revised, and that these personnel policies become effective May 1, 1991. Seconded by Goding.

Several directors expressed concern over the wording of Personnel Policy No. 39: EMPLOYMENT OF FAMILY MEMBERS OR DIRECTORS which reads "The District will not employ anyone for any position who is an immediate family member of a current employee or director, nor will the District employ a current director."

Moore made the motion (Motion #21) to strike the words "employee or" from policy no. 39. Seconded by Sedlak.

Following further discussion Ediger made the motion (Motion #22) to table the matter until the next regular board meeting. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Volkmer, Dickinson

NAY: None

PASS: Reichlinger

ABSENT: Anderson, Hermansen, Siebert

FINANCIAL STATEMENT:

Burke made the motion (Motion #23) to approve the financial statement and budget report as of March 31, 1991; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Hermansen, Siebert

Meeting adjourned at 10:50 p.m.

Louis Oswald, Secretary

:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MARCH 21, 1991

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Doug Dickinson, Chairman	Ray Burke, Vice Chairman
Louis Oswald, Secretary	Bob Ehlers, Treasurer
Bruce Anderson, Director	Ed Ediger, Director
Cal Goding, Director	Wayne Hansen, Director
Lance Hermansen, Director	Jim Jackson, Director
Larry Moore, Director	Norman Obermier, Director
Kenneth Regier, Director	Perry Reichlinger, Director
Ron Sedlak, Director	Roger Siebert, Director
Merlin Volkmer, Director	John Turnbull, General Manager
Nancy Davis, Staff	Prudence Sadler, Staff
Jay Bitner, Staff	Ken Feather, Staff
Judy Sunday, Osceola	Joe Sunday, Osceola
Jillian Sunday, Osceola	Kristi Schleif, Polk SCS
Tom Schleif, SCS	Donna Rhoades, YNT

ROLL CALL:

All 17 board members were present at the meeting. Reichlinger arrived following roll call.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published March 11, 1991 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE FEBRUARY BOARD MEETING:

Regier made the motion (Motion #1) to approve the minutes of the February 21, 1991 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Reichlinger

PROJECTS COMMITTEE REPORT:

Regier gave a report on the Projects Committee meeting held March 7, 1991 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NEW APPLICATIONS - NSWCP FUNDS:

Regier made the motion (Motion #2) that six new NSWCP applications, as submitted and reviewed, be approved as eligible for funding. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

LAND TREATMENT PROGRAM - PAYMENTS - NSWCP FUNDS:

Regier made the motion (Motion #3) that 1 NSWCP application, as submitted and reviewed, be approved for payment in the amount of \$5,000. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

PROJECT 21-11-3E - PLUM CREEK FLOOD CONTROL PROJECT:

Olsson and Associates Consulting Engineers, have completed -the screening of engineering options for flood control on Plum Creek at Seward. The board reviewed the four options detailed in -the Olsson study.

Regier made the motion (Motion #4) that Option 2 of the Plum Creek Flood Control Study, as prepared by Olsson Associates Consulting Engineers, be the District's recommendation for consideration, and that the District offer to contribute 25 percent of the local share of project cost not to include operation and maintenance expenses. Seconded by Goding.

Reichlinger amended the motion to make the motion (Motion #15) to insert the words "Option 2" to make the motion read as follows:"that Option 2 of the Plum Creek Flood Control Study, as prepared by Olsson Associates Consulting Engineers, be the Districts recommendation for consideration, and that the District offer to contribute 25 percent of the local share of Option 2 project cost, not to include operation and maintenance." Seconded by Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: Obermier
ABSENT: None

PROJECT 4-8-2E - JOHNSON CREEK DAM SITE 12:

The Johnson Creek Site 12 flood control dam is currently in the design phase. The staff recommended that the District contract with Geotechnical Services, Inc. to perform foundation investigations.

Regier made the motion (Motion #6) that the District contract with Geotechnical Services, Inc. to perform drilling and testing of soils at Project 4-8-2E for a fee not to exceed \$5,850. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

YORK GROUNDWATER RECHARGE PROJECT - PHASE 4:

Regier made the motion (Motion #7) that Lundy Electric be paid \$7,304.85 for work completed in February at the York Groundwater Recharge Project water treatment plant. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

BUDGET COMMITTEE REPORT:

Moore gave a report on the Budget, Planning & Legislative Committee meeting held March 7, 1991 and reviewed the committee report as distributed.

LANDMARK BIOLOGICAL OPINION HEARING:

The hearing on the Landmark biological opinion will begin on March 25. The first billing has been received from Woodward Clyde Consultants for Quentin Bliss' work for that hearing. Moore made the motion (Motion #8) to approve payment of \$3,625.76 to Woodward-Clyde Consultants for consultation on the Landmark biological opinion through February 8, 1991. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

LEGISLATION:

LB 697 - PRAIRIE BEND ADVANCE PLANNING:

Anderson made the motion (Motion #9) that the Upper Big Blue Natural Resources District oppose LB 697. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

FEDERAL FUNDING INCREASE - HIGH PLAINS STATES GROUNDWATER DEMONSTRATION PROGRAM:

Ehlers made the motion (Motion #10) to support Bereuter's efforts to obtain a federal funding increase for the High Plains States Groundwater Demonstration Program. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Jackson, Moore, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson

NAY: Goding, Obermier

ABSTAIN: Volkmer

PASS: Hermansen

ABSENT: None

WATER COMMITTEE REPORT:

Reichlinger gave a report on the Water Committee meeting held March 14, 1991 and reviewed the committee report as distributed.

PROPOSED DEFINITION OF ROTATION:

The Central Platte NRD proposes that the definition of rotation include annual acreage reduction.

Reichlinger made the motion (Motion #11) to support the Central Platte NRD's proposed Nebraska Groundwater Management Act definition of rotation to include annual acreage reduction. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Hansen, Hermansen, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer

NAY: Ediger, Goding, Jackson, Moore, Dickinson

PASS: Regier

ABSENT: None

NITRATE CONCERNS IN NORTHERN AURORA:

Mike Bair, City Administrator of Aurora, contacted the NRD requesting advice and assistance in

determining the source of nitrate contamination in private wells in the Parkview development in northern Aurora.

Reichlinger made the motion (Motion #12) to coordinate with the City of Aurora and Ground Water Conservation District to conduct water sampling of the wells in and around the Parkview development. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

EDUCATION & PARKS COMMITTEE REPORT:

Oswald gave a report on the Education & Parks Committee meeting held March 14, 1991 and reviewed the committee report as distributed.

MARQUETTE BALL PARK RESTROOM RENOVATION:

Oswald made the motion (Motion#13) that the Upper Big Blue NRD enter into an agreement with the Marquette School District to fund the renovation of the restrooms located at the baseball field at a cost not to exceed \$750. Seconded by Volkmer.

Ehlers asked what the total cost of the project was. Feather advised the board that the total estimated cost was \$3,000 and the district share of the total would be \$750.

Volkmer amended the motion to make the motion (Motion #14) to insert the words "25 percent of the estimated cost of \$3,000". Seconded Hansen.

The motion would read as follows "that the Upper Big Blue NRD enter into an agreement with the Marquette School District to fund the renovation of the restrooms located at the baseball field at 25 percent of the estimated cost of \$3,000 not to exceed \$750." Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

MOWING OF RECREATION AREAS:

The district received only one quote for the mowing of Pioneer Trails and Smith Creek Recreation Areas.

Oswald made the motion (Motion #15) that the Upper Big Blue NRD Board of Directors approve the hiring of Joseph Block of Hampton, Nebraska to mow the picnic area, access road and parking areas at Pioneer Trails for \$374.00 and Smith Creek Recreation Area for \$177.00 for a combined total of \$551.00, on a per time basis approved by the district staff. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: Goding, Hansen
ABSENT: None

MARCH WILDLIFE HABITAT PROGRAM PAYMENTS:

Oswald made the motion (Motion #16) that the Upper Big Blue NRD Board of Directors approve payment totaling \$4,800 to the cooperators in the Wildlife Habitat Program for the month of March. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer
NAY: Reichlinger, Dickinson
ABSENT: None

JOHNSON CREEK DAM SITE 12:

The board discussed Johnson Creek dam site 12 and reviewed the options available; either purchase an easement and let the site remain under private ownership or purchase the land and an easement and develop the area for public use.

Oswald made the motion (Motion #17) that the Upper Big Blue NRD attempt to get a free easement on the main tract of land and allow no public access to the property within the boundaries of Johnson Creek Site 12. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Dickinson
NAY: Reichlinger
ABSENT: None

EXECUTIVE COMMITTEE REPORT:

Burke gave a report on the Executive Committee meeting held March 20, 1991 and reviewed the committee report as distributed.

ATTORNEY FEES:

Burke made the motion (Motion #18) to approve payment of \$2,594.36 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through February 20, 1991. Seconded by Volkmer.

Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

PERSONNEL POLICY:

The Executive Committee has been reviewing a draft of a more comprehensive personnel policy. A final draft will be sent to all board members by April 5th. The Executive Committee will make a recommendation for board adoption at the April board meeting.

SECTION 125

It is now possible under IRS regulations for employee contributions for health insurance to be treated as tax free income. The employees' retirement fund contributions are currently withheld as pretax income.

Steve Seglin has drafted a plan to comply with Section 125 of the federal statutes and IRS regulations. The plan allows for employees' health insurance contributions to be tax-free. The district will not have to pay FICA tax on the amount of health insurance contributions in the plan. Burke made the motion (Motion #19) to adopt the Supporting Plan Document, Section 125 Cafeteria Plan Arrangement, Upper Big Blue NRD Employee Health & Welfare Benefit Plan. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: None

COMMITTEE ASSIGNMENTS:

Burke made the motion (Motion #20) to reassign Merlin Volkmer to the Projects Committee instead of the Water Committee, and to reassign Roger Siebert to the Water Committee instead of the Projects Committee, at their request. Seconded by Ehlers. Question called.

Motion failed.

AYE: Ehlers, Hansen, Hermansen, Jackson, Obermier, Dickinson

NAY: Burke, Ediger, Goding, Oswald, Regier

PASS: Anderson, Moore, Reichlinger, Sedlak, Siebert, Volkmer

ABSENT: None

Following considerable discussion Burke made the motion (Motion #21) to reconsider the previous motion. Seconded by Goding. Question called. Motion to reconsider carried.

AYE: Burke, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier, Oswald, Sedlak, Siebert, Volkmer, Dickinson

NAY: Anderson, Ediger, Regier
PASS: Moore, Reichlinger
ABSENT: None

The motion (Motion #20) was called up for reconsideration. Motion carried.

AYE: Burke, Ehlers, Hansen, Hermansen, Obermier, Sedlak, Siebert, Volkmer, Dickinson
NAY: Anderson, Ediger, Goding, Jackson, Moore, Oswald, Regier
PASS: Reichlinger
ABSENT: None

Reichlinger made the motion (Motion #22) that in the future the committee appointments made by the Executive Committee be final. Seconded by Ediger.

Ehlers requested, as outlined in the bylaws, that the motion be carried over for 30 days.

Several years ago the board voted that anyone board member would have the right to ask that a policy issue be held over 30 days for consideration with no further action on the part of the board.

Chairman Dickinson advised the board that the matter would be carried over 30 days at request.

PHONE SYSTEM

The district is currently leasing a phone system from Lincoln Telephone. Lincoln Telephone no longer can properly maintain the system due to lack of parts. The lease payment has been reduced accordingly.

Turnbull recommends that a new phone system be purchased from Lincoln Telephone for \$8,490. A service contract would cost:

Year	1	Warranty
Year	2	\$690
Year	3	\$760
Year	4	\$835
Year	5	\$920

Maintenance from Lincoln Telephone, without a service contract, is \$47 an hour plus parts.

ATT quoted three systems ranging in cost from \$7,374 to \$9,717. Service contract prices were requested but never sent. Maintenance from ATT, without a service contract, is \$75 an hour plus parts.

Burke made the motion (Motion #23) to purchase a Telrad Key BX 2464 office telephone system from Lincoln Telephone for \$8,490, without a service contract at this time. Seconded by Volkmer.

Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hermansen, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Dickinson
NAY: Goding, Hansen, Jackson
PASS: Volkmer
ABSENT: None

WOODWARD-CLYDE CONSULTANTS:

Burke made the motion (Motion #24) to approve Woodward-Clyde Consultants' work preparing for and testifying in the Landmark biological opinion hearing for an estimated cost of \$4,148. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

NRD OFFICE BUILDING STAIRS:

A cost estimate has been obtained from Jensen Lumber to construct a new stairway to the board room in order to meet fire code. That cost estimate is \$18,670 plus electrical costs. However, this does not meet handicap requirements. An elevator will be about \$32,000 plus installation. Restrooms will also need to be upgraded for handicap requirements; possibly \$5,000.

The staff is investigating the possibility of building a ground floor addition for the board room, which would include new restrooms. A ground floor addition might better meet both fire code and handicap requirements, as well as save money.

Reichlinger made the motion (Motion #25) to direct the staff to proceed with the study of the options to meet the fire code and handicap requirements. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: None

PROJECT O & M - YORK GROUNDWATER RECHARGE PROJECT:

Some drainage work on the park access road, including installation of two culverts, erosion repair in both the emergency spillway and principal spillway outlet channel, and final grading around the treatment plant is needed. Chuck Kaiser, a local contractor, has given an estimate to perform the work. The dedication is May 3.

Burke made the motion (Motion #26) to hire Chuck Kaiser of York to do maintenance repair work at the York Groundwater Recharge Demonstration Project, as specified, for an estimated cost of

Board of Director's Meeting

\$4,310. Seconded by Obermier. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier,
Oswald, Regier, Reichlinger, Sedlak, Volkmer, Dickinson

NAY: Siebert

ABSENT: Moore

FINANCIAL STATEMENT:

Volkmer made the motion (Motion #27) to approve the financial statement and budget report as of February 28, 1991; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Hermansen, Jackson, Obermier,
Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Moore

Meeting adjourned at 11:07 p.m.

Louis Oswald, Secretary

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MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
FEBRUARY 21, 1991

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 1:30 p.m.

PRESENT:

Doug Dickinson, Chairman

Ed Ediger, Director

Jim Jackson, Director

Perry Reichlinger, Director

Nancy Davis, Staff

Ken Feather, Staff

Kent Norquest, Geneva SCS

Donna Rhoades, York News-Times

Bruce Anderson, Director

Lance Hermansen, Director

Kenneth Regier, Director

John Turnbull, General Manager

Prudence Sadler, Staff

Louis Oswald, Secretary

Wayne Hansen, Director

Norman Obermier, Director

Merlin Volkmer, Director

Jay Bitner, Staff

Bill Gilliam, LDC, York SCS

Dennis Schroeder, Aurora SCS

Raymond Burke, Vice Chairman

Cal Goding, Director

Larry Moore, Director

Roger Siebert, Director

Rod DeBuhr, Staff

ROLL CALL:

15 board members were present at the meeting, with Ediger arriving following roll call. Ehlers and Sedlak were absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published February 11, 1991 in the York News Times. A current agenda is kept on file for public inspection.

MINUTES OF JANUARY BOARD MEETING:

Volkmer made the motion (Motion #1) to approve the minutes of the January 17, 1991 board of directors meeting, as distributed. Seconded by Anderson. Question called. Motion carried.

A YE: Anderson, Burke, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ediger, Ehlers, Sedlak

MARCH BOARD OF DIRECTORS MEETING:

Volkmer made the motion (Motion #2) to change the time of the March board of directors meeting from 1:30 p.m. to 8:00 p.m. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer

NAY: None

ABSTAIN: Dickinson

ABSENT: Ehlers, Sedlak

PROJECTS COMMITTEE MEETING REPORT:

Obermier gave a report on the Projects Committee meeting held February 11, 1991 and reviewed the committee report as distributed.

LAND TREATMENT - NSWCP FUNDS - NEW APPLICATIONS:

Obermier made the motion (Motion #3) that the board of directors approve eight new applications, as submitted and reviewed, as eligible for NSWCP funds. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ehlers, Sedlak

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Obermier made the motion (Motion #4) that the board of directors authorize payment of \$6,784.96 on four NSWCP applications, as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ehlers, Sedlak

YORK GROUND WATER RECHARGE PROJECT - PHASE 1:

Obermier made the motion (Motion #5) that the board of directors authorize final payment of \$30,971.79 to Schwisow Enterprises, Inc. for work on Phase 1, dam and spreading basins, of the York Ground Water Recharge Project. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ehlers, Sedlak

YORK GROUND WATER RECHARGE PROJECT - PHASES 4 & 5 PIPELINES:

Obermier made the motion (Motion #6) that the board of directors authorize final payment of

\$13,469.57, which includes retainage, to Omni Construction Company for work completed on Phases 4 and 5, pipelines and water distribution systems, of the York Ground Water Recharge Project. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ehlers, Sedlak

YORK GROUND WATER RECHARGE PROJECT - PHASE 4 ELECTRICAL:

Obermier made the motion (Motion #7) that the board of directors authorize payment of \$5,260.00 to Lundy Electric Company for installing electrical service to the water distribution system of the York Ground Water Recharge Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ehlers, Sedlak

YORK GROUND WATER RECHARGE PROJECT - PHASE 4 BUILDING:

Obermier made the motion (Motion #8) that the board of directors authorize final payment of \$5,185.38, which includes retainage, to Stuhr Sales and Service for construction of the water treatment plant building at the York Ground Water Recharge Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ehlers, Sedlak

YORK GROUND WATER RECHARGE PROJECT - PHASE 4 ELECTRICAL:

Obermier made the motion (Motion # 9) that R.A. Mullendore Consultants be paid \$1,724.03 for electrical engineering services on the water treatment plant at the York Ground Water Recharge Project. Seconded by Hermansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ehlers, Sedlak

PLUM CREEK FLOOD CONTROL STUDY - SEWARD:

Obermier made the motion (Motion #10) that the board of directors make final payment of \$7,046.90 to Olsson and Associates for work completed on the Plum Creek Flood Control Screening Study. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier,

Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Ehlers, Sedlak

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT:

Hansen gave a report on the Budget, Planning & Legislative Committee meeting held February 11, 1991 and reviewed the committee report as distributed.

PLATTE RIVER WATER RIGHT CASES:

The board discussed the many applications filed by various parties and their impact on Landmark. The Landmark biological opinion hearing date is March 25, 1991.

Hansen made the motion (Motion #11) to approve hiring Jerry Kenny and Boyle Engineering on an hourly basis to prepare biological opinion hydrology and testify to the same. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Ehlers, Sedlak

EXECUTIVE COMMITTEE MEETING REPORT:

Burke gave a report on the Executive Committee meeting held February 11, 1991 and reviewed the committee report as distributed.

ATTORNEY FEES:

Burke made the motion (Motion #12) to approve payment of \$3,681.35 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through January 20, 1991. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Ehlers, Sedlak

LPNNRD BILLING FOR CLERICAL SALARY REIMBURSEMENT:

Burke made the motion (Motion #13) to approve payment of \$2,524.90 to the Lower Platte North NRD for our share of the Butler County SCS clerk's salary from July 1, 1990 to December 31, 1990. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Ehlers, Sedlak

COMMITTEE ASSIGNMENTS:

Burke made the motion (Motion #14) to approve the Upper Big Blue NRD Committee Assignments for 1991-92 as submitted and reviewed. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ehlers, Sedlak

WASHINGTON, D.C. TRAVEL:

Burke made the motion (Motion #15) to reimburse Bruce Anderson for mileage expenses equivalent to the NARD group round trip airfare of \$224.00 to Washington, D.C. for the April NARD lobbying trip. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

PASS: Anderson, Obermier

ABSENT: Ehlers, Sedlak

WATER COMMITTEE MEETING REPORT:

Ediger gave a report on the Water Committee meeting held February 12, 1991 and reviewed the committee report as distributed.

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education & Parks Committee meeting held February 12, 1991 and reviewed the committee report as distributed.

ENVIRONMENTAL CONFERENCE FOR NEBRASKA - MARCH 4, 1991:

The Nebraska Association of Resources Districts has asked the NRD's to sponsor registration scholarships for teachers from each district to attend this conference. Jim Landon, biology teacher as Seward High, will attend and has been asked to describe some of his environmental education projects.

Oswald made the motion (Motion #16) that the Upper Big Blue NRD pay the cost of registration (\$25.00) for Jim Landon to attend the Environmental Education Conference of Nebraska. Seconded by Hermansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ehlers, Sedlak

WILDLIFE HABITAT PROGRAM - PAYMENT TO COOPERATORS:

Oswald made the motion(Motion #17) that the Upper Big Blue NRD make payment of \$5,815.00 to the cooperators in the wildlife program for the month of February, as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Siebert, Volkmer

NAY: Reichlinger, Dickinson

ABSENT: Ehlers, Sedlak

NEW WILDLIFE HABITAT IMPROVEMENT PROGRAM CONTRACTS:

Oswald made the motion (Motion #18) that the Upper Big Blue NRD board of directors accept the new Wildlife Habitat Improvement Programs applications, as submitted and reviewed. Seconded by Jackson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Siebert, Volkmer

NAY: Reichlinger, Dickinson

ABSENT: Ehlers, Sedlak

FINANCIAL STATEMENT:

Volkmer made the motion (Motion #19) to approve the financial statement and budget report as of January 31, 1991; to make payment of the accounts payable and approve the expenditures, for publication. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Hermansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Ehlers, Sedlak

Meeting adjourned at 3:17 p.m.

Louis Oswald, Secretary

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Attachment

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 17, 1991

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 1:30 p.m.

PRESENT:

Doug Dickinson, Chairman	Louis Oswald, Secretary
Bruce Anderson, Director	Cal Goding, Director
Jim Jackson, Director	Norman Obermier, Director
Ron Sedlak, Director	Merlin Volkmer, Director
Nancy Davis, Staff	Rod DeBuhr, Staff
Prudence Sadler, Staff	Roy M. Cast, Beaver Crossing
Ray Gard, Seward Co. GWCD	Jim Hutchinson, Aurora SCS
Kent Norquest, Geneva SCS	Lyle Fangmann, IAMS Co.
Curt Friesen, Aurora	Rod Rudebusch, Aurora Dev. Corp.
Raymond Burke, Vice Chairman	Bob Ehlers, Treasurer
Ed Ediger, Director	Wayne Hansen, Director
Larry Moore, Director	Perry Reichlinger, Director
Roger Siebert, Director	John Turnbull, General Manager
Ken Feather, Staff	Jay Bitner, Staff
Mark Nannen, Blue River Assn.	J.D. Hirschfeld, Benedict
Wm. Gilliam, York SCS	Dennis Schroeder, Aurora SCS
Jack Potts, Aurora Dev. Corp.	Tom Kell, IAMS Co.
Connie Tvrdy, Seward SCS	Donna Rhoades, York News-Times

ROLL CALL:

15 board members were present at the meeting, with Volkmer arriving following roll call. Hermansen and Regier were absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published January 7, 1991 in the York News-Times. A current agenda is kept on file for public inspection.

OATH OF OFFICE:

Chairman Dickinson noted for the record that the oath of office had been administered to all newly elected board members prior to the board meeting.

MINUTES OF PUBLIC HEARING:

Ehlers made the motion (Motion #1) to approve the minutes of the December 20, 1990 public hearing as distributed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Regier, Volkmer

MINUTES OF DECEMBER BOARD MEETING:

Ediger noted that an error had been made in the transcribing of the minutes of the December 20, 1990 board meeting. Motion #21 read as follows: "Reichlinger amended the motion to make the motion (Motion #21) to limit the number of models to one per school district. Seconded by Anderson. Question called on the amendment. Amendment carried." The minutes should have read that the amendment failed. Ediger asked that the minutes be corrected.

Obermier made the motion (Motion #2) to approve the minutes of the December 20, 1990 board of directors meeting as corrected. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Dickinson

NAY: None

ABSENT: Hermansen, Regier, Volkmer

NOMINATING COMMITTEE:

A nominating committee, comprised of past board chairmen, submitted the following list of nominees for board officers. The board was advised that nominations from the floor would be accepted.

Office of Chairman	Dickinson
Office of Vice Chairman	Burke & Reichlinger
Office of Secretary	Oswald & Moore
Office of Treasurer	Ehlers & Regier

ELECTION OF BOARD OFFICERS:

Chairman Dickinson turned the chair over to Vice Chairman, Ray Burke during the election of board chairman. Vice Chairman Burke appointed staff members Jay Bitner and Ken Feather to distribute and count the ballots.

ELECTION OF BOARD CHAIRMAN:

The nominating committee's candidate for chairman was Dickinson. Hansen nominated Merlin Volkmer for chairman. There being no further nominations made the motion (Motion #3) that nominations for chairman cease and that voting for all offices be done by secret ballot. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

Ballots were cast; the results were Dickinson 10 - Volkmer 4. Doug Dickinson will serve as chairman for a period of one year. Obermier made the motion (Motion #4) to accept the nominating committee's recommendations for the offices of vice chairman, secretary and treasurer. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

ELECTION OF VICE CHAIRMAN:

No nominations were received from the floor. Ballots were cast; the results were Burke 9 - Reichlinger 5. Ray Burke will serve as vice chairman for a period of one year.

ELECTION OF SECRETARY:

No nominations were received from the floor. Ballots were cast; the results were Oswald 10 - Moore 4. Buzz Oswald will serve as secretary for a period of one year.

ELECTION OF TREASURER:

No nominations were received from the floor. Ballots were cast; the results were 10 - Regier 4. Bob will serve as treasurer for a period of one year.

APRIL BOARD OF DIRECTORS MEETING:

Turnbull advised the board of the regularly scheduled April board meeting would fall during the annual NARD Washington, D.C. lobbying trip.

Anderson made the motion (Motion #5) to move the April board of directors meeting back one week to the 28th at 8:00 p.m. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

1991 NARD REPRESENTATIVES:

Hansen made the motion (Motion #6) to appoint Larry Moore as the NARD Representative and Voting Delegate and Bob Ehlers as the NARD Alternate and Voting Alternate for 1991. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Reichlinger,

Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSTAIN: Ehlers, Moore
ABSENT: Hermansen, Regier

HASTINGS NORTHWEST EMERGENCY PREPAREDNESS PLAN:

Rod distributed a copy of a resolution to all the board members present. He explained that this was the same resolution approved by the board in 1988. However, the City of Hastings and Adams County failed to ratify the Hastings Northwest Emergency Preparedness plan due to some disagreements over the carrying out of various responsibilities covered by the plan. Rod has been advised by the civil defense director that the city and county have now reached an agreement over areas of responsibility and are ready to approve the plan, however, they are concerned that the NRD signature is over two years old and have asked that the Upper Big Blue NRD Board ratify their approval of the plan.

RESOLUTION

WHEREAS, the Upper Big Blue Natural Resources District is charged with the prevention of damages from flood water and sediment, flood prevention and control, and water supply for any beneficial uses, and

WHEREAS, Hastings Northwest Flood Control Structure was constructed for these purposes, and

WHEREAS, the District wishes to provide adequate protection for the residents of the City of Hastings in the unlikely event of a dam failure, and

WHEREAS, State and Federal Law requires the preparation of an Emergency Preparedness Plan.

NOW THEREFORE BE IT RESOLVED, that in order to provide a coordinated effort and response to an emergency situation at the Hastings Northwest Flood Control Structure the Upper Big Blue Natural Resources District deems it advisable and in the best interest of the District to approve said Emergency Preparedness Plan.

Volkmer made the motion (Motion #7) to ratify approval of the Emergency Preparedness Plan for the Hastings Northwest Flood Control Structure and approve the resolution as stated. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Regier

PROJECTS COMMITTEE MEETING REPORT:

Obermier gave a report on the Projects Committee meeting held January 7, 1991 and reviewed the

committee report as distributed.

LAND TREATMENT - NSWCP FUNDS - NEW APPLICATIONS:

Obermier made the motion (Motion #8) that the board of directors approve nine new applications, as submitted and reviewed, as eligible for NSWCP funds. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

LAND TREATMENT - NSWCP FUNDS - PAYMENTS:

Obermier made the motion (Motion #9) that the board of directors authorize payment of \$24,392.02 on nine NSWCP applications, as submitted and reviewed. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

YORK GROUNDWATER RECHARGE PROJECT - PROGRESS PAYMENT:

Obermier made the motion (Motion #10) that the board of directors authorize payment of \$20,178.00, \$1,743.80 of which is to be held as retainage, to Omni Construction Company for work completed in December 1990 on Phase 4, Distribution System, and Phase 5, Pipeline from York Cold Storage, and further that \$16,352.277 be paid from previously held retainage on Phase 5 of Project 2-10-3W, York Groundwater Recharge Project. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

Obermier made the motion (Motion #11) that the board of directors authorize payment of \$8,098.05, \$809.81 of which is to be held as retainage, to Stuhr Sales and Service for work completed in December 1990 on Phase 4, Water Treatment Plant Building, on Project 2-10-3W, York Groundwater Recharge Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

PLUM CREEK FLOOD CONTROL SCREENING STUDY - SEWARD:

Obermier made the motion (Motion #12) that Olsson and Associates be paid \$5,317.19 for work completed during December 1990 on the Plum Creek Flood Control Screening Study. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Regier

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT:

Hansen gave a report on the Budget, Planning and Legislative Committee meeting held January 8, 1991 and reviewed the committee report as distributed.

GROUND WATER CONSERVATION DISTRICT - EXTENSION OF TIME:

The current statute states that the Ground Water Conservation Districts in Nebraska are to cease operation 90 days after January 1, 1992. Hansen made the motion (Motion #13) to support the Ground Water Conservation Districts' efforts to get a five-year extension of time through the legislature, and to present testimony at the legislative hearing. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Sedlak, Siebert, Volkmer, Dickinson
NAY: Ediger, Oswald, Reichlinger
ABSENT: Hermansen, Regier

WATER COMMITTEE MEETING REPORT:

Moore gave a report on the Water Committee meeting held January 8, 1991 and reviewed the committee report as distributed.

IAMS COMPANY WELL SPACING VARIANCE REQUEST:

Several months ago IAMS Company requested a variance to operate an industrial well (two wells in a series) at a rate exceeding 100 gpm. These wells are currently operated on an alternate basis at a rate less than 100 gpm. CF Industries owns two wells that are less than 1,000 feet from IAMS wells. As long as IAMS' wells were operated at less than 100 gpm, the District's 1,000 foot spacing does not apply.

On January 7, 1991, the NRD received a letter from CF Industries regarding IAMS' request. CF Industries' letter states the following: "...Although at this time CF Industries does not foresee any difficulty in granting IAMS such a variance, CF cannot project the effects of IAMS' water consumption on the aquifer and CF's operations. Therefore, CF reserves the right to petition to the Water District Manager for remedial steps should the water supply change, thereby disrupting the operations of the Aurora Terminal."

Tom Kell, IAMS Company plant manager, told the board that the primary reason for requesting the

variance was to allow future plant growth. The company anticipates that by 1993 they will need to increase the output of the Aurora facility by 30 percent.

They also feel there is the possibility of further expansion at this location to produce another pet food product line, which is presently being produced in the states of Minnesota and Indiana. Due to the availability of resources they feel it would be more economical to produce it here in Nebraska. He also stated that the process for producing this new line would not use a lot of water. He stated that he felt the requested variance to pump up to 200 gpm, if granted, would meet their needs for the foreseeable future.

There was considerable discussion on the matter, by both those who favored granting the variance and those who were opposed.

Moore made the motion (Motion #14) to grant IAMS Company a well spacing variance to operate its well (a series of 2) at a rate not to exceed 200 gallons per minute. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Oswald, Sedlak, Siebert, Volkmer, Dickinson
NAY: Jackson, Moore, Obermier, Reichlinger
PASS: Anderson
ABSENT: Hermansen, Regier

DEEP NITRATE SOIL SAMPLING:

Moore made the motion (Motion #15) to pay Geotechnical Services \$6,672 for deep soil sampling work completed in November and December of 1990. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Regier

NEBRASKA WELL DRILLER ASSOCIATION DUES:

Moore made the motion (Motion #16) to pay 1991 Nebraska Well Drillers Association associate dues of \$100. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson
NAY: None
ABSENT: Hermansen, Regier

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education & Parks Committee meeting held January 7, 1991 and reviewed the committee report as distributed.

OUTDOOR CLASSROOM ASSISTANCE REQUEST:

The Seward High School Ecology Club has requested assistance in purchasing shrubs for a nature study area that they are developing on the Izaak Walton League's land south of Seward. They are planning to plant 600 new trees and shrubs this spring and are requesting 300 shrub seedlings from the NRD's Clarke-McNary seedling program. The cost of the seedlings is \$114.

Oswald made the motion (Motion #17) that the Upper Big Blue NRD donate 300 shrub seedlings to the Seward High Ecology Club for use on the nature study area that they are developing on the Seward Izaak Walton League's land. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

1991 SOIL & WATER STEWARDSHIP WEEK:

Oswald made the motion (Motion #18) that the Upper Big Blue NRD supply bulletin covers - or bulletin inserts to interested churches, as it has in the past. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

BENEDICT SCHOOL DISTRICT - BASEBALL FIELD RENOVATION:

Oswald made the motion (Motion #19) that the Upper Big Blue NRD make payment of \$626.09 to the Benedict School District for the renovation work completed on the baseball field. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

GENEVA PARK:

Oswald made the motion (Motion #20) that the Upper Big Blue NRD make a partial payment of \$1,581.03 to the City of Geneva for the work completed on the Geneva Park. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

EXECUTIVE COMMITTEE MEETING REPORT:

Burke gave a report on the Executive Committee meeting held January 8, 1991 and reviewed the committee report as distributed.

4TH QUARTER PER DIEM AND EXPENSES:

Burke made the motion (Motion #21) to approve payment of 4th quarter director's per them of \$3,505 and expenses of \$2,147.23. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

ATTORNEY FEES:

Burke made the motion (Motion #22) to approve payment of \$1,637.36 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through December 20, 1990. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS DUES:

Burke made the motion (Motion#23) to approve payment of \$550.00 for the 1991 NACD dues. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

GENERAL MANAGER - LEAVE OF ABSENCE FOR MILITARY DUTY:

The General Manager, as a member of the Nebraska National Guard, may be ordered to active duty with the U.S. Army in response to the current Mid East situation. If he is ordered to active duty he is entitled, under the law, to a leave of absence without loss of pay during the first 15 work days of such leave of absence. (Nebraska statute 55-161) The district is not required by Law to make any additional or other salary payments during a military leave of absence.

Burke made the motion (Motion #24) that the General Manager's gross compensation remain the same if he is called to active duty for the military. Seconded by Anderson.

Moore advised the board that he had requested an opinion from the district's legal counsel as to the legality of such action on the part of the district. There is some confusion about how to interpret the statutes relating to this matter. Legal counsel is still reviewing the matter. Reichlinger made the motion (Motion #25) to refer the matter back to the Executive Committee. Seconded by Moore.

Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

FINANCIAL STATEMENT:

Volkmer made the motion (Motion #26) to approve the financial statement and budget report as of December 31, 1990; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Hermansen, Regier

Meeting adjourned at 4:02 p.m.

Louis Oswald, Secretary

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MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
DECEMBER 17, 1992

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Larry Moore in the NRD Administrative Office Building, 105 Lincoln Avenue, York Nebraska at 1:30 p.m.

PRESENT

Larry Moore, Chairman
Norman Obermier, Treasurer
Bruce Anderson, Director
Douglas Dickinson, Director
Bob Ehlers, Director
Wayne Hansen, Director
Perry Reichlinger, Director
Roger Siebert, Director
John Turnbull, Manager
Jay Bitner, Staff
Rod DeBuhr, Staff
Yvonne Austin, Staplehurst
Roland R. Schulz, Beaver Crossing

Jim Jackson, Secretary
Ardean Andersen, Director
Raymond Burke, Director
Ed Ediger, Director
Cal Goding, Director
Kenneth Regier, Director
Ron Sedlak, Director
Merlin Volkmer, Director
Nancy Schneider, Staff
Prudence Sadler, Staff
Ken Feather, Staff
Steve Buller, York
Kent Norquest, Geneva SCS

ROLL CALL

15 directors were present during roll call. Siebert arrived following the approval of the minutes and Oswald was absent.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published December 7, 1992 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

MINUTES OF THE NOVEMBER BOARD MEETING

Goding asked that the minutes be corrected to reflect that he abstained from voting during Motion #15 and did not vote nay, as stated in the minutes.

Ediger noted a typographical error in the discussion of the draft water quality study proposal for the York Groundwater Recharge Demonstration Project. The third sentence in that paragraph should read "The total cost of the three-year study is \$717,000." One zero was inadvertently omitted when stating the cost in the November minutes.

Burke made the motion (Motion #1) to approve the minutes of the November 19, 1992 board of directors meeting, as corrected. Seconded by Regier. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Oswald, Siebert

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held December 7, 1992 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS

Regier made the motion (Motion #2) that five new applications for NSWCP funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Ediger. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Oswald

LAND TREATMENT PROGRAM - NSWCP FUNDS - PAYMENTS

Regier made the motion (Motion #3) that payment of NSWCP land treatment funds be made in the amount of \$18,149.87 for seven applications reviewed by the committee. Seconded by Burke.

Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Oswald

WATER COMMITTEE MEETING REPORT

Reichlinger gave a report on the Water Committee meeting held December 10, 1992 and reviewed the committee report as distributed.

NEBRASKA DEPARTMENT OF HEALTH LABORATORY BILL

The district received an invoice from Nebraska Department of Health Laboratories for \$10,834.78 for conducting water analysis of samples from both the Recharge Project and domestic wells. Of the \$10,834.78, the district will be reimbursed \$7,527.82 from the Bureau of Reclamation and \$332.50 from the Blue River Association.

Reichlinger made the motion (Motion #4) that the district pay the Nebraska Department of Health Laboratories \$10,834.78 for water analysis conducted during 1992. Seconded by Anderson.

Question

called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Oswald

UNL WATER SCIENCES LABORATORY BILLING

Reichlinger made the motion (Motion #5) that the district pay the UNL Water Sciences Laboratory \$1,182.90 for water analysis conducted in November 1992 for the York Groundwater Recharge Demonstration Project. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Oswald

WATER SPECIALTIES FLOW METERS

Water Specialties has requested that their LP-41 and LP-51 flow meter be approved for use in the Upper Big Blue NRD. The meters meet the district's specifications, except that information on low range temperatures (minus 40 degrees Fahrenheit) was not included in the company's specifications.

Reichlinger made the motion (Motion #6) to approve the use of Water Specialties LP-41 and LP-51 flow meters, subject to written documentation from Water Specialties that the meters can meet the minus 40 degrees Fahrenheit standards. Seconded by Dickinson.

Rod informed the board that following the Water Committee meeting on December 10, 1992 he received information verifying that the meters do meet the low range temperature standards. Question called on the motion. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Oswald

EXECUTIVE COMMITTEE MEETING REPORT

Obermier gave a report on the Executive Committee meeting held December 10, 1992 and reviewed the committee report as distributed.

APPROVAL TO REQUEST BIDS ON PICKUP

The 1987 Chevy 3/4 ton pickup, used for tree planting, needs to be replaced. Funds for the replacement vehicle are in the current budget.

Obermier made the motion (Motion #7) to advertise for bids for a 1993 3/4 ton heavy duty pickup truck with trailer towing package and heavy duty suspension. The bids are to include trade-in of the 1987 Chevy 3/4 ton pickup. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Oswald

OPERATING POLICIES

The Executive Committee has about one-half of the operating policies completed. The completed sections (1-17) are basically a consolidation of the existing bylaws and operating practices approved by the board over the years. A few sections have been added by the Executive Committee.

The balance of the operating policies will deal with financial management, property management, as well as other matters.

Obermier made the motion (Motion #8) that the board of directors adopt operating policies one through 17. Seconded by Burke.

Ehlers amended the motion to make the motion (Motion #9) to make the following changes to Operating Policy No. 3:

- A. No change.
- B. The General Manager shall publish a notice of the vacancy which shall contain a request that persons interested in filling the vacated position shall submit a letter of application, stating at a minimum their place of residence and that they are in fact registered to vote, to the Board Chairman.

- C. No change.
- D. After letters of application have been received, the Executive Committee shall review them and forward all the applications of those meeting the statutory qualifications to the board.
- E. Eliminate.
- F. Renumber as 5 - no content change.

Seconded by Goding.

Considerable discussion ensued regarding what role the Executive Committee should play in the selection of potential candidates for a board vacancy, as well as what information should or should not be requested from those applying for the vacated position.

Regier made the motion (Motion #10) to refer Operating Policy No. 3 back to the Executive Committee. Seconded by Reichlinger. Question called on the motion to refer back to committee. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Oswald

Reichlinger amended the motion to make the motion (Motion #11) that 2,A,2 of Operating Policy No. 5 read as follows:

- 3. Per Diem is allowed for all district related activities, but not limited to:
 - (a) Regular monthly board and special meetings
 - (b) Committee meetings
 - © Conferences, conventions, meetings, and tours
 - D. State, regional, or national committees, associations, advisory boards, etc., when directors are appointed or approved by the District Board to serve on the same
 - E. District-sponsored activities and programs where Directors are involved or are assisting with the same
 - F. One travel day, each way, on out of District business regardless of mode of travel.

Seconded by Hansen. Question called on the amendment. Amendment carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Oswald

Volkmer amended the motion to make the motion (Motion #12) to strike 2, A and B from Operating

Policy No. 7 to make it read as follows:

- B. From time to time information on other conferences and meetings is received in the District office. The General Manager shall review this information, and inform the Executive Committee whether attendance by Directors would be beneficial to the District.

Seconded by Siebert. Question called on the amendment. Amendment failed.

AYE: Siebert, Volkmer

NAY: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Regier, Reichlinger, Sedlak, Moore

PASS: Andersen, Hansen, Obermier

ABSENT: Oswald

Dickinson amended the motion to make the motion (Motion #13) to insert the phrase "at the district's expense" following 2,A, of Operating Policy No. 7 to make it read as follows:

- B. From time to time information on other conferences and meetings is received in the District office. The General Manager shall review this information, and inform the Executive Committee whether attendance by Directors would be beneficial to the District.
 - A. The Executive Committee will make a determination as to whether Directors may attend the conferences or meetings, at the district's expense.
 - B. After the Board has been informed, and individual Directors have indicated their interest, the Executive Committee shall then decide which Directors may attend. In making this decision, The Executive Committee shall consider whether a certain Director has attended the same conference before, or has recently attended another conference. All requests to attend conferences will be give consideration.

Seconded by Goding. Question called on the amendment. Amendment carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Regier, Reichlinger, Sedlak

NAY: Anderson, Volkmer, Moore

ABSTAIN: Hansen

PASS: Obermier

ABSENT: Oswald, Siebert

Ehlers amended the motion to make the motion (Motion #14) to change 1,B of Operating Policy No. 13 to read as follows:

A Nominating Committee consisting of three current board members shall be appointed by the Chairman of the Board. They shall present a slate of candidates consisting of two names for each position to the Board for consideration in January. An exception to submitting two names for each

position can only be made after refusal of each current member of the Board. Nominations from the floor are also in order.

Seconded by Goding. Question called on the amendment. Amendment carried.

AYE: Andersen, Ediger, Ehlers, Goding, Jackson, Obermier, Sedlak, Volkmer
NAY: Burke, Dickinson, Reichlinger
ABSTAIN: Hansen
PASS: Anderson, Regier, Moore
ABSENT: Oswald, Siebert

Question called on the original motion (Motion #8) as amended. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Regier, Reichlinger, Sedlak, Moore
NAY: None
PASS: Volkmer
ABSENT: Oswald, Siebert

BUDGET COMMITTEE MEETING REPORT

Goding gave a report on the Budget, Planning & Legislative Committee meeting held December 15, 1992 and reviewed the committee report as distributed.

NARD BUILDING FUND The NARD

Building Fund now has \$118,376.33 for the purchase of office space for the Association. The NARD has just leased new office space for three years because the option of purchasing the existing space was too expensive. In order to insure that the fund is used in a reasonable time, for the purchase of an office, a deadline should be set.

Goding made the motion (Motion #15) that the District recommend to the NARD that a deadline of November 30, 1995 be established, by NARD board motion, for that board to decide to purchase office space or return the building funds to the districts. Seconded by Dickinson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Regier, Sedlak, Volkmer
NAY: Hansen, Reichlinger
PASS: Moore
ABSENT: Oswald, Siebert

NARD INFORMATION & EDUCATION BUDGET

The I & E Budget has been approved by the NARD I & E Committee and has been forwarded to the NARD Budget Committee.

Goding made the motion (Motion #16) that the District recommend that the NARD separate the I&E

Budget from the rest of the NARD Budget for the purpose of dues payment; and further that the I&E dues be voluntary. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Regier, Sedlak, Volkmer, Moore

NAY: Anderson

PASS: Reichlinger

ABSENT: Oswald, Siebert

NARD RESOLUTIONS

Late resolutions are becoming a problem at the fall conferences. Several were not successful this year, even though much time was taken up discussing them on the floor.

Goding made the motion (Motion #17) that the district recommend to the NARD that; 1) July 1 remain the deadline for submittal of resolutions to the NARD; 2) that any resolutions submitted after July 1 be sponsored by one-third of the districts at the time of submittal; and 3) that a two-thirds vote of the membership still be required to consider the resolution at the conference. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Oswald, Siebert

FINANCIAL STATEMENT

Volkmer made the motion (Motion #18) to approve the financial statement and budget report as of November 30, 1992; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Goding, Hansen, Jackson, Obermier, Regier, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Dickinson, Ehlers, Oswald, Reichlinger, Siebert

Meeting adjourned at 5:00 p.m.

James K. Jackson, Secretary

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MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
NOVEMBER 19, 1992

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Larry Moore in the NRD Administrative Office Building, 105 Lincoln Avenue, York Nebraska at 1:30 p.m.

PRESENT

Larry Moore, Chairman	Louis Oswald, Vice Chairman
Jim Jackson, Secretary	Norman Obermier, Treasurer
Ardean Andersen, Director	Bruce Anderson, Director
Raymond Burke, Director	Douglas Dickinson, Director
Ed Ediger, Director	Bob Ehlers, Director
Cal Goding, Director	Wayne Hansen, Director
Kenneth Regier, Director	Perry Reichlinger, Director
Ron Sedlak, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Jay Bitner, Staff	Prudence Sadler, Staff
Rod DeBuhr, Staff	Ken Feather, Staff
Yvonne Austin, Staplehurst	Roland Schulz, Beaver Crossing
Dick Hayes, Clay Center	Connie Tvrdy, Seward
Kristi Schleif, Osceola	Tom Schleif, David City
Ken Franzen, Hastings	Roger Houdersheldt, Shelby
Kent Norquest, Geneva	Dennis Schroeder, Aurora
Steve Buller, York	Sylvan Tesar
Mark Nannen, Blue River Assn. of GWCD's	

ROLL CALL

16 directors were present during roll call. Siebert was absent.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published November 9, 1992 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE OCTOBER BOARD MEETING

Volkmer made the motion (Motion #1) to approve the minutes of the October 15, 1992 board of directors meeting as distributed. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None
ABSENT: Siebert

PROJECTS COMMITTEE MEETING REPORT

Hansen gave a report on the Projects Committee meeting held November 9, 1992 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUNDS - PAYMENTS

Hansen made the motion (Motion #2) that payment of NRD land treatment funds be made in the amount of \$1,711.13 for two applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore
NAY: None
ABSENT: Siebert

LAND TREATMENT PROGRAM - NRD FUNDS - NEW APPLICATIONS

Hansen made the motion (Motion #3) that two new applications for NRD funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore
NAY: None
ABSENT: Siebert

LAND TREATMENT PROGRAM - NSWCP FUNDS - PAYMENTS

Hansen made the motion (Motion #4) that payment of NSWCP land treatment funds be made in the amount of \$17,526.61 for 12 applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore
NAY: None
ABSENT: Siebert

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS

Hansen made the motion (Motion #5) that eight new applications for NSWCP funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore
NAY: None

Board of Director's Meeting

ABSENT: Siebert

SMALL DAMS PROGRAM - NEW APPLICATIONS

Applications for small dam construction have been received from Roger Pittard in Fillmore County and Maurice Salmen in York County. The Pittard dam would be located 1 mile north and 1 ½ miles west of Geneva; the drainage area is 56 acres and conservation storage is 3 acre feet. The Salmen dam would be located in York County and would be located 3 miles west and I mile north of Lushton; the drainage area is 323 acres and conservation storage is 18 acre feet. Both dams would be conventional earth fill with three to one side slopes and would have either corrugated steel or PVC outlets.

Hansen made the motion (Motion #6) that the small dams program application from Roger Pittard, reviewed by the committee, be approved as eligible for cost-share. Seconded by Burke. There was concern expressed by some of the board members about the amount of benefit derived from the Pittard structure. They felt the cost per acre foot of storage was too high.

Bitner reminded the board that the small dams policy does not state that there will be any benefit to cost analysis done. If the project falls under the \$37,500 limit, is not a high hazard structure, and is within the program guidelines then the application is brought to the board for approval. The two applications being considered meet the guidelines of the small dams program.

Hansen told the board that if they did not like the small dams program policy then they should change the policy, but for the present, he felt that the board should act based on the existing policy. Question called on the motion. Motion carried.

AYE: Anderson, Burke, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore
NAY: Andersen, Dickinson, Ehlers
ABSENT: Siebert

Hansen made the motion (Motion #7) that the small dams program application from Maurice Salmen, reviewed by the committee, be approved as eligible for cost-share. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore
NAY: Dickinson
ABSENT: Siebert

Volkmer made the motion (Motion #8) to not approve any more small dam applications until the program has been reviewed by the board. Seconded by Ehlers. Question called. Motion failed.

AYE: Andersen, Dickinson, Ehlers, Volkmer, Moore
NAY: Anderson, Burke, Ediger, Goding, Hansen, Jackson, Oswald, Regier, Reichlinger, Sedlak
PASS: Obermier
ABSENT: Siebert

EDUCATION AND PARKS COMMITTEE REPORT

Oswald gave a report on the Education & Parks Committee meeting held November 10, 1992 and reviewed the committee report as distributed.

RECHARGE LAKE RECREATION FACILITIES

The district's grant applications to the Nebraska Recreation and Park Association for Pioneer Trails and Recharge Lake were not funded. The association did encourage us to apply again next year.

The York High School industrial arts class is willing to provide labor for the vault-type, handicapped accessible outhouse at the Recharge Lake, if the district will provide the materials and design. A preliminary estimate of materials and installation costs is \$6,000.

Oswald made the motion (Motion #9) that the district request a cost estimate from the York High School industrial arts class for construction of a vault-type, handicapped accessible outhouse for the Recharge Lake Recreation Area. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore
NAY: None
ABSENT: Siebert

NOVEMBER WILDLIFE HABITAT CONTRACTS

Oswald made the motion (Motion #10) that the Upper Big Blue NRD Board of Directors approve payment of \$3,921.50 to the cooperators in the Wildlife Habitat Improvement Program for the month of November as reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Goding, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore
NAY: Dickinson, Ediger, Ehlers, Hansen
ABSENT: Siebert

NEW WILDLIFE HABITAT CONTRACTS

Oswald made the motion (Motion #11) that the Upper Big Blue Natural Resources District Board of Directors accept the new Wildlife Habitat improvement Program applications for the amount of \$2,292.50 as reviewed by the committee. Seconded by Anderson.

After some discussion on the merits of the Wildlife Habitat Improvement Program, and the various applications, Reichlinger amended the motion to make the motion (Motion #12) to reject contracts number 7 (Central Agency, Inc. - Jay L. Dunlap) and number 8 (M. Carol Brozovsky). Seconded by Goding. Question called on the amendment. Amendment failed.

AYE: Obermier, Reichlinger
NAY: Andersen, Anderson, Burke, Dickinson, Ehlers, Goding, Hansen, Jackson, Oswald, Regier, Sedlak, Volkmer, Moore
PASS: Ediger

ABSENT: Siebert

Question called on the original motion. Motion failed.

AYE: Andersen, Anderson, Burke, Jackson, Oswald, Sedlak, Volkmer, Moore

NAY: Dickinson, Ediger, Ehlers, Goding, Hansen, Obermier, Regier, Reichlinger

ABSENT: Siebert

PAYMENT TO OLSSON ASSOCIATES

Oswald made the motion (Motion #13) that the Upper Big Blue Natural Resources District Board of Directors approve the payment of \$15,859.97 for the Regional Landfill Feasibility Study done by Olsson Associates upon receiving the amounts billed to all the counties, cities and villages that participated in the study. Seconded by Burke.

Hansen amended the motion to make the motion (Motion #14) to make payment of \$15,348.35 already collected and the remaining \$511.62 as collected. Seconded by Goding. Question called on the amendment. Amendment carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: Burke

ABSENT: Siebert

Question called on the original motion as amended. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Siebert

JOHNSON CREEK SITE 10

Design work on Johnson Creek Site 10 has been held up because questions about land acquisition have not yet been resolved. FmHA holds a mortgage on the land and needs an appraisal to determine the current value of the property.

Oswald made the motion (Motion #15) that the Upper Big Blue Natural Resources District Board of Directors take the necessary steps to have Farmers Home Administration do an appraisal of the lands pertaining to Johnson Creek Site 10, located in the south one-half of Section 3, Township 8 North, Range 2 East of the 6th P.M. in Saline County, for the purpose of determining the value for the easement or acquisition for said project. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

ABSTAIN: Goding

ABSENT: Siebert

EXECUTIVE COMMITTEE MEETING REPORT

Oswald gave a report on the Executive Committee meeting held November 10, 1992 and reviewed the committee report as distributed.

NARD VOTING DELEGATE AND ALTERNATE

Oswald made the motion (Motion #16) to appoint Bob Ehlers as the NARD voting delegate and Doug Dickinson as the alternate for 1993. Seconded by Sedlak. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Volkmer, Moore

NAY: None

ABSTAIN: Dickinson, Ehlers, Reichlinger

ABSENT: Siebert

NARD CONFERENCE EXPENSES

Oswald made the motion (Motion #17) to approve payment of \$115.00 to Merlin Volkmer for directors' expenses. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Moore

NAY: None

ABSTAIN: Volkmer

ABSENT: Siebert

Reichlinger made the motion (Motion #21) that the district approve the November 1992 York Groundwater Recharge Project Study Proposal. Seconded by Regier. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Siebert

UNL WATER SCIENCE LABORATORY BILLING

Reichlinger made the motion (Motion #22) that the district pay the UNL Water Sciences Laboratory \$1,042.81 for pesticides in water analysis for the York Groundwater Recharge Demonstration Project. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Siebert

AQWACAP APPLICATIONS

Reichlinger made the motion (Motion #23) that nine applications with a total cost-share of \$2,063.50 be given tentative approval. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Siebert

Reichlinger made the motion (Motion #24) that five applications with a total cost-share of \$872.75 be approved for final payment. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Siebert

MONITORING WELL LATE PERMITS

Reichlinger made the motion (Motion #25) that the list of monitoring well late permits submitted and reviewed be approved. Seconded by Dickinson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Ehlers, Siebert

PAYMENT TO NARD FOR JERRY VAP'S NACD EXPENSES

Oswald made the motion (Motion #18) to approve payment of \$522.00 to NARD for Jerry Vap's NACD expenses for FY 93. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Moore

NAY: Volkmer

ABSENT: Siebert

NEW DIRECTORS' SEMINAR Oswald made the motion (Motion #19) to conduct a directors seminar just prior to the NARD directors seminar, for orientation of new directors. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Siebert

SCS ORGANIZATION PROPOSAL

Oswald made the motion (Motion #20) to support the concept of the SCS state conservationist's proposal to reorganize the SCS in Nebraska which is to: eliminate four area offices, assign administration and management responsibilities to 23 SCS managers (now the LDCs) for 23 regions closely aligned with NRD boundaries, increase staff at field office levels, and further; to direct the

district's NARD representative to present this position at the NARD meeting on November 17, 1992. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Siebert

WATER COMMITTEE MEETING REPORT

Reichlinger gave a report on the Water Committee meeting held November 12, 1992 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT

The board reviewed the most recent draft study proposal. The proposal includes four components; Pesticide Management, Pesticide Fate and Transport, Watershed and Aquifer Characterization, and Project Operation. The total cost of the three-year study is \$717,000. The NRD portion is proposed to be \$66,000 spread over three years. If approved by the board, the staff will proceed with negotiations and funding applications with the other study participants.

FINANCIAL STATEMENT

Volkmer made the motion (Motion #26) to approve the financial statement and budget report as of October 31, 1992; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Ehlers, Goding, Siebert

Meeting adjourned at 5:08 p.m.

James K. Jackson, Secretary

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MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
OCTOBER 15, 1992

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Larry Moore in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:05 p.m.

PRESENT

Larry Moore, Chairman	Louis Oswald, Vice Chairman
Jim Jackson, Secretary	Norman Obermier, Treasurer
Ardean Andersen, Director	Bruce Anderson, Director
Ray Burke, Director	Doug Dickinson, Director
Ed Ediger, Director	Bob Ehlers, Director
Cal Goding, Director	Wayne Hansen, Director
Kenneth Regier, Director	Perry Reichlinger, Director
Ron Sedlak, Director	Roger Siebert, Director
Merlin Volkmer, Director	John Turnbull, Manager
Jay Bitner, Staff	Rod DeBuhr, Staff
Prudence Sadler, Staff	Kenneth Feather, Staff
Lori Hoemann, Staff	Steve Buller, York
Stan Morner, Waco	Kent Norquest, Fillmore SCS
Don Andersen, Aurora	Yvonne Austin, Staplehurst
Kelly Harre, York News-Times	

ROLL CALL

All 17 directors were present at the meeting with Ron Sedlak arriving after the approval of the September 17th board minutes.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published October 5, 1992 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE SEPTEMBER BOARD MEETING

Burke made the motion (Motion #1) to approve the minutes of the September 17, 1992 board of directors meeting, as distributed. Seconded by Ehlers. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

WATER COMMITTEE MEETING REPORT

Reichlinger gave a report on the Water Committee meeting held October 6, 1992 and reviewed the committee report as distributed.

DEEP CORE NITRATE SAMPLING

Reichlinger made the motion (Motion #2) to authorize the staff to proceed with 30 feet deep core nitrate sampling. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

CROP CONSULTANT INFORMATION

Reichlinger made the motion (Motion #3) to ask area crop consultants to provide summary information on customer's changes in farming practices related to nutrient management. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

AQWACAP - Tentative Approval

Reichlinger made the motion (Motion #4) that four applications with a total cost-share of \$1,187.00 be given tentative approval. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

AQWACAP - Final Approval

Reichlinger made the motion (Motion #5) that ten applications with a total cost-share of \$2,185.25 be approved for final payment. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

UN-L WATER SCIENCES LABORATORY BILLING

Reichlinger made the motion (Motion #6) that the district pay the UN-L Water Sciences Laboratory \$87.82 for pesticides in water analysis conducted on August 14, 1992 for the York Groundwater Recharge Demonstration Project. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers Goding, Hansen, Jackson,

Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

LATE WELL PERMITS

Reichlinger made the motion (Motion #7) that the following list of monitoring well late permits be approved:

- Farmer's Coop Gas and Oil Co., Utica, NE
 UBB-1-1438 through UBB-1-1444 (7 wells)
- Uncle Neal's Country Convenience Stores,
 Henderson, NE UBB-1-1437 (1 well)
- AMOCO Service Station, York, NE
 UBB-1-1436 (1 well)
- Milford Public Schools, Utica, NE
 UBB-1-1435 (1 well)
- Farmer's Coop, Rising City, NE
 UBB-1-1422 through UBB-1-1434 (13 wells)

Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers Goding, Hansen, Jackson,
 Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

FALL FERTILIZER LETTER

Reichlinger made the motion (Motion #8) to participate with the Little Blue NRD in sending a letter to area fertilizer dealers to encourage them to use the best management practices in considering fall fertilizer application. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers Goding, Hansen, Jackson,
 Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

EXECUTIVE COMMITTEE MEETING REPORT

Oswald gave a report on the Executive Committee meeting held October 7, 1992 and reviewed the committee report as distributed.

ATTORNEY FEES

Oswald made the motion (Motion #9) to approve payment of \$2,030.00 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through September 20, 1992. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers Goding, Hansen, Jackson,

Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

DIRECTORS 3RD QUARTER PER DIEM & EXPENSES

Oswald made the motion (Motion #10) to approve payment for 3rd Quarter Director's Per Diem and Expenses of \$8,900.00 and \$2,481.08. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

NARD BUILDING ASSESSMENT

Oswald made the motion (Motion #11) to pay the FY 93 NARD Building Assessment of \$1,828-40 to the NARD. Seconded by Anderson. Question called. Motion failed.

AYE: None
NAY: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
ABSENT: None

WASHINGTON, D.C. LOBBYING TRIP

Oswald made the motion (Motion #12) to not participate in the March 1993 NARD Washington, D.C. Lobbying Trip. Seconded by Ehlers. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held October 8, 1992 and reviewed the committee report as distributed.

LAND TREATMENT - NSWCP FUNDS NEW APPLICATIONS

Regier made the motion (Motion #13) that 13 new applications for NSWCP funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: Obermier
ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUNDS PAYMENTS

Regier made the motion (Motion #14) that payment of NSWCP Land Treatment funds be made in the amount of \$2,458.21 for three applications reviewed by the committee. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

Anderson made the motion (Motion #15) that payment of NSWCP Land Treatment funds be made in the amount of \$1,685.45 for two applications which were eligible for payment, but not listed on the printout reviewed by the committee. Seconded by Dickinson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

SMALL DAMS PROGRAM - NEW APPLICATION

Regier made the motion (Motion #16) that the Small Dam Program application by Tom Alberts, reviewed by the committee, be approved as eligible for cost-share. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Moore
NAY: Volkmer
ABSENT: None

EDUCATION COMMITTEE MEETING REPORT

Oswald gave a report on the Education Committee meeting held October 9, 1992 and reviewed the committee report as distributed.

VILLAGE OF POLK BALL FIELD

Oswald made the motion (Motion #17) that the Upper Big Blue NRD enter into an agreement with the Village of Polk for the construction and repair work needed on their baseball field in an amount not to exceed \$2,281.89. Seconded by Burke.

Reichlinger amended the motion (Motion #18) that the Upper Big Blue NRD enter into an agreement with the Village of Polk for the construction and improvements needed on their baseball field in an amount not to exceed \$2,281.89. Seconded by Hansen. Question called on the amendment. Amendment carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

Question called on the original motion as amended. Motion carried.

AYE: Andersen, Anderson, Goding, Hansen, Jackson, Obermier, Oswald, Regier,
Reichlinger, Volkmer, Moore

NAY: Burke, Dickinson, Ediger, Ehlers, Sedlak, Siebert

ABSENT: None

GREEN ACRE SERVICES

Oswald made the motion (Motion #19) that the Upper Big Blue NRD make payment of \$476.00 to Green Acre Services for the mowing of Smith Creek and Pioneer Trails Recreation Area through September 30, 1992. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson,
Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: Obermier

ABSENT: None

FINANCIAL STATEMENT

Volkmer made the motion (Motion #20) to approve the financial statement and budget report as of September 30, 1992; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson,
Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

Meeting adjourned at 9:24 p.m.

James K. Jackson, Secretary

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MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
SEPTEMBER 17, 1992

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Larry Moore in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT

Larry Moore, Chairman	Louis Oswald, Vice Chairman
Jim Jackson, Secretary	Norman Obermier, Treasurer
Ardean Andersen, Director	Bruce Anderson, Director
Ray Burke, Director	Doug Dickinson, Director
Ed Ediger, Director	Bob Ehlers, Director
Cal Goding, Director	Wayne Hansen, Director
Kenneth Regier, Director	Perry Reichlinger, Director
Ron Sedlak, Director	Roger Siebert, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Jay Bitner, Staff
Rod DeBuhr, Staff	Ken Feather, Staff
Prudence Sadler, Staff	Steve Buller, York
Yvonne Austin, Staplehurst	Stan Morner, Waco

ROLL CALL

All 17 directors were present at the meeting.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published September 8, 1992 in the York News Times. A current agenda is kept on file for public inspection.

MINUTES OF THE FY93 BUDGET HEARING

Burke made the motion (Motion #1) to approve the minutes of the FY 93 Budget Hearing, as distributed. Seconded by Ediger. Question called. Motion carried.

A YE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

NOT VOTING: Hansen, Regier

ABSENT: None

MINUTES OF THE AUGUST BOARD MEETING

Ediger made the motion (Motion #2) to approve the minutes of the August 20, 1992 board of directors meeting, as distributed. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

NOT VOTING: Hansen, Regier

ABSENT: None

WATER COMMITTEE MEETING REPORT

Reichlinger gave a report on the Water Committee meeting held September 8, 1992 and reviewed the committee report as distributed.

UN-L WATER SCIENCES LABORATORY BILLING

Reichlinger made the motion (Motion #3) to pay the UN-L Water Sciences Laboratory \$739.14 for water analysis conducted for the York Groundwater Recharge Demonstration Project through July 1992. Seconded by Dickinson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

LATE WELL PERMITS

Reichlinger made the motion (Motion #4) to approve eight late permits for monitoring wells for the Farmers Coop of David City and one late permit for Manning Grain Company of Burress (Permits UBB-1-1395 through UBB-1-1402). Seconded by Regier. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

Reichlinger made the motion (Motion #5) to approve late permit UBB-1-1403 for Norma Kohler for a well in Section 21, Township 7 North, Range 2 West, Fillmore County. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

Reichlinger made the motion (Motion #6) to approve late permit UBB1-1404 for Earl Strong for a well in Section 23, Township 11 North, Range 6 West, Hamilton County. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson,

Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

EAST BLUE RIVER WATER STUDY PROPOSAL

The Water Committee reviewed the Corps of Engineers proposal for a study of rural water supply alternatives in the area of the Upper Big Blue NRD east of the Big Blue River in parts of Seward and Butler Counties. The District was notified by letter from the City of Seward that they would support the Corps efforts if the study were conducted, but that they could not contribute to the local share of the study cost. The Village of Bee had earlier expressed interest in the study, however, they have been included in a similar study currently being sponsored by the Lower Platte South NRD. The total study cost would be \$35,250. The local share would be \$10,575; a 70/30 split.

Reichlinger made the motion (Motion #7) that the District not enter into the agreement with the Corps of Engineers for the Rural Water Supply and Distribution Study of the East Blue River Area. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

EXECUTIVE COMMITTEE MEETING REPORT

Oswald gave a report on the Executive Committee meeting held September 8, 1992 and reviewed, the committee report as distributed.

ATTORNEY FEES

Oswald made the motion (Motion #8) to approve payment of \$90.00 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through August 20, 1992. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

OFFICE EQUIPMENT - COMPUTER

A computer purchase has been budgeted for in the FY 93 budget to be funded with eighty percent federal money from the Recharge Project grant. The staff recommends that a new 386 computer be purchased for \$2,399 from Computer Spectrum, Inc. of Aurora. The new 386 is to be dedicated to the Water Department for use principally on the Recharge Project and funded through that, project grant.

Goding inquired about whether or not any other quotes had been sought for price comparison. Staff indicated that no other quotes had been obtained, but that they felt this was a reasonable quote for the equipment needed. Goding requested that in the future at least one other quote be obtained.

Oswald made the motion (Motion #9) that the District purchase a CSI 386/SX 25 computer for \$2,399.00, plus tax, from Computer Spectrum, Inc., Aurora, Nebraska. Seconded by Hanson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: Goding

ABSENT: None

EDUCATION & PARKS COMMITTEE MEETING REPORT

Oswald gave a report on the Education and Parks Committee meeting held September 10, 1992 and reviewed the committee report as distributed.

GRANT APPLICATIONS FOR PIONEER TRAILS AND RECHARGE LAKE RECREATION FACILITIES

There are two grant funds to which the district may apply to receive funds for recreation area improvements. Both require the district to have 50 percent matching funds available. If all the grants are received, the district's total responsibility for matching funds would be \$28,000.

Oswald made the motion (Motion #10) that the district apply for a \$24,000 Land and Water Conservation Fund grant for recreation facilities improvements at Pioneer Trails Recreation area; a \$1,000 Nebraska Recreation and Park Association grant for recreation facilities improvements at Pioneer Trails Recreation Area; a \$1,000 Nebraska Recreation and Park Association grant for recreation facilities improvements at Recharge Lake Recreation Area and that the chairman of the board be authorized to sign all relevant documents needed to process these applications. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Oswald, Regier, Reichlinger, Sedlak, Moore

NAY: Obermier

NOT VOTING: Siebert, Volkmer

ABSENT: None

GREEN ACRE SERVICES

Oswald made the motion (Motion #11) that the Upper Big Blue NRD make payment of \$476.00 to Green Acre Services for the mowing of Smith Creek and Pioneer Trails Recreation Area through August 20, 1992. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None
ABSENT: None

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held September 14, 1992 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUNDS - PAYMENTS

Regier made the motion (Motion #12) that payment of NRD land treatment funds be made in the amount of \$532.90 for one application reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS

Regier made the motion (Motion #13) that 26 new applications for NSWCP funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Moore
NAY: Reichlinger
ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUNDS - PAYMENTS

Regier made the motion (Motion #14) that payment of NSWCP land treatment funds be made in the amount of \$12,941.66 for nine applications reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Moore
NAY: Reichlinger
ABSENT: None

PROJECT 3-13-1E. SURPRISE FLOOD CONTROL DAM

Landowners and sponsors of Project 3-13-1E have requested that the District suspend the project due to lack of local support.

Regier made the motion (Motion #15) that Project 3-13-1E, Surprise Flood Control Dam, be suspended. Seconded by Ediger. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None

Board of Director's Meeting

ABSENT: None

BUDGET COMMITTEE MEETING REPORT

Goding gave a report on the Budget, Planning & Legislative Committee meeting held September 14, 1992 and reviewed the committee report as distributed.

FISCAL YEAR 92 AUDIT

Steve Wiemer, of Romans, Wiemer & Schulz, presented the FY 92 Audit to the Budget Committee at their September 14, 1992 meeting. Copies of the audit were furnished to all other directors for their review.

Goding made the motion (Motion #16) to accept the FY 92 Audit as presented by Romans, Wiemer & Schulz. Seconded by Regier. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

NARD RESOLUTIONS

Goding made the motion (Motion #17) to take the following action on the resolutions. To support Resolution 92-13, Flood Control Improvement Corridor, with amendment striking "containing a city of the metropolitan class" and changing "at least ten owners" to "at least five owners". To take no position on 92-14, Groundwater Management in Nebraska's High Plains Aquifer. To take no position on 92-15, Solid Waste Disposal Within the State of Nebraska. To support 92-16, Fertilizer Tax Repeal. To support 92-17, Inventory of Wells. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

NOT VOTING: Andersen

ABSENT: None

FIFRA

Goding made the motion (Motion #18) that the Upper Big Blue NRD request the Nebraska Legislature in the 1993 legislative session to enact legislation that would have the State of Nebraska assume responsibility for the FIFRA program with administration through the Nebraska Department of Agriculture. Funding over and above that provided by the Federal Government to come out of the State General Treasury. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

NARD RESOLUTION 92-18, REIMBURSEMENT OF NACD EXPENSES

Goding made the motion (Motion #19) to oppose the introduction of Resolution 92-18,

Reimbursement of NACD Expenses with District dues. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

NOT VOTING: Obermier

ABSENT: None

FINANCIAL STATEMENT

Volkmer made the motion (Motion #20) to approve the financial statement and budget report as of August 31, 1992; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

SPA WRITTEN TESTIMONY

Reichlinger asked that it be noted in the minutes that copies of the written testimony received following the SPA hearings were handed out to all directors.

Meeting adjourned at 8:57 p.m.

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
AUGUST 20, 1992

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Larry Moore in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:05 p.m.

PRESENT

Larry Moore, Chairman
Jim Jackson, Secretary
Bruce Anderson, Director
Doug Dickinson, Director
Bob Ehlers, Director
Perry Reichlinger, Director
Roger Siebert, Director
Nancy Schneider, Staff
Ken Feather, Staff

OTHERS PRESENT

Wm. Gilliam, York SCS
Donna Rhoades, YNT
Stan Morner, Waco

Board of Director's Meeting

Louis Oswald, Vice Chairman
Norman Obermier, Treasurer
Ray Burke, Director
Ed Ediger, Director
Cal Goding, Director
Ron Sedlak, Director
John Turnbull, Manager
Prudence Sadler, Staff
Rod DeBuhr, Staff

Yvonne Austin, Staplehurst
Steve Buller, York
Dennis Schroeder, Aurora SCS

ROLL CALL

13 members were present at the meeting; Andersen, Hansen, Regier, and Volkmer were absent.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published August 3, 1992 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE JULY BOARD MEETING

Ehlers made the motion (Motion #1) to approve the minutes July 16, 1992 board of directors meeting as distributed. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None

ABSENT: Andersen, Hansen, Regier, Volkmer

MINUTES OF THE JULY SPECIAL BOARD MEETING

Ehlers made the motion (Motion #2) to approve the minutes of the July 28, 1992 special board of directors meeting as distributed. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Dickinson, Ediger, Ehlers, Goding, Sedlak, Siebert

NAY: Burke, Jackson, Obermier, Oswald, Reichlinger, Moore

ABSENT: Andersen, Hansen, Regier, Volkmer

ADOPTION OF THE FY 93 BUDGET

Coding made the motion (Motion #3) to adopt the FY 93 budget, as presented, and to authorize the board secretary to set the final levy, if necessary. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Oswald, Moore

NAY: Obermier, Reichlinger, Sedlak, Siebert

ABSENT: Andersen, Hansen, Regier, Volkmer

PROJECTS COMMITTEE REPORT

Oswald gave a report on the Projects Committee meeting held August 10, 1992 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUNDS - PAYMENTS

Oswald made the motion (Motion #4) that the payment of NRD land treatment funds be made in the amount of \$3,153.60 for two applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None

ABSENT: Andersen, Hansen, Regier, Volkmer

LAND TREATMENT PROGRAM - NSWCP FUNDS - PAYMENTS

Oswald made the motion (Motion #5) that payment of NSWCP land treatment funds be made in the amount of \$13,724.38 for 16 applications reviewed by the committee. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Sedlak, Siebert, Moore

NAY: Reichlinger

ABSENT: Andersen, Hansen, Regier, Volkmer

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS

Oswald made the motion (Motion #6) that 29 new applications for NSWCP funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None

ABSENT: Andersen, Hansen, Regier, Volkmer

PROPOSED SMALL DAMS PROGRAM - POLICY

A draft policy for the proposed Small Dams Program was reviewed by the board.

Oswald made the motion (Motion #7) to accept the proposed Small Dams Program policy recommended by the staff. Seconded by Anderson.

Oswald amended the motion to make the motion (Motion #8) to include the following sentence under the permit section of -the Small Dam Program Policy. "Sponsor shall be responsible for all permit fees." Seconded by Reichlinger. Question called on the amendment. Amendment carried.

AYE: Anderson, Burke, Dickinson, Ediger, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None
PASS: Ehlers
ABSENT: Andersen, Hansen, Regier, Volkmer

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert
NAY: Moore
ABSENT: Andersen, Hansen, Regier, Volkmer

PROJECT 3-8-2E - JOHNSON CREEK SITE 10

After preliminary survey and contact with landowners, the staff has become aware that the District will be required to obtain an easement from FmHA on one tract of land needed for the project. The Parks and Education Committee, which handles project land rights, has requested that no further design be done until the staff has more information from FmHA.

Oswald made the motion (Motion #9) that design work on Project 3-8-2E be halted until the staff has a reply from FmHA. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore
NAY: None
ABSENT: Andersen, Hansen, Regier, Volkmer

PROJECT 28-10-3E - DARGELOH DAM

The district has not been successful in overturning the ASCS ruling that repayment of previous CRP payments would be required if the Dargeloh Dam is built. Staff recommended that this project be suspended.

Oswald made the motion (Motion #10) that Project 28-10-3E be suspended. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore
NAY: None
ABSENT: Andersen, Hansen, Regier, Volkmer

SUTTON FLOOD MITIGATION PROJECT

Staff presented a cost-share agreement between the district and City of Sutton. The agreement specifies the terms and conditions under which the district and city will cooperate in carrying out the Flood Mitigation Project work recommended in the E. A. Engineering study.

The City of Sutton has reviewed the agreement and has no changes.

Oswald made the motion (Motion #11) that the district adopt the cost-share agreement, recommended by the staff, between the district and City of Sutton. Seconded by Jackson. Question

called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None

ABSENT: Andersen, Hansen, Regier, Volkmer

WATER COMMITTEE REPORT

Reichlinger gave a report on the Water Committee meeting held August 11, 1992 and reviewed the committee report as distributed.

UPPER REPUBLICAN NRD LEGAL DEFENSE FUND REQUEST

The Upper Republican NRD's enforcement of the control area provisions of the Nebraska Groundwater Management Act has been challenged in court. The district won their case at the district court level. That decision is on appeal to the Nebraska Supreme Court.

In July the Upper Republican requested assistance from the NARD legal defense fund. No specific amount has been requested. The NARD board will consider this request at their September meeting. Reichlinger made the motion (Motion #12) that the district support the Upper Republican NRD legal defense fund request. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Jackson, Oswald, Reichlinger, Moore

NAY: Goding, Obermier, Sedlak, Siebert

ABSENT: Andersen, Hansen, Regier, Volkmer

CONTROL AREA PERMITS FOR MONITORING WELLS

Up to now the district has not considered monitoring wells to fall under the permitting requirements simply because neither we, nor any other NRD, thought of it. Recently, however, the Department of Water Resources told a group of well drillers and consultants that wells such as those drilled around gas stations, land fills, etc., that are to be pumped to test water quality, or to clean up contamination, do require permits if they are in a control or management area.

The Central Platte NRD was the first district contacted by Geotechnical Services asking how they planned to handle existing wells drilled without permits. They have also contacted us.

In July the Central Platte NRD adopted the policy that they will waive the normal \$250 late permit fee for late permits for all wells until September 30, 1992 to give the NRD and the monitoring well owners the opportunity to correct this oversight. So as not to discriminate, the policy applies to all wells. After that date the \$250 late fee will be accessed for late permits.

Reichlinger made the motion (Motion #13) that the district waive the \$250 late permit fee for monitoring wells for applications received from August 21 through October 31, 1992. Such late permits submitted during this period must pay the regular permit fee of \$17.50. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None
ABSENT: Andersen, Hansen, Regier, Volkmer

AQWACAP APPLICATIONS - TENTATIVE APPROVALS

Reichlinger made the motion (Motion #14) to give tentative approval to two applications totaling \$592.00 as reviewed by the committee. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None
ABSENT: Andersen, Hansen, Regier, Volkmer

AQWACAP APPLICATIONS - FINAL PAYMENTS

Reichlinger made the motion (Motion #15) to approve payment on four applications, totaling \$1,158.19 as reviewed by the committee. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None
ABSENT: Andersen, Hansen, Regier, Volkmer

AQWACAP PROGRAM MODIFICATION

Currently AQWACAP applications approved by the board are authorized for 90 days from the date of approval. If the well abandonment is not completed in this amount of time, the application is cancelled. This policy has caused some problems with applications that were made this spring. The combination of field work, wet weather, and growing crops have prevented completion of some abandonments. The staff has granted some extensions, but this caused more paper work and unnecessary program administration.

Reichlinger made the motion (Motion #16) that three expiration dates be established for the program as follows: Applications approved April - September would expire December 31; applications approved October - December would expire April 30; applications approved January - March would expire September 30. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None
ABSENT: Andersen, Hansen, Regier, Volkmer

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT - UNL COOPERATIVE, AGREEMENT

DESCRIPTION OF WORK:

- A. to map the Recharge Lake drainage area relative to soil type, land use and selected practices on crop acreage.
- B. to identify weeds present and weed control methods presently being used.
- C. to identify tillage, irrigation, fertilizer, insect control, and other practices currently being

used.

- D. to identify farm operators' attitudes and knowledge about water quality issues and their opinions about voluntary, regulatory, or cost-share programs available to improve or maintain water quality.

The cost of this work is estimated to be \$6,000. The U.S. Bureau of Reclamation has agreed to pay 80% of this cost.

Reichlinger made the motion (Motion #17) to approve the cooperative agreement between the district and Board of Regents University of Nebraska. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Oswald, Reichlinger, Sedlak, Moore

NAY: None

PASS: Obermier, Siebert

ABSENT: Andersen, Hansen, Regier, Volkmer

USBR RECHARGE PROJECT CONTRACT AMENDMENTS

The district staff and the Bureau have not been able to finalize the provisions of the contract amendments for the additional study items proposed for the Recharge Project. The Bureau informed the District that this must be final by September 15th in order for them to utilize FY92 funds.

Reichlinger made the motion (Motion #18) that the board authorize the Water Committee to approve the amendments to the U.S. Bureau of Reclamation contract for the York Groundwater Recharge Demonstration Project. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None

ABSENT: Andersen, Hansen, Regier, Volkmer

EXECUTIVE COMMITTEE REPORT

Oswald gave a report on the Executive Committee meeting held August 11, 1992 and reviewed the committee report as distributed.

ATTORNEY FEES

Oswald made the motion (Motion #19) to approve payment of \$431.50 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through July 20, 1992. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None

ABSENT: Andersen, Hansen, Regier, Volkmer

REIMBURSE NRDS FOR CLERICAL SALARIES

Oswald made the motion (Motion #20) to approve the following payments for clerical salaries; Lower Big Blue NRD \$2,797.915; Little Blue NRD \$10,644.56; and Lower Platte North NRD \$2,725.77. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Siebert, Moore

NAY: None

PASS: Sedlak

ABSENT: Andersen, Hansen, Regier, Volkmer

EDUCATION COMMITTEE MEETING REPORT

Anderson gave a report on the Education Committee meeting held August 13, 1992 and reviewed the committee report as distributed.

GRANT APPLICATIONS FOR RECREATION FACILITIES AT PIONEER TRAILS AND RECHARGE LAKE

There are two grant funds to which the district can apply. They both require the district to have 50 percent matching funds available. The Nebraska Recreation and Park Association fund has a limit of \$1,000 but may be used at each of the recreation areas. The limiting factor for the Land and Water Conservation is the amount of money budgeted by the NRD for the FY 93 construction at Pioneer Trails.

Anderson made the motion (Motion #21) that the staff prepare applications for the following grants.

PIONEER TRAILS

Grant 1

That the Upper Big Blue Natural Resources District apply to the Nebraska Game and Parks Commission for a 50 percent matching grant of \$24,000 from the Land and Water Conservation Fund. This grant is to be used for Phase II construction at the Pioneer Recreation Area. The NRD would be responsible for \$24,000 in matching funds.

Grant 2

That the Upper Big Blue Natural Resources District apply to the Nebraska Recreation and Park Association for a 50 percent matching grant of \$1,000 from the Nebraska Recreation and Park Association Development Program. This grant is to be used for construction of a foot bridge at the Pioneer Trails Recreation Area under Phase II. The NRD would be responsible for \$8,000 in matching funds.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT

Grant 3

That the Upper Big Blue Natural Resources District apply to the Nebraska Recreation and Park

Association for a 50 percent matching grant of \$1,000 from the Nebraska Recreation and Park Association Development Program. This grant is to be used for construction of an accessible outhouse at the Recharge Lake Recreation Area. The NRD would be responsible for \$5,000 in matching funds.

Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None

ABSENT: Andersen, Hansen, Regier, Volkmer

CENTRAL NEBRASKA RESOURCE CONSERVATION & DEVELOPMENT PROGRAM

Dennis Schroeder of the Hamilton County SCS explained a proposed program called the Central Nebraska Resource Conservation and Development Program to the board. The purpose is to provide regional organization for local governmental bodies to sponsor projects on a multi-county basis. The Upper Big Blue NRD has been asked to join this organization at a cost of \$25.

Anderson made the motion (Motion #22) that the Upper Big Blue NRD become a sponsor of the Central Nebraska Resource Conservation and Development Program at a cost of \$25. Seconded by Goding. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Goding, Jackson, Oswald, Sedlak, Siebert, Moore

NAY: Ehlers, Reichlinger

PASS: Obermier

ABSENT: Andersen, Hansen, Regier, Volkmer

PAYMENT TO GREEN ACRE SERVICES

Anderson made the motion (Motion #23) that the Upper Big Blue NRD make payment of \$476.00 to Green Acre Service for the mowing of Smith Creek and Pioneer Trails Recreation Areas through August 4, 1992. Seconded by Obermier. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None

ABSENT: Andersen, Hansen, Regier, Volkmer

FINANCIAL STATEMENT

Burke made the motion (Motion #22) to approve the financial statement and budget report as of July 31, 1992; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None

ABSENT: Andersen, Hansen, Regier, Volkmer

Board of Director's Meeting

Meeting adjourned at 10:06 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
SPECIAL BOARD OF DIRECTORS MEETING
JULY 28, 1992

CALL TO ORDER:

A special board of directors meeting was called to order by Chairman Larry Moore in the USO Room at the York City Auditorium, 612 Nebraska Avenue, York, Nebraska at 8:12 p.m.

PRESENT:

Larry Moore, Chairman
James Jackson, Secretary
Ardean Andersen, Director
Doug Dickinson, Director
Bob Ehlers, Director
Wayne Hansen, Director
Perry Reichlinger, Director
Roger Siebert, Director
Prudence Sadler, Staff
Ken Feather, Staff
Nancy Schneider, Staff

Louis Oswald, Vice Chairman
Norman Obermier, Treasurer
Bruce Anderson, Director
Ed Ediger, Director
Ray Burke, Director
Kenneth Regier, Director
Ron Sedlak, Director
Merlin Volkmer, Director
Rod DeBuhr, Staff
Jay Bitner, Staff

OTHERS PRESENT:

Kelly Harre, YNT
Dennis Scamehorn, York
Stan Boehr, Henderson
Max Ronne, Henderson
Berdon Friesen, Henderson
Curt Friesen, Henderson
Yvonne Austin, Staplehurst

Bob Wolfe, York
Dave Dickerson, York
Ronald Janzen, York
Roger Kaiser, Hampton
Walter L. Goossen, Henderson
George Kroeker, Henderson
Marvin Volzke, Waco

ROLL CALL:

16 members were present during roll call; Goding was absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published July 23, 1992 in the York News-Times. A current agenda is kept on file for public inspection.

Chairman Larry Moore briefed the board members, and members of the public who were present, about why he had called the special meeting.

Moore was contacted by Ray Burke on Tuesday, July 21st regarding the procedure necessary to call a special meeting of the board. Moore informed Burke that it was his belief that a special meeting

could be called at the request of any three board members.

On Wednesday afternoon Moore received a letter from seven board members requesting that a special board meeting be called for the purpose of reconsidering the Upper Big Blue NRD's testimony to be presented to DEQ at the SPA hearing August 3-4-5, 1992.

Following receipt of this letter Chairman Moore had notice sent to all NRD directors, as well as the York News-Times, that a special meeting to reconsider the SPA testimony would be held on July 28, 1992 in the NRD office at York.

Moore instructed the board, and the public, that the purpose of this meeting tonight was not to designate a Special Protection Area; the only item to be discussed tonight was the board's position on SPA testimony at the hearings to be held next week.

Moore advised the public that the change in location was made because of concern expressed by several of the board members that the regular meeting room might not be large enough to accommodate those wishing to attend tonight's meeting.

Moore asked if there was a motion from the floor to reconsider.

Anderson made the motion (Motion #1) to reconsider the SPA testimony adopted July 16, 1992. Seconded by Burke. Question called. Motion failed.

AYE: Andersen, Anderson, Burke, Jackson, Obermier, Oswald, Reichlinger, Moore

NAY: Dickinson, Ediger, Ehlers, Hansen, Regier, Sedlak, Siebert, Volkmer

ABSENT: Goding

Meeting adjourned at 8:26 p.m.

James K. Jackson, Secretary

:nds

Testimony
before the Nebraska Department of Environmental Quality
Upper Big Blue Natural Resources District
Special Protection Area Hearing
August 3, 4, 5, 1992

My name is Larry Moore. I am the Chairman of the Board for the Upper Big Blue Natural Resources District.

On behalf of the district, I want to thank Director Wood and his staff for this opportunity. I also want to thank the department staff for their efforts in conducting the special protection area studies in the Upper Big Blue NRD.

The district's board of directors feels strongly that public input to the Special Protection Area process is extremely important. We encourage others here to take this opportunity to provide constructive input to the Director and to the district.

Water quality concerns everyone. The district has, through its actions, long promoted the philosophy that, wherever possible, preventing groundwater contamination is preferable to trying to clean it up.

We have already begun efforts to inform the public of the need to prevent groundwater contamination and to promote methods of accomplishing it. The district and the Blue River Association of Groundwater Conservation Districts have been collecting groundwater nitrate data since 1980. The district is a cosponsor and active participant in the Mid-Nebraska Water Quality Demonstration Project. This is a five-year program, in cooperation with three other NRDs, state agencies, federal agencies and area farmers. The project includes approximately thirty demonstration fields set up to show the public the results of the best management practices, such as nitrogen management, irrigation water management and integrated pest management.

The district has a long history of promoting water conservation. Most of the Upper Big Blue NRD has been in a control area since 1977. We have sponsored various demonstrations of traditional methods and new inventions in water conservation. Cost-share assistance has been available for best management practices, such as irrigation water reuse pits and buried return lines for several years. In FY 92, the board of directors authorized cost-share assistance for surge valves. For FY 93, the Board has authorized increased funding of this program. Our Information and Education Department works with teachers, schools, civic groups, farm organizations and other groups to promote awareness of both water quantity and water quality concerns. The district newsletter and other publications provide information on the subject.

The Board of Directors asks the Director to consider the district's education and cost-share programs previously outlined. We also ask the director to note figure 14 on page 28 of the Special Protection Area study of the western portion of the district. Figure 14 shows that nitrate levels in the

area have declined almost 20 percent over the past three years. Paragraph 7 on page 33 of the same study also indicated that point source contamination may be influencing nitrate levels. In view of these factors the board urges the Director not to declare a Special Protection Area at this time. The district will actively continue to promote the programs it has started and continue groundwater monitoring to assess the effectiveness of these programs.

In the event the Director does decide to declare a Special Protection Area, the Board would like the Director to keep in mind that the geology of the area is complex and variable. Therefore, we feel that trying to exclude areas that may not currently show high nitrate levels would make managing the Special Protection Area difficult. If the Director feels that evidence supports the declaration of a Special Protection Area, the board would encourage him to include the entire district in the designation.

The district would point out that a Special Protection Area is not the solution to all groundwater quality problems in the district. Communities and individuals will continue to be faced with point source and well construction problems in the future, despite the degree of success of a Special Protection Area.

We want to make it clear to the Director that the district is committed to the execution of its duties under the law. If a Special Protection Area is declared, we will make every effort to make the Special Protection Area successful, as well as fair and reasonable. To make this happen, the district will need public support and input. The district will ask for help from many organizations and individuals throughout the district to develop the action plan. We have some concern over the 180-day time allowed for development of an action plan. It is our first and foremost wish that the action plan be the best possible to serve the needs of the citizens, both rural and urban.

I want to thank you again for the time to express our desire to continue the good working relationship that we now have with the department.

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
JULY 16, 1992

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Larry Moore in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Larry Moore, Chairman
James Jackson, Secretary
Ardean Andersen, Director
Doug Dickinson, Director
Bob Ehlers, Director
Wayne Hansen, Director
Perry Reichlinger, Director
Roger Siebert, Director
John Turnbull, Staff
Prudence Sadler, Staff
Ken Feather, Staff

Louis Oswald, Vice Chairman
Norman Obermier, Treasurer
Bruce Anderson, Director
Ed Ediger, Director
Cal Goding, Director
Kenneth Regier, Director
Ron Sedlak, Director
Merlin Volkmer, Director
Nancy Schneider, Staff
Rod DeBuhr, Staff
Jay Bitner, Staff

OTHERS PRESENT:

Mildred Labart, Sutton
May Forberg, Sutton
Ron Schmer, Sutton
Louise Ehly, Sutton
Yvonne Austin, Staplehurst
Larry T. Nuss, Sutton
Bob Hunzeker, Sutton
Cleo Rabbe, Sutton
Monte Lemkau, Sutton
Don George, Sutton
Kelly Harry, YNT

Joan Majors, Sutton
Edward Forberg, Sutton
Gertie Schmer, Sutton
Tom Newman, Sutton
Jim Van Kirk, Sutton
Mac Tilberg, Sutton
Dick Knoell, Sutton
Kevin Finnegan, Sutton
Jeff Gustafson, Sutton
Beth George, Sutton
Virgil Ulmer, Sutton

ROLL CALL:

16 members were present at the meeting; Burke was absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published July 6, 1992 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE JUNE BOARD MEETING:

Volkmer made the motion (Motion #1) to approve the minutes of the June 18, 1992 board of

directors meeting as distributed. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke

PROJECTS COMMITTEE MEETING REPORT:

Regier gave a report on the Projects Committee meeting held July 6, 1992 and reviewed the committee report as distributed.

SUTTON FLOOD MITIGATION PROJECT:

Representatives from the City of Sutton were present at the Projects Committee meeting to request financial assistance on design and construction of the Sutton Area Flood Mitigation Project. The proposed construction would include clearing and realignment of the School Creek channel within Sutton, levees on both banks of School Creek extending from the wastewater treatment plant to James Avenue, removal and replacement of the James Avenue and Ash Street bridges, upgrading one culvert under the Burlington Northern Railroad and construction of a linear parkway along the levee system.

Total project cost is \$880,000. Funding from other sources would total \$372,500, leaving an unfunded balance of \$507,500.

The district previously agreed to fund 12.5 percent of the portion of project cost (\$100,000) which was eligible for a FEMA grant. Sutton has applied to FEMA for a grant that would fund 75 percent of the \$100,000. The local share (to be split equally between Sutton and the district) would be 25 percent. The district share would be \$12,500.

Mayor Ulmer presented a resolution, from the Sutton City Council, requesting that the District provide additional cost-share at the rate of 50 percent of the unfunded balance (\$507,500), not to exceed \$250,000.

Regier made the motion (Motion #2) that the district accept the City of Sutton proposal, dated June 29, 1992, for cost-share on the Sutton Flood Mitigation Project, excluding the cost of the box culvert (\$150,000) under the Burlington Northern Railroad, and that the remaining anticipated local share, \$357,500, be cost-shared at the rate of 50 percent (\$178,500) by the district over the fiscal years 1993, 1994, and 1995, and that the district's share not exceed \$178,750. Seconded by Volkmer.

There was concern expressed that the \$357,500 local share and the \$178,500 district share stated in the previous motion did not reflect the 25 percent (\$25,000) of the local share of the FEMA grant and the 50 percent (\$12,500) district share of that 25 percent.

Dickinson amended the motion to make the motion (Motion #3) to change the dollar amounts to \$382,500 and \$191,250. Seconded by Goding. Question called on the amendment. Amendment carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Oswald, Reichlinger, Sedlak, Siebert, Moore
NAY: Regier
PASS: Obermier, Volkmer
ABSENT: Burke

Volkmer further amended the motion to make the motion (Motion #4) to add the wording "and that the District's share of \$191,250 includes the \$12,500 previously agreed to." Seconded by Ehlers. Question called on the amendment. Amendment carried.

AYE: Andersen, Anderson, Dickinson, Ehlers, Goding, Hansen, Jackson, Oswald, Sedlak, Siebert, Volkmer, Moore
NAY: Reichlinger
PASS: Ediger, Obermier, Regier,
ABSENT: Burke

Question called on the original motion as amended to read: that the District accept the City of Sutton proposal, dated June 29, 1992, for cost-share on the Sutton Flood Mitigation Project, excluding the cost of the box culvert (\$150,000) under the Burlington Northern Railroad, and that the remaining anticipated local share, \$382,500, be cost-shared at the rate of 50 percent (\$191,250) by the District over the fiscal years 1993, 1994 and 1995, and that the District's share not exceed \$191,250, and that the District's share of \$191,250 includes the \$12,500 previously agreed to. Motion carried as amended.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Oswald, Regier, Sedlak, Siebert, Volkmer, Moore
NAY: Obermier
PASS: Reichlinger
ABSENT: Burke

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS:

Regier made the motion (Motion #5) that 15 new applications for NSWCP funds, reviewed by the Committee, be approved as eligible for cost-share. Seconded by Ediger. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer
NAY: Reichlinger
PASS: Goding
ABSENT: Burke

LAND TREATMENT PROGRAM - NSWCP FUNDS - PAYMENTS:

Regier made the motion (Motion #6) that payment of NSWCP land treatment funds be made in the amount of \$6,409.05 for four applications reviewed by the Committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Moore

NAY: Reichlinger
ABSENT: Burke

LAND TREATMENT PROGRAM - NRD FUNDS - PAYMENTS:

Regier made the motion (Motion #7) that payment of NRD land treatment funds be made in the amount of \$3,905.68 for two applications reviewed by the Committee. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Moore
NAY: Reichlinger
ABSENT: Burke

PROJECT 18-09-01W - BAILEY DAM - CONTRACTOR PAYMENT:

Regier made the motion (Motion #8) that Slepicka Brothers Construction Company be paid \$17,778.39 as final payment, including retainage, for construction work on Project 18-09-01W, Bailey Dam. Seconded by Reichlinger. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Burke

WATER COMMITTEE MEETING REPORT:

Reichlinger gave a report on the Water Committee meeting held July 7, 1992 and reviewed the committee report as distributed.

AQWACAP APPLICATIONS:

Reichlinger made the motion (Motion #9) to approve six AQWACAP final payments, reviewed by the Committee, totaling \$1,576.76. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Burke

Reichlinger made the motion (Motion #10) to give tentative approval to 18 AQWACAP applications totaling 3,009.58, subject to approval of the FY 93 budget. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer
NAY: None
ABSTAIN: Moore (due to possible conflict)
ABSENT: Burke

UNL WATER SCIENCES LABORATORY BILLING:

Reichlinger made the motion (Motion #11) to approve payment of \$351.28 to the University of

Nebraska Water Sciences Laboratory for water analysis from May 19, 1992 to June 11, 1992. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Burke

SPA HEARING TESTIMONY:

The Nebraska Department of Environmental Quality has set the SPA hearing for August 3-4-5, 1992.

After reviewing the draft testimony for the August SPA hearing, the Water Committee recommended that the board authorize Larry Moore to present the testimony.

Reichlinger made the motion (Motion #12) to approve the testimony for the August SPA hearing, as attached. Seconded by Ediger.

After the Water Committee meeting, and prior to the board meeting, Ehler's prepared, and had distributed, his own revised draft of the testimony he would like to see presented at the August SPA hearing. A copy is attached.

Ehlers amended the motion to make the motion (Motion #13) to add the following words after paragraph six of the Committee's draft SPA testimony:

"The Board of Directors would, considering the educational measures outlined earlier and the nitrate declines outlined in Figure 14, Page 28 of the Western Portion of the SPA study and the possibility of influence of point source contamination as referred to in Paragraph 5 on Page 33 of the same document, urge the Director not to declare an SPA at this time. In view of the nearly 20 percent decline in average nitrate-nitrogen levels previously referred to, the Board would continue monitoring of the Upper Big Blue NRD over the next few years to see if these measures continue to affect declines in the average nitrate-nitrogen levels."

"In the event the Director does decide to declare an SPA, the Board would like the Director to keep in mind the geology of the area is complex and variable." Seconded by Volkmer. Question called on the amendment. Amendment failed.

AYE: Dickinson, Ehlers, Goding, Hansen, Regier, Sedlak, Siebert, Volkmer
NAY: Andersen, Anderson, Ediger, Jackson, Obermier, Oswald, Moore
PASS: Reichlinger
ABSENT: Burke

Question called on the original motion. Motion failed.

AYE: Andersen, Anderson, Ediger, Jackson, Obermier, Oswald, Sedlak, Moore
NAY: Dickinson, Ehlers, Goding, Hansen, Regier, Siebert, Volkmer
PASS: Reichlinger

ABSENT: Burke

Dickinson made the motion (Motion #14) to accept Ehler's draft testimony on the SPA area as mailed to the directors. Seconded by Siebert. Question called. Motion carried.

AYE: Dickinson, Ediger, Ehlers, Goding, Hansen, Regier, Sedlak, Siebert, Volkmer

NAY: Andersen, Anderson, Jackson, Obermier, Oswald, Moore

PASS: Reichlinger

ABSENT: Burke

EDUCATION AND PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education & Parks Committee meeting held July 9, 1992 and reviewed the committee report as distributed.

PAYMENT TO LITTLE BLUE NRD FOR 1992 SNEES:

Oswald made the motion (Motion #15) that payment of \$1,259.79 be made to the Little Blue NRD for the 1992 SNEES. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

PASS: Anderson, Regier

ABSENT: Burke

1993 SNEES:

The 1993 SNEES will be held June 7-18. It is time to begin planning the promotion for the seminar. Oswald made the motion (Motion #16) that the Upper Big Blue NRD support and participate in the 1993 Southeast Nebraska Environmental Education Seminar. Seconded by Obermier. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Moore

NAY: None

PASS: Ehlers, Reichlinger

ABSENT: Burke

PAYMENT TO GREEN ACRE SERVICES:

Oswald made the motion (Motion #17) that the Upper Big Blue NRD make payment of \$952.00 to Green Acre Services for the mowing of Smith Creek and Pioneer Trails Recreational Areas through July 9, 1992. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke

INTERLOCAL AGREEMENT - FIVE COUNTY REGIONAL LANDFILL ASSN:

Oswald made the motion (Motion #18) that the Upper Big Blue NRD continue to pursue this

Interlocal Agreement with recommendation from the committee and review it with all the participants involved with the Five County Regional Landfill Association. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke

EXECUTIVE COMMITTEE MEETING REPORT:

Oswald gave a report on the Executive Committee meeting held July 9, 1992 and reviewed the committee report as distributed.

ATTORNEY FEES:

Oswald made the motion (Motion #19) to pay \$138.80 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through June 20, 1992. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke

DIRECTORS' PER DIEM & EXPENSES:

Oswald made the motion (Motion #20) to pay 2nd quarter directors' per them of \$7,750 and expenses of \$2,602.80. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Moore

NAY: Ehlers, Goding, Siebert

PASS: Volkmer

ABSENT: Burke

DISTRICT INSURANCE:

Oswald made the motion (Motion #21) that the district purchase property, inland marine, auto, crime, liability, workmen's compensation, umbrella, and directors' errors and omissions insurance from Cornhusker Casualty through York Insurance Agency for \$41,555.00 for FY 93. Seconded by Sedlak. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke

FY 93 SALARY ADJUSTMENTS:

Oswald made the motion (Motion #22) to increase the total annual salaries of the district staff, with the exception of the general manager, by \$18,825, 3% increase and 3.1% for merit, and to authorize the general manager to determine and make the salary adjustments. Seconded by Ediger. Question

called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Moore

NAY: Volkmer

PASS: Siebert

ABSENT: Burke

Oswald made the motion (Motion #23) to increase the general manager's salary by \$2,505 (3% base increase and 2% merit) from \$50,097 to \$52,602. Seconded by Regier. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Moore

NAY: None

PASS: Siebert, Volkmer

ABSENT: Burke

FY 93 NARD DUES:

Reichlinger made the motion (Motion #24) to approve payment of \$11,613 for FY 93 NARD dues on a quarterly basis. Seconded by Regier. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Moore

NAY: Volkmer

ABSENT: Burke

BUDGET COMMITTEE MEETING REPORT:

Goding gave a report on the Budget, Planning & Legislative Committee meeting held July 14, 1992 and reviewed the committee report as distributed.

FY 93 BUDGET:

Turnbull presented the final draft of the FY 93 Budget, with the committee's recommended changes. Goding made the motion (Motion #25) to adopt the FY 93 budget as amended for the purpose of public hearing, and to set the Budget Hearing for 8:00 p.m. Thursday, August 20, 1929, with the regular Board Meeting immediately following. Seconded by Ehlers. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Moore

NAY: None

PASS: Siebert, Volkmer

ABSENT: Burke

NARD RESOLUTIONS:

Goding made the motion (Motion #26) to support NARD Resolutions 92-1, 92-4, 92-8, 92-9 and 92-5 with the following amendment. In the last paragraph which reads "Now, Therefore Be It Resolved," strike everything after "Districts", and add "work with the NDEQ, NNRC, Nebraska Department of Agriculture, and NRDs, to coordinate a study of the extent and severity of the

disposal of livestock waste." And further, to oppose NARD Resolutions 92-2, 92-3, 92-6, 92-7, 92-10, and 92-12. Seconded by Dickinson. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: Jackson

PASS: Obermier

ABSENT: Burke

FINANCIAL STATEMENT:

Volkmer made the motion (Motion #27) to approve the financial statement and budget report as of June 30, 1992; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Dickinson. Question called. Motion carried.

AYE: Andersen, Anderson, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke

Meeting adjourned at 11:10 p.m.

James K. Jackson, Secretary

:nds

attachments

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
JUNE 18, 1992

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Larry Moore in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Larry Moore, Chairman
James Jackson, Secretary
Ardean Andersen, Director
Doug Dickinson, Director
Cal Goding, Director
Kenneth Regier, Director
Ron Sedlak, Director
Merlin Volkmer, Director
Jay Bitner, Staff
Ken Feather, Staff

Louis Oswald, Vice Chairman
Norman Obermier, Treasurer
Ray Burke, Director
Ed Ediger, Director
Wayne Hansen, Director
Perry Reichlinger, Director
Roger Siebert, Director
John Turnbull, Manager
Prudence Sadler, Staff
Nancy Davis, Staff
Kelly Harre, York News-Times
Yvonne Austin, Staplehurst

OTHERS PRESENT:

Bill Gilliam, LDC
Stan Morner, Waco

ROLL CALL:

15 members were present at the meeting, with Siebert arriving following roll call; Anderson and Ehlers were absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published June 8, 1992 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE MAY BOARD MEETING:

Burke made the motion (Motion #1) to approve the minutes of the May 21, 1992 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Anderson, Ehlers, Siebert

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held June 8, 1992 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS:

Regier made the motion (Motion #2) that the four new applications for NSWCP funds, reviewed by the Committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson, Ehlers

LAND TREATMENT PROGRAM - NSWCP FUNDS PAYMENTS:

Regier made the motion (Motion #3) that the payment of NSWCP Land Treatment funds be made in the amount of \$37,551.61 for 18 applications reviewed by the Committee. Seconded by Ediger. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald,
Regier, Sedlak, Siebert, Volkmer, Moore
NAY: Reichlinger
ABSENT: Anderson, Ehlers

LAND TREATMENT PROGRAM - NRD FUNDS PAYMENTS:

Regier made the motion (Motion #4) that payment of NRD Land Treatment funds be made in the amount of \$6,936.04 for five applications reviewed by the Committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald,
Regier, Sedlak, Siebert, Volkmer, Moore
NAY: Reichlinger
ABSENT: Anderson, Ehlers

PROJECT MAINTENANCE - CONTRACTOR PAYMENTS:

Regier made the motion (Motion #5) that Slepicka Brothers Construction Company be paid \$1,021.80 and that Van Kirk Construction Company be paid \$9,585.00 for maintenance completed on District owned projects. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson, Ehlers

SMALL DAMS PROGRAM:

Regier made the motion (Motion #6) that the District not consider designing, constructing or cost-sharing on small dams, which are too small for the priority list and not constructed under the Land Treatment Program, until the District adopts a program for dams in this category. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Siebert, Moore

NAY: None
PASS: Volkmer
ABSENT: Anderson, Ehlers

Regier made the motion (Motion #7) that the staff be directed to prepare a new proposal for design, construction and cost-share on small dams which are too small for the priority list and not constructed under the Land Treatment Program. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: Dickinson
ABSENT: Anderson, Ehlers

SUTTON FLOOD MITIGATION PROJECT - EA ENGINEERING:

Regier made the motion (Motion #8) that the District make final payment of \$1,530 to E.A. Engineering for preparing the Sutton Flood Mitigation Study. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson, Ehlers

ROGER BAILEY DAM - PROJECT 18-09-01W - CONTRACTOR PAYMENT:

Regier made the motion (Motion #9) that Slepicka Brothers Construction Company be paid \$2,945.50, which is to be held as retainage for construction work completed during May 1992 on Project 18-09-01W, Bailey Dam. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson, Ehlers

LAND TREATMENT PROGRAM - SURGE VALVES:

Regier made the motion (Motion #10) that the District's Land Treatment Program include surge valves for FY 93 and that cost-share on surge valves be limited to \$50,000 of NSWCP funds and \$15,000 of NRD funds. Seconded by Volkmer.

Volkmer amended the motion to make the motion (Motion #11) that the District's Land Treatment Program include surge valves for FY 93 and that cost-share on surge valves be limited to \$50,000 of NSWCP funds and \$15,000 of NRD funds, with a limit of one surge valve per landowner, per year. Seconded by Reichlinger. Question called on the amendment. Amendment carried.

AYE: Andersen, Burke, Dickinson, Ediger, Hansen, Jackson, Oswald, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: Regier
PASS: Goding, Obermier

ABSENT: Anderson, Ehlers

Question called on the original motion as amended. Motion carried.

AYE: Burke, Ediger, Goding, Hansen, Jackson, Oswald, Regier, Moore

NAY: Andersen, Dickinson, Obermier, Reichlinger, Sedlak, Siebert

PASS: Volkmer

ABSENT: Anderson, Ehlers

EXECUTIVE COMMITTEE MEETING REPORT

Oswald gave a report on the Executive Committee meeting held June 8, 1992 and reviewed the committee report as distributed.

ATTORNEY FEES:

Oswald made the motion (Motion #12) to approve payment of \$2,650.03 to Crosby, Guenzel, Davis, Kessner, and Kuester for Steve Seglin's work through May 18, 1992. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Moore

NAY: Sedlak

ABSENT: Anderson, Ehlers

WATER COMMITTEE MEETING REPORT:

Reichlinger gave a report on the Water Committee meeting held June 11, 1992 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT:

Reichlinger made the motion (Motion #13) to approve the revised June 1992 York Groundwater Recharge Demonstration Project Water Quality Monitoring and Quality Assurance Plan. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Ehlers

Reichlinger made the motion (Motion #14) to approve the York Groundwater Recharge Project Operation Plan. Seconded by Dickinson. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Ehlers

Reichlinger made the motion (Motion #15) to support the York Groundwater Recharge Project Research proposal contingent upon 80% federal cost-share. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Ehlers

Reichlinger made the motion (Motion #16) to authorize the staff to proceed with negotiation of a contract with the UNL Cooperative Extension Service; for the study of farming practices for the York Groundwater Recharge Demonstration Project. Seconded by Dickinson. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

PASS: Obermier

ABSENT: Anderson, Ehlers

AQWACAP - FINAL APPLICATIONS:

Reichlinger made the motion (Motion #17) to approve final payment of four AQWACAP applications totaling \$837.97. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Ehlers

WATER NITRATE TESTING:

Reichlinger made the motion (Motion #18) to pay the Blue River Association \$345.00 for 115 domestic well nitrate analyses. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Ehlers

SPECIAL EDUCATION COMMITTEE MEETING REPORT:

There was a Special Education Committee Meeting called on Thursday, June 18, 1992 at 7:45 p.m. at the NRD office.

Oswald made the motion to adopt the following Tree Replacement Program:

1. The program is limited to trees around farmsteads in the Upper Big Blue NRD hit directly by a tornado on June 15 or 16.
2. The owner/tenant will be given bundles of 25 seedlings, with a maximum of 100, to plant him or herself.
3. Species will include any that are available at the time the order is being placed.

4. The NRD must be contacted by September 1, 1992 to participate. The seedlings may be ordered for either the 1993 or 1994 planting season and do not actually have to be ordered until the normal ordering time for those seasons.

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education & Parks Committee meeting held June 11, 1992 and reviewed the committee report as distributed.

URBAN FORESTRY - HENDERSON:

Oswald made the motion (Motion #20) that the Upper Big Blue NRD make a payment of \$1,000 to the City of Henderson Lakeview Park Project, as agreed to upon completion of the project, and based on matching dollar for dollar cost-share, not to exceed \$1.00 per capita. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Ehlers

WILDLIFE HABITAT PROGRAM - PAYMENT TO COOPERATORS:

Oswald made the motion (Motion #21) that the Upper Big Blue NRD make payment of \$2,860 to the cooperators in the Wildlife Habitat Improvement Program for the month of June, as attached and reviewed by the Committee. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Burke, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: Dickinson

ABSENT: Anderson, Ehlers

CLARK-McNARY TREE PROGRAM - PAYMENT TO UNIVERSITY OF NEBRASKA:

Oswald made the motion (Motion #22) that the Upper Big Blue NRD make payment of \$15,857.99 to the University of Nebraska, for the purchase of 51,125 trees through the ClarkMcNary Tree Program. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Ehlers

CLARK-McNARY TREE PROGRAM - PAYMENT TO LOWER LOUP NRD:

Oswald made the motion (Motion #23) that the Upper Big Blue NRD make payment of \$1,129.61 to the Lower Loup NRD for the purchase of 3,450 trees. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None
ABSENT: Anderson, Ehlers

PAYMENT TO GREEN ACRE SERVICES:

Oswald made the motion (Motion #24) that the Upper Big Blue NRD make payment of \$476 to Green Acre Services for the mowing of Smith Creek and Pioneer Trails Recreation Acres through May 23, 1992. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson, Ehlers

PAYMENT TO FALLER LANDSCAPE:

Oswald made the motion (Motion #25) that the Upper Big Blue NRD make payment of \$1,421.02 to Faller Landscape for the trees purchased for Pioneer Trails Recreation Area. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson, Ehlers

PAYMENT TO MCCOOL FERTILIZER INC.:

Oswald made the motion (Motion #26) that the Upper Big Blue NRD make payment of \$181.52 to McCool Fertilizer, Inc. for the spraying of thistles at Recharge Lake. Seconded by Dickinson. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson, Ehlers

PAYMENT TO CHUCK KAISER EXCAVATION:

Oswald made the motion (Motion #27) that the Upper Big Blue NRD make final payment of \$1,000 to Chuck Kaiser Excavation for the construction work completed on the boat ramps and diversions at Recharge Lake. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson, Ehlers

COMMUNITY FORESTRY - AURORA:

Oswald made the motion (Motion #28) that the Upper Big Blue NRD fund the Community Forestry Project for the City of Aurora, at a cost not to exceed \$1,575, based on a 50% matching grant not to exceed \$1.00 per capita. Seconded by Regier. Motion failed.

AYE: Oswald, Regier

NAY: Andersen, Burke, Dickinson, Goding, Hansen, Jackson, Obermier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

PASS: Ediger

ABSENT: Anderson, Ehlers

LINCOLN CREEK PARKWAY:

Oswald made the motion (Motion #29) that the Upper Big Blue NRD provide engineering design assistance for the Lincoln Creek Parkway Bridges, contingent upon the Prairie Plains Institute providing the cost of the drilling and soil testing. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Oswald, Regier, Reichlinger, Siebert, Volkmer, Moore

NAY: Obermier, Sedlak

ABSENT: Anderson, Ehlers

PLAYGROUND EQUIPMENT:

Oswald made the motion (Motion #30) that the Upper Big Blue NRD purchase the used playground equipment at a cost not to exceed \$500. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Ehlers

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT:

Goding gave a report on the Budget, Planning, & Legislative Committee meeting held June 16, 1992 and reviewed the committee report as distributed.

NACD VICE PRESIDENT:

Goding made the motion (Motion #31) that the District budget \$522 in the FY 93 Budget for Jerry Vap's expenses as NACD Vice President in FY 93. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Ehlers

NARD BUDGET:

Goding made the motion (Motion #32) to instruct Bob Ehlers, the NARD Representative, to continue to try to have the NARD hold its annual dues increase to 2%, but to vote in favor of any dues increase up to 5% if the 2% effort won't succeed. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Moore

Board of Director's Meeting

NAY: Volkmer
ABSENT: Anderson, Ehlers

FINANCIAL STATEMENT:

Burke made the motion (Motion #33) to approve the financial statement and budget report as of May 31, 1992; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Andersen, Burke, Ediger, Hansen, Jackson, Oswald, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: Dickinson, Goding

ABSENT: Anderson, Ehlers

meeting adjourned at 10:50 p.m.

James K. Jackson, Secretary

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MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
MAY 21, 1992

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Larry Moore in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Larry Moore, Chairman	Louis Oswald, Vice Chairman
James Jackson, Secretary	Norman Obermier, Treasurer
Ardean Andersen, Director	Bruce Anderson, Director
Ray Burke, Director	Ed Ediger, Director
Bob Ehlers, Director	Cal Goding, Director
Wayne Hansen, Director	Kenneth Regier, Director
Perry Reichlinger, Director	Ron Sedlak, Director
Roger Siebert, Director	Merlin Volkmer, Director
Jay Bitner, Staff	Nancy Davis, Staff
Prudence Sadler, Staff	Rod DeBuhr, Staff
Ken Feather, Staff	

ROLL CALL:

16 members were present at the meeting; Sedlak arrived following roll call and Dickinson was absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published May 15, 1992 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE APRIL BOARD MEETING:

Burke made the motion (Motion #1) to approve the minutes of the April 23, 1992 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

A YE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Dickinson

PROJECTS COMMITTEE MEETING REPORT:

Regier gave a report on the Projects Committee meeting held May 11, 1992 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - SURGE VALVE FUNDING:

The Projects Committee discussed removing the \$20,000 cost-share funding limit for surge

valve practice, however the matter failed to advance from committee.

Ediger told the board that he had been approached by several landowners who expressed interest in obtaining cost-share money for surge valves, but had, been told there weren't funds available for this practice.

He felt that since there were still unobligated funds in the land treatment line item that this money should be used to fund surge valves.

Both Goding and Hansen reminded the board that when they approved the \$20,000 for funding surge valves it was the board's intent that this be a one-time program.

Ediger made the motion (Motion #2) to allow the balance of the unobligated NRD land treatment funds to be used to fund surge valves in excess of the \$20,000 limit for this practice. Seconded by Burke. Question called. Motion failed.

AYE: Ediger, Jackson

NAY: Andersen, Anderson, Burke, Ehlers, Goding, Hansen, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

ABSENT: Dickinson

NSWCP FUNDS - NEW APPLICATIONS:

Regier made the motion (Motion #3) that five new applications for NSWCP funds reviewed by the Committee be approved as eligible for cost-share. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Moore

NAY: Reichlinger

ABSENT: Dickinson

NSWCP FUNDS - PAYMENTS:

Regier made the motion (Motion #4) that payment of \$16,361.33 be approved for 13 NSWCP applications reviewed by the Committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Dickinson

PROJECT 28-10-3E DARGELOH DAM:

The ASCS has stated that they will require repayment of Conservation Reserve Program (CRP) payments previously made to Richard Dargeloh if dam construction alters the ability of CRP acres to be farmed after the CRP contract is completed. The District is appealing this ruling on grounds that the affected acres, currently in the CRP program, will be converted to grass land to enhance erosion control and provide wildlife habitat. The ASCS rules on this issue can have more than one

interpretation.

Regier made the motion (Motion #5) that further action on Project 2810-3E be deferred until the ASCS waives the requirement of refunding previous payments for CRP acres affected by construction. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Dickinson

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT:

Goding gave a report on the Budget, Planning & Legislative Committee meeting held May 11, 1992 and reviewed the committee report as distributed.

NARD BUDGET:

The NARD Budget Committee proposed an initial budget of \$261,608 (which would require a 4.6% dues increase) to the Association. The NARD I & E Committee proposed an additional \$9,000 be added to the budget, for a total of \$270,608 (which would mean a 10.2% dues increase). The I & E Committee proposal was tentatively adopted by the NARD in March on a 12-8 vote.

Goding made the motion (Motion #6) that the Upper Big Blue NRD support the NARD Budget Committee proposed budget, with a dues increase of no more than 2 percent. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: Burke

ABSENT: Dickinson

Goding made the motion (Motion #7) that the district contact all NRDs by a letter signed by the chairman urging the other NRDs to support a 2 percent dues increase and to oppose the 10.2 percent

increase proposal. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Dickinson

FY 93 BUDGET:

Siebert made the motion (Motion #8) that each department present a budget that is 10 percent less than their FY 92 Budget. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Ehlers, Goding, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer

NAY: Anderson, Burke, Ediger, Hansen, Moore

ABSENT: Dickinson

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education & Parks Committee meeting held May 13, 1992 and reviewed the committee report as distributed.

MODEL AQUIFER COST-SHARE PAYMENT:

Oswald made the motion (Motion #9) that payment of \$150.00 be made on one application to Geneva High School. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Dickinson

COMMUNITY FORESTRY VILLAGE OF WACO:

The Village of Waco has completed their Community Forestry Project. The total cost of the planting materials was \$577.93.

Oswald made the motion (Motion #10) that the Upper Big Blue NRD make a payment of \$211.00 to the Village of Waco as agreed to upon completion of the project and based on a matching dollar for dollar not to exceed the \$1.00 per capita. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Dickinson

LINCOLN OAKES NURSERIES:

Oswald made the motion (Motion #11) that the Upper Big Blue NRD make payment of \$489.62 to Lincoln Oakes Nurseries for 1,701 trees and shrubs. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Dickinson

GREEN ACRE SERVICES:

Oswald made the motion (Motion #12) that the Upper Big Blue NRD make payment of \$476.00 to Green Acre Services for the mowing of Smith Creek and Pioneer Trails recreational areas through May 6, 1992. Seconded by Ediger. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Dickinson

RISING CITY BALL FIELD IMPROVEMENT PROJECT:

The Upper Big Blue NRD agreed to fund the Rising City ball field improvement project at a cost not to exceed 25% of \$3,000; or \$750. The total cost of the project was \$3,740.69. Twenty-five percent of the total cost would be \$935.17. Sedlak advised the board that he had spoken with the representative from Rising City and had been informed that it was not their intent to request additional cost-share over and above the \$750 initially agreed to.

Oswald made the motion (Motion #13) that the Upper Big Blue NRD make payment of \$750.00 to the Village of Rising City for the improvements made at their baseball field. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Dickinson

YORK COLD STORAGE PAYMENT:

Oswald made the motion (Motion #14) that the Upper Big Blue NRD make payment of \$600 to York Cold Storage for the use of the cold storage facilities to store the trees during the months of April and May. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Dickinson

LINCOLN CREEK PARKWAY:

Bill Whitney, Director of the Prairie/Plains Resource Institute, met with district staff asking that the district provide engineering design for two foot bridges that would connect the trails being developed and constructed in the Lincoln Creek Parkway located north and east of Aurora.

Oswald made the motion (Motion #15) that Bill Whitney meet with Jay Bitner, the District Engineer, and determine what the cost of having the district design the two foot bridges would be and then have Bill Whitney come and meet with the committee. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: Obermier
ABSENT: Dickinson

EXECUTIVE COMMITTEE MEETING REPORT:

Oswald gave a report on the Executive Committee meeting held May 13, 1992 and reviewed the committee report as distributed.

ATTORNEY FEES:

Oswald made the motion (Motion #16) to approve payment of \$560.20 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through April 20, 1992. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Moore
NAY: None
PASS: Sedlak
ABSENT: Dickinson

SURVEY EQUIPMENT:

Bitner requested that the district replace the transit used for surveying. The Lietz electronic partial station transit was purchased in May of 1983 for \$7,669.00 plus \$1,220.00 of rods, prisms, and tripods. The Transit Works in Lincoln will allow \$9,500.00 trade-in for the partial station transit if the district purchases an electronic total station transit for \$15,995.00 + tax (\$9,500 trade-in plus \$6,495 cash + tax). Half of the cost should be charged to the Recharge Project, with the U.S. Bureau of Reclamation paying 80 percent of that (\$2,598 from the USBR and \$3,897 from the district).

Oswald made the motion (Motion #17) to purchase a Lietz total station electronic survey instrument from Transit Works of Lincoln, Nebraska for \$15,995.00 plus tax (\$9,500 trade-in plus \$6,495.00 cash). Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Moore
NAY: Goding, Siebert
PASS: Ehlers, Volkmer
ABSENT: Dickinson

WATER COMMITTEE MEETING REPORT:

Reichlinger gave a report on the Water Committee meeting held May 14, 1992 and reviewed the committee report as distributed.

UN-L WATER SCIENCE LAB BILLING:

Reichlinger made the motion (Motion #18) to pay UN-L Water Science Laboratory \$2,371.14 for the water samples analyzed from March 19, 1992 to April 1, 1992 for the York Groundwater Recharge Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Dickinson

AQWACAP:

Reichlinger made the motion (Motion #19) to approve final payment for six AQWACAP applications for \$985.92. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

Board of Director's Meeting

NAY: None
ABSENT: Dickinson

FINANCIAL STATEMENT:

Volkmer made the motion (Motion #20) to approve the financial statement and budget report as of April 30, 1992; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None
ABSENT: Dickinson

Meeting adjourned at 9:55 p.m.

James K. Jackson, Secretary

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MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
APRIL 23, 1992

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Larry Moore in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 8:00 p.m.

PRESENT:

Larry Moore, Chairman	Louis Oswald, Vice Chairman
James Jackson, Secretary	Norman Obermier, Treasurer
Ardean Andersen, Director	Bruce Anderson, Director
Ray Burke, Director	Doug Dickinson, Director
Ed Ediger, Director	Bob Ehlers Director
Cal Goding, Director	Wayne Hansen, Director
Kenneth Regier, Director	Perry Reichlinger, Director
Ron Sedlak, Director	Roger Siebert, Director
Merlin Volkmer, Director	John Turnbull, General Manager
Jay Bitner, Staff	Rod DeBuhr, Staff
Prudence Sadler, Staff	Ken Feather, Staff
Lori Hoemann, Staff	

OTHERS PRESENT:

Dick Ehrman, NDEC	Marty Link, NDEC
Jeff Gottula, NDEC	Tom Treuhitt, NDEC
Mark Fisher, NDEC	Mike Felix, NDEC
Mark Nannen, Blue River Assn.	Bill Gilliam, LDC SCS
Paul Dammann, City of Seward	Dan Berlowitz, City of Seward
Hap Fruits, Aurora News-Register	Kelly Harre, York News-Times:
Steve Buller, York	Dave Kreifels, York
Dennis Scamehorn, York	

ROLL CALL:

All 17 members were present at the meeting.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published April 13, 1992 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE MARCH BOARD MEETING:

Sedlak made the motion (Motion #1) to approve the minutes of the March 19, 1992 board of directors meeting as distributed. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson,

Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None

WASHINGTON, D.C. TRIP REPORT:

Reichlinger, Oswald, and Turnbull gave a brief report on their trip to Washington, D.C.. They informed the Board about the various government agencies they met with and what activities they are currently involved in.

WATER COMMITTEE MEETING REPORT:

Reichlinger gave a report on the Water Committee meeting held April 15, 1992 and reviewed the committee report as distributed.

AQWACAP - TENTATIVE APPLICATION:

Reichlinger made the motion (Motion #3) that the board grant tentative approval for applications 37, 38, and 39 with a total estimated cost-share of \$821.30. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None

Reichlinger made the motion (Motion #4) that the board grant tentative approval for applications 40 through 49 with a total, estimated cost-share of \$2,396.42 and to advise a new application that from this point forward that no additional funds will be allocated for FY92.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None

AQWACAP - FINAL APPLICATIONS:

Reichlinger made the motion (Motion #5) that the board grant final payment to four AQWACAP applications for a total of \$1,164.87. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None

SPECIAL PROTECTION AREA - NDEC REPORT:

Nebraska Department of Environmental of Control (NDEC), Jeff Gottula presented the results of the Upper Big Blue Special Protection Area Study. The study concludes that non point groundwater contamination is occurring or is likely to occur across the entire NRD. NDEC staff has recommended that the entire Upper Big Blue NRD be designated an SPA.

Dick Ehrman, Manager of the SPA Program for NDEC, reviewed the process that must be followed from this point forward. A public hearing or hearings must be held within 120 days from the date that the report was released (April 23, 1992). If the Director of NDEC declares an SPA, the District

has six months to prepare an action plan.

NDEC staff answered several questions from the Board and others present at the meeting.

PROJECTS COMMITTEE MEETING REPORT:

Hansen gave a report on the Projects Committee meeting held April 13, 1992 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS:

Hansen made the motion (Motion #6) that the 16 new applications for NSWCP funds, which were reviewed by the committee, be approved as eligible for cost-share assistance. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

LAND TREATMENT - PROGRAM - NSWCP FUNDS PAYMENTS:

Hansen made the motion (Motion #7) that the payment of \$21,101.74 be approved for nine NSWCP applications, which were reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

SCHOOL CREEK WATERSHED - SUTTON FLOOD MITIGATION:

Staff presented to the committee results of the E.A. Engineering study of flood mitigation options at Sutton. The study focused on measures which could be taken within Sutton to relieve flood damage to residential and commercial properties. Proposed improvements include widening and reshaping the School Creek channel, rebuilding one bridge and several culverts, construction of levees along School Creek and construction of stormwater detention basins. Project cost estimates vary from \$416,000 to \$1,347,000 depending upon what level of mitigation Sutton decides to implement.

E.A. Engineering has requested that their fee for preparing the Sutton Flood Mitigation Study be increased to \$31,530. This is an increase of \$1,530. The additional fee is being requested to cover costs associated with hydrology information they prepared to support the Sutton FEMA grant application.

Hansen made the motion (Motion #8) that the District authorize, an increase of \$1,530 in the E.A. Engineering Contract for preparing the Sutton Flood Mitigation Study, and that the approval of the increase be contingent upon the City of Sutton agreeing to pay their 50 percent share. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

Hansen made the motion (Motion #9) that E.A. Engineering be paid \$1,715.08 for work performed between 2/8/92 and 3/6/92 on the Sutton Area Flood Mitigation Study. Seconded by Burke. Questions called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak Siebert, Volkmer, Moore

NAY: None

ROGER BAILEY DAM - PROJECT 18-09-01W:

Bids for construction of modifications to the Bailey Dam were opened on April 8. A summary of the engineer's estimate and bids received were as follows:

Engineer's Estimate	\$16 070.72
Slepicka Brothers.	\$10,733.97
VanKirk Brothers	\$16,373.52

The final cost will be approximately \$2,000 higher than the bid price since an undetermined quantity of excavated muck will be removed.

Hansen made the motion (Motion #10) that Slepicka Brothers be awarded the contract for construction of modifications to the Bailey Dam, Project 18-09-01W, in accordance with their bid of \$10,733.97. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

NEW PROGRAM FOR SMALL DAMS:

Hansen made the motion (Motion #11) that the District's Board of Directors adopt a new program to promote construction of small dams and that the program be structured as follows:

1. The District would share the cost of dam construction with landowners in accordance with the following schedule:

Actual Project Cost \$	Landowner Share \$	District Share \$
Less than 7,500	50	50
7,500 to 15,000	40	60
15,000 to 22,500	30	70
22,500 to 30,000	20	80
30,000 to 37,500	10	90
Greater than 37,500	0	100

2. Actual Project Cost will be based on the final contract price including change orders.
3. For dams costing less than \$37,500 the landowner would obtain easements, own the dam, operate and maintain the dam and own the water right. These responsibilities

- would be the District's for dams costing more than \$37,500.
4. The District would perform design, obtain water rights from DWR, advertise for bids, administer construction contracts and inspect construction.
 5. Contractors would be required to provide bid bond, payment bond and performance bond.
 6. Funding of dams built under this program will be budgeted in the General Fund, Project Construction line item.

The board had considerable discussion on the amount of cost-share and the merits of such a program.

Ehlers made the motion (Motion #12) to refer the New Program for Small Dams (Motion #11), to the Projects Committee. Seconded by Dickinson. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

AURORA FLOOD CONTROL PROJECT - PROJECT 24-11-07W:

Western Air Maps has completed the aerial photography in accordance with their contract, and NNRC has approved the photo proofs as acceptable.

Hansen made the motion (Motion #13) that Western Air Maps be paid \$4,100 for aerial photography on Project 24-11-07W in accordance with their contract. Seconded by Ehlers. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

JOHNSON CREEK SITE #12 - PROJECT 4-8-2E:

Construction of a field stream crossing in the tail water of Johnson Creek Site #12 has been completed.

Hansen made the motion (Motion #14) that Slepicka Brothers Construction Company be paid \$1,250 for construction of a field stream crossing at Project 4-8-2E in accordance with their proposal dated March 18, 1992. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

EXECUTIVE COMMITTEE MEETING REPORT:

Oswald gave a report on the Executive Committee meeting held April 23, 1992 and reviewed the committee report as distributed.

FIRST QUARTER DIRECTORS PER DIEM & EXPENSES:

Oswald made the motion (Motion #15) to approve payment to the Directors of \$8,700 for Per Diem and \$2,506.12 for Expenses, for the 1st Quarter of 1992. Seconded by Reichlinger. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

Washington, D.C. TRIP - DIRECTORS PER DIEM & EXPENSES:

Oswald made the motion (Motion #16) to approve payment of \$300 Per Diem and \$97.77 Expenses for Louis Oswald, and \$300 Per Diem and \$38.18 Expenses for Perry Reichlinger for the NARD Washington, D.C. trip March 28 - April 2, 1992. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Regier, Sedlak, Siebert, Volkmer, Moore

NAY: None

PASS: Oswald, Reichlinger

ATTORNEY FEES:

Oswald made the motion (Motion #17) to approve payment of \$3,857.44 to Crosby, Guenzel, Davis, Kessner and Kuester for Steve Seglin's work through March 20, 1992. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education & Parks Committee meeting held April 14, 1992 and reviewed the committee report as distributed.

LIVING MEMORIAL TREE PLAN - PIONEER TRAILS:

The Committee proposed the program as a part of the Pioneer Trails Park Improvement Program that was adopted at the last board meeting. The Plan will be used to raise matching money from the community for recreation development and park improvement at Pioneer Trails.

Oswald made the motion (Motion #18) that the Upper Big Blue NRD implement the Living Memorial Tree Plan for Pioneer Trails Recreation Area. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

PROJECT CONSTRUCTION FUNDING - PUBLIC INFORMATION:

The Committee discussed an article for the newsletter to inform the public about projects on the priority list and the projected cost of the projects. The committee suggested that the article be

included in the April newsletter to receive public comment by budget planning time.

Oswald made the motion (Motion #19) to publish an expanded edition of the April newsletter, if needed, to include an article about proposed construction of NRD projects. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

COMMUNITY TREE PROGRAM - CITY OF YORK:

Orville Davidson, Public Works Director, City of York, presented a request to the Committee that was signed by the Mayor Kunze for the City, requesting a 50% matching grant for the Tree Planting and Landscaping Project along South Lincoln Avenue. The plantings (Highway 81) from the 1-80 interchange to approximately Nobes Road. The work is to begin in FY93. The City of York estimated the total project cost at \$20,000. It is being funded with City money and grants. The City requests \$5,000 which the City will match.

Oswald made the motion (Motion #20) to approve a 50% matching grant of \$5,000 to the City of York for the South Lincoln Ave. Tree Plant and Landscaping Project, in accordance with the Community Tree Resources Program 1. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Hansen, Oswald, Regier, Reichlinger, Volkmer, Moore

NAY: Goding, Jackson, Obermier, Sedlak, Siebert

EASTSIDE NEIGHBORHOOD PARK - CITY OF SUTTON:

Darren Stahl, a Boy Scout from Sutton has taken on an Eagle Scout Project of planning and developing a new park in Sutton. The site is in S.E. Sutton on an old ball diamond. The project includes tree plantings and playground equipment at a total cost of \$8,000. Darren plans to complete the first half of the project (\$4,000) in FY93. Another scout is to finish the effort in 1994. The City of Sutton is funding \$1,500 of the first phase of the project known as Eastside Neighborhood Park. Darren Stohl requested a 25% grant be paid to the City for the first phase.

Oswald made the motion (Motion #21) to approve a 25% grant, not exceeding \$1,000, to Sutton, for the Eastside Neighborhood Park, in accordance with the Parks Program. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: Goding, Obermier

PIONEER TRAILS RECREATION AREA IMPROVEMENTS:

Oswald made the motion (Motion #22) that the Upper Big Blue Natural Resources District fund the tree planting at Pioneer Trails Recreation Area for FY92 in the amount not to exceed \$2,500. Seconded by Burke. Question called. Motion carried.

Board of Director's Meeting

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Obermier,
Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore
NAY: Goding, Siebert

FINANCIAL STATEMENT:

Volkmer made the motion (Motion #23) to approve the financial statement and budget report as of March 31, 1992; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson,
Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None

Meeting adjourned at 10:49 p.m.

James Jackson, Secretary
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MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
MARCH 19, 1992

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Larry Moore in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 1:30 p.m.

PRESENT

Larry Moore, Chairman
Jim Jackson, Secretary
Ardean Andersen, Director
Ray Burke, Director
Ed Ediger, Director
Cal Goding, Director
Kenneth Regier, Director
Ron Sedlak, Director
Merlin Volkmer, Director
Nancy Davis, Staff
Jay Bitner, Staff
Rod DeBuhr, Staff
Steve Buller, York
Bob Bettger, Fairmont
Dennis Schroeder, Aurora SCS

Buzz Oswald, Vice Chairman
Norman Obermier, Secretary
Bruce Anderson, Director
Doug Dickinson, Director
Bob Ehlers, Director
Wayne Hansen, Director
Perry Reichlinger, Director
Roger Siebert, Director
John Turnbull, Manager
Prudence Sadler, Staff
Ken Feather, Staff
Wm. Gilliam, York Co. SCS
Dick Hayes, Clay Co. SCS
Jim Hutchinson, Aurora SCS

ROLL CALL

All 17 board members were present; Anderson arrived following roll call.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published March 9, 1992 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE FEBRUARY BOARD MEETING

Volkmer made the motion (Motion #1) to approve the minutes of the February 20, 1992 board of directors meeting as distributed. Seconded by Ehlers. Question called. Motion carried.

A YE: Andersen, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson

PROJECTS COMMITTEE MEETING REPORT

Hansen gave a report on the Projects Committee meeting held March 9, 1992 and reviewed the

committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS

Hansen made the motion (Motion #2) that eight new applications for NSWCP funds reviewed by the committee be approved as eligible for cost-share. Seconded by Goding. Question called. Motion carried.

A YE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUNDS - PAYMENTS

Hansen made the motion (Motion #3) that payment of \$27,103.27 be approved for 14 NSWCP applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

A YE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

PASS: Hansen

ABSENT: None

DESIGN PROJECT PRIORITIES - CURRENT LIST

The Projects Committee reviewed the current list of projects being proposed for design by the district. Staff recommended that Projects 12-13-01E, 35-11-02W and 33-13-03W be suspended due to lack of landowner interest. It was also recommended that Project 33-12-01W be suspended since York County has built a bridge which eliminates the need for a flood control dam at this site. Staff requested that Project 23-10-01E, Sleepy Hollow Creek, be removed from the project list, but be kept as a District wildlife habitat conservation project.

Hansen made the motion (Motion #4) that Projects 12-13-01E, 3511-02W, 33-13-03W and 33-12-01W be suspended. Seconded by Goding. Question called. Motion carried.

A YE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

Hansen made the motion (Motion #5) that Project 29-10-01E, Sleepy Hollow Creek, be converted from a dam design project to a wildlife habitat conservation project and that the project be removed from the design project priority list. Seconded by Anderson. Question called. Motion carried.

A YE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

DESIGN PROJECT PRIORITIES - PROPOSED LIST

The Projects Committee reviewed the remaining proposed design projects and considered priority

of each. Staff presented a proposed construction budget cashflow, projected to the year 2020, to complete the projects on the current list. The committee discussed the viability of large projects with respect to the district's tax levy. It is estimated that the district currently contributes an average of \$90,000 per year toward construction of projects. In order to construct the projects currently on the priority list, in addition to other small projects which will be added to the list in the future, the district would need to budget \$200,000 to \$400,000 per year.

Hansen made the motion (motion #6) that the District's list of Design Project priorities be adopted as follows:

Priority	Project Number	Project Description	Project Status
1	18-09-01W	Modification of Bailey dam to raise conser. pool 5 feet; York Co.	Design compl. Constr. in 1992
2	28-10-03E	Dargeloh dam; flood control and recreation Seward Co.	Design is 70% completed; project, on hold
3	24-11-07W	Aurora flood control dam on Lincoln Creek Hamilton Co.	Aerial photo completed; mapping 1992
4	03-08-02E	Johnson Creek Site 10 flood control dam on Sand Creek; Saline Co.	1992 Design 1993 Constr.
5	04-13-02E	Stahr flood control 1992 dam; Butler Co.	Design 1993 Constr.
6	03-13-01E	Surprise flood control dam; Butler Co.	Project start date not set
7	16-08-01E	Johnson Creek Site 19 flood control dam on South Branch Johnson Creek; Saline Co.	Project start date not set
8	27-09-01E	Johnson Creek Site 22 flood control dam on North Branch Johnson Creek; Seward Co.	Project start date not set

9	5-10-02W	Witte flood control dam; York Co.	Project start date not set
10	28-09-01E	Johnson Creek Site 23 flood control dam on North Branch Johnson Creek; Seward Co.	Project start date not set
11	08-08-01E	Johnson Creek Site 44 flood control dam on South Branch Johnson Creek; Saline Co.	Project start date not set
12	33-09-06W	Stockham multipurpose dam and recreation area; Hamilton Co.	Project start date not set
13	19-09-01E	Indian Creek multi purpose dam and rec. area; Seward Co.	Project start date not set

Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

SCHOOL CREEK WATERSHED - SUTTON FLOOD MITIGATION STUDY

Hansen made the motion (Motion #7) that E.A. Engineering be paid \$12,202.12 for work performed between December 28, 1991 and February 7, 1992 on the Sutton Area Flood Mitigation Study. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

E.A. Engineering has requested that their fee for preparing the Sutton Flood Mitigation Study be increased to \$31,500. This is an increase of \$1,500. The additional fee is being requested to cover costs associated with hydrology information they prepared to support the Sutton FEMA grant application.

Hansen made the motion (Motion #8) that the District authorize an increase of \$1,500 in the E.A.

Engineering Contract for preparing the Sutton Flood Mitigation Study, and that the total - contract amount be increased to \$31,500. Seconded by Regier.

Bitner advised the board that the City of Sutton has requested additional documentation regarding the increased fee and would like to review the information before they agree to pay 50 percent. The information has been requested from E.A. Engineering. Bitner suggested that the board refer the matter to committee for consideration at the April Projects Committee meeting.

Ehlers made the motion (Motion #9) to refer the matter to committee for consideration at the April Projects Committee meeting. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT None

ROGER BAILEY DAM - PROJECT 18-09-01W

Final design of Project 18-09-01W is completed and a Corps of Engineers 404 Permit has been obtained. Plans and specs are being reviewed by Nebraska Department of Water Resources. Staff requested authorization to advertise for bids.

Hansen made the motion (Motion #10) that the District staff be authorized to advertise for construction bids on Project 18-09-01W. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

WATER COMMITTEE MEETING REPORT

Jackson gave a report on the Water Committee meeting held March 9, 1992 and reviewed the committee report as distributed.

AQWACAP PROGRAM

Rod reported to the board that the district received new AQWACAP applications totaling \$3,078.02 for March consideration. There are currently only \$1,221.10 in AQWACAP funds that are not obligated.

Jackson made the motion (Motion #11) that the board allocate an additional \$2,500 for the AQWACAP program for a total FY 91-92 allocation of \$7,500. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None
ABSENT: None

Jackson made the motion (Motion #12) that AQWACAP applications 35 and 36, totaling \$90.00, be denied funding because the work was completed prior to the receipt of the applications. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

Jackson made the motion (Motion #13) that AQWACAP applications 21 through 34, totaling \$2,988.02, be given tentative approval. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

Jackson made the motion (Motion #14) that final payment in the amount of \$100.00 be made on AQWACAP application 16 for Ediger Farms. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSTAIN: Ediger
ABSENT: None

DISTRICT LOANER SURGE VALVE

Jackson made the motion (Motion #15) that the District purchase a P & R surge valve for the surge valve loaner program. Seconded by Dickinson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Hansen, Jackson, Obermier, Oswald, Sedlak, Siebert
NAY: Dickinson, Ediger, Ehlers, Goding, Regier, Reichlinger, Volkmer, Moore
ABSENT: None

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT

The board was brought up-to-date on activities with the federal and state organizations interested in further research at the Recharge Project. Roy Spalding of the UN-L Water Center is coordinating the effort to prepare a proposal for funding.

John advised the board that he feels our proposal needs more work prior to requesting the appropriation of federal funds and that we will not be ready in time for inclusion in the federal 93 budget and as a result should concentrate on obtaining federal funding for 94.

Jackson made the motion (Motion #16) that the District request federal funding for water quality

research at the York Groundwater Research Project. Seconded by Ehlers. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

Reichlinger made the motion (Motion #17) that the staff be authorized to contact various environmental groups regarding the possible contribution of funds for water quality research. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Oswald, Reichlinger, Sedlak, Moore
NAY: Obermier, Regier, Siebert, Volkmer
ABSENT: None

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT

Goding gave a report on the Budget, Planning & Legislative Committee meeting held March 10, 1992 and reviewed the committee report as distributed.

Turnbull explained that he had been approached by Mike Bair, Aurora City Administrator, about NRD assistance in solid waste planning. Hamilton, Merrick, Polk and York Counties and three cities in Clay County have joined together to study a regional landfill. Olson & Associates are being hired to conduct an analysis to select a site for a regional solid waste disposal facility for urban and rural residents of the area. The population of the four county region is about 40,000. The scope of work includes:

- 1 - Assessment of need
- 2 - Projected waste volumes - 30 year period
- 3 - Preliminary site screening
 - initially five sites to be considered to be narrowed down to two sites
- 4 - Preliminary landfill site selection including geotechnical work on two sites
- 5 - Olson & Associates final site recommendation

The study is to be paid for by each county and community participating on a per capita basis. No requests have been made for NRD funds.

The NRD is being asked to assist in the regional solid waste planning by:

- 1 - Coordinating meetings
- 2 - Handling billings from consultants
- 3 - Collecting and disbursing funds from counties and communities to consultants
- 4 - Providing technical advice on water quality and resource concerns
- 5 - Being active in recycling planning
- 6 - Providing staff and clerical services to a steering committee of the counties and communities

Turnbull recommended that the district provide such assistance to the group without charge.

Goding made the motion (Motion #18) that the District offer its services to Hamilton, Merrick, Polk and York Counties and participating communities including Clay Center, Harvard and Sutton, for regional solid waste planning. Seconded by Burke. Question called. Motion carried.

A YE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

PLATTE RIVER DAILY FLOW MODEL

The Natural Resources Commission planning staff have requested a copy of the Platte River Daily Flow Model to use as a state planning tool. Because Landmark is on appeal and Prairie Bend II is active the board and staff is not in favor of releasing the model.

Goding made the motion (Motion #19) that the district make no further release of the Platte River Daily Flow Model to other parties at this time. Seconded by Dickinson. Question called. Motion carried.

A YE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

SCS CONSERVATION PLAN COMPLIANCE

Turnbull reviewed the SCS/NARD draft procedure for NRD enforcement of farm plans.

A lengthy discussion followed regarding the role the NRD should take in the enforcement of conservation plan compliance. The general consensus of the board and staff was that the NRD should not become involved in the review process or enforcement of the plans.

Goding made the motion (Motion #20) that the District does not agree with being involved in compliance plan reviews, because it is a federal government act, and therefore a responsibility of ASCS and SCS. The final determination should be made by a federal agency. Seconded by Ehlers.

Ehlers amended the motion to make the motion (Motion #21) to strike the words "does not agree with being" and insert the words "will not be" to make the motion read as follows: "that the district will not be involved in compliance plan reviews, because it is a federal government act, and therefore a responsibility of ASCS and SCS. The final determination should be made by a federal agency." Seconded by Volkmer. Question called on the amendment. Amendment carried.

A YE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None

ABSENT: None

Question called on the original motion as amended. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

LEGISLATION - LB 1063

The exemption the NRDs received last year to the lid placed on political subdivisions would no longer exist in LB 1063.

At their March 10, 1992 meeting the Budget, Planning & Legislative Committee passed a recommendation that read as follows: "that the district not oppose a lid on budgeted taxes in the short term, provided that the NRDs be able to make up any shortfall because of the loss of government subdivision aid; and further, that any lid on total costs and/or total revenues be opposed".

Turnbull advised the board that since the time of the committee meeting there has been an amendment to LB 1063 that removes NRDs from the list of political subdivisions subject to a lid. As a result he recommended that the board not take any action on the Budget Committee's recommendation at this time.

Burke made the motion (Motion #22) to refer the matter back to the Budget, Planning & Legislative Committee. Seconded by Goding. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

PASS: Ediger

ABSENT: None

EDUCATION & PARKS COMMITTEE MEETING REPORT

Oswald gave a report on the Education and Parks Committee meeting held March 12, 1992 and reviewed the committee report as distributed.

EDUCATION GRANT PROGRAM

During the past few years, the district has received requests from teachers for financial assistance for registration fees for environmental education conferences and workshops. Examples of these conferences and workshops include Ag in the Classroom, Project Wild, Project Aquatic Wild and the Nebraska Environmental Education Conference. The committee directed the staff to review the policies and programs of other districts and develop a program for this NRD. The following program

is the committee's recommendation to the board.

1. That the program be open to any teacher or substitute teacher from the Upper Big Blue NRD.
2. That applications be accepted on a first come, first served basis and that each teacher be limited to assistance for one event per year.
3. That the application be in the form of a written request to the district identifying the workshop or conference and the amount of the registration fee.
4. That the SNEES be excluded from this program because of the district's current level of support for the seminar.
5. That no tuition or mileage be paid under this program.
6. If the registration fee is \$50 or less, the district will pay 100 percent of the cost.
7. If the registration fee is greater than \$50, the district will pay \$50 plus 50 percent of the fee above \$50. (Example: if the fee is \$80, the district would pay \$65.) The maximum amount that will be paid by the district per teacher per conference is \$100.

Oswald made the motion (Motion #23) to adopt the Education Grant Program as outlined above with a budget limit of \$500 for fiscal year 1993. Seconded by Anderson. Question called. Motion failed.

AYE: Burke, Hansen, Jackson, Oswald

NAY: Andersen, Dickinson, Ediger, Ehlers, Goding, Obermier, Regier, Reichlinger, Sedlak, Siebert, Volkmer

PASS: Anderson, Moore

ABSENT: None

RAINWATER BASIN JOINT VENTURE (RBJV)

The RBJV is a cooperative project sponsored by Ducks Unlimited, the Nebraska Game and Parks Commission and the U.S. Fish and Wildlife Service. The goals of the project are as follows:

To protect, restore or create 25,000 acres of wetlands in the Rainwater Basin, an area in south-central Nebraska that includes all or parts of 17 counties.

1. To protect 10,000 acres of existing wetlands
 - A. 5,000 acres on private lands
 - B. 5,000 acres purchased or by easement from willing sellers
2. To restore or protect 12,000 acres of degraded or destroyed wetlands
 - A. 6,000 acres on private lands
 - B. 6,000 acres purchased or by easement from willing sellers
3. To create 3,000 acres of new wetlands
 - A. 1,500 acres on private land
 - B. 1,500 acres on public land

Oswald made the motion (Motion #24) to direct the staff to work with the Rainwater Basin Joint Venture to insure that the venture is compatible with the Upper Big Blue NRD's goal and programs. Seconded by Burke.

Reichlinger amended the motion to make the motion (Motion #25) to read "to authorize the staff to cooperate with the Rainwater Basin Joint Venture. Seconded by Goding. Question called on the amendment. Amendment carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Reichlinger, Sedlak
NAY: Regier, Siebert, Moore
PASS: Volkmer
ABSENT: None

Question called on the original motion as amended to read "to authorize the staff to cooperate with the Rainwater Basin Joint Venture. Motion carried.

AYE: Andersen, Anderson, Burke, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Reichlinger, Sedlak
NAY: Dickinson, Ediger, Regier, Siebert, Volkmer, Moore
ABSENT: None

WILDLIFE HABITAT PROGRAM - MARCH PAYMENT

Oswald made the motion (Motion #26) that the Upper Big Blue NRD make payment of \$6,117.50 to the cooperators in the wildlife program for the month of March as reviewed by the committee. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Moore
NAY: Dickinson, Ediger, Reichlinger
ABSENT: None

COMMUNITY FORESTRY - VILLAGE OF WACO

Oswald made the motion (Motion #27) that the Upper Big Blue NRD fund the Village of Waco in the amount of \$211.00 for the new tree plantings located at the treatment plant for FY 92. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Moore
NAY: Reichlinger
ABSTAIN: Dickinson
ABSENT: None

EASEMENT - BAILEY FLOODWATER RETARDING DAM

Oswald made the motion (Motion #28) that the Upper Big Blue NRD approve the easement with Bailey Enterprises, Inc., 416 M Street, McCool Junction, Nebraska, owner of the land located in the NW ¼ of Section 18, Township 9 North, Range 1 West, and the NE ¼ of Section 13, Township 9 North, Range 2 West of the 6th P.M., York County, Nebraska for the purpose of constructing and storing permanent water on 18.8 acres in the W ½ NW ¼ of Section 18, Township 9 North, Range 1 West and 1.7 acres in the E ½ NE ¼ of Section 13, Township 9 North, Range 2 West of the 6th P.M., York County, Nebraska and for the purpose of storing temporary water on 10.6 acres located in the W ½ NW ¼ of Section 18, Township 9 North, Range 1 West and 1.4 acres located in the E ½ NE ¼ of Section 13, Township 9 North, Range 2 West of the 6th P.M., York County, Nebraska.

Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

AGREEMENT - BAILEY FLOOD WATER RETARDING DAM

Oswald made the motion (Motion #29) that the Upper Big Blue NRD approve the 30 percent cost-share, and borrow area agreement between Bailey Enterprises, Inc. and the Upper Big Blue NRD and authorize the Chairman of the Board to sign the agreement. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Siebert

Burke made the motion (Motion #34) that the cost of the trees not exceed \$2,000. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Siebert

WALLINGFORD SIGN COMPANY

Oswald made the motion (Motion #35) that the Upper Big Blue NRD make payment of \$1,313.55 to Wallingford Sign Company, Inc. for the painting of two rules and regulations signs for Recharge Lake and one rules and regulations sign for Smith Creek. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Volkmer, Moore

NAY: Regier

ABSENT: Andersen, Ehlers, Siebert

MOWING OF RECREATION AREAS

Oswald made the motion (Motion #36) that the Upper Big Blue NRD Board of Directors approve the hiring of Joseph Block of Hampton, Nebraska to mow the picnic area, access road and parking areas at Pioneer Trails for \$299.00 and Smith Creek Recreation Area for \$177.00 for a combined total of \$476.00 on a per time basis approved by the district staff. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Goding, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: Hansen

ABSENT: Andersen, Ehlers, Siebert

EXECUTIVE COMMITTEE MEETING REPORT

Oswald gave a report on the Executive Committee meeting held March 12, 1992 and reviewed the committee report as distributed.

ATTORNEY FEES

Oswald made the motion (Motion #37) to approve payment of \$3,900.37 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through February 20, 1992. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

PASS: Andersen

ABSENT: Ehlers, Siebert

RESCHEDULED APRIL BOARD MEETING

Oswald made the motion (Motion #38) to reschedule the April Board meeting for 8:00 p.m. April 23, 1992. Seconded by Ediger. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Siebert

NARD DUES

Oswald made the motion (Motion #39) to approve payment of \$406.00, to the NARD for the balance of the FY 92 dues. Seconded by Anderson. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Moore

NAY: Goding, Reichlinger, Volkmer

ABSENT: Siebert

NACD CONFERENCE EXPENSES

Oswald made the motion (Motion #40) to reimburse Ed Ediger for NACD Conference expenses of \$315.21 incurred February 3-5, 1992. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSTAIN: Ediger

Board of Director's Meeting

ABSENT: Siebert

FINANCIAL STATEMENT

Burke made the motion (Motion #41) to approve the financial statement and budget report as of February 29, 1992; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Anderson, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Moore

NAY: None

ABSENT: Siebert, Volkmer

Meeting adjourned at 4:55 p.m.

James K. Jackson, Secretary

:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
FEBRUARY 20, 1992

CALL TO ORDER:

A regular board of directors meeting was called to order by Chairman Larry Moore in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 1:30 p.m.

PRESENT:

Larry Moore, Chairman	Louis Oswald, Vice Chairman
James Jackson, Secretary	Norman Obermier, Treasurer
Ray Burke, Director	Doug Dickinson, Director
Ed Ediger, Director	Bob Ehlers, Director
Cal Goding, Director	Wayne Hansen, Director
Kenneth Regier, Director	Perry Reichlinger, Director
Ron Sedlak, Director	Roger Siebert, Director
Merlin Volkmer, Director	John Turnbull, Manager
Jay Bitner, Staff	Rod DeBuhr, Staff
Prudence Sadler, Staff	Ken Feather, Staff
Lori Hoemann, Staff	

ROLL CALL:

15 members were present at the meeting, with Sedlak and Regier arriving following roll call; Anderson was absent.

NOTICE OF PUBLIC MEETING:

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published February 10, 1992 in the York NewsTimes. A current agenda is kept on file for public inspection.

MINUTES OF THE JANUARY BOARD MEETING:

Burke made the motion (Motion #1) to approve the minutes of the January 16, 1992 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Reichlinger, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Regier, Sedlak

SUB-DISTRICT 7 - APPOINTMENT TO FILL UNEXPIRED TERM:

Ardean Andersen had indicated to Moore that he would serve for Lance Hermansen's unexpired term. Burke made the motion (Motion #2) to appoint Ardean Andersen to fill Lance Hermansen's unexpired term in Sub-District 7. Seconded by Sedlak. Questions called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: None

ABSENT: Anderson, Regier

Ardean Andersen then took the oath and was sworn of office into the board of directors.

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held February 10, 1992 and reviewed the committee report as distributed.

ROGER BAILEY DAM- PROJECT 18-9-01W:

Roger Bailey is requesting that the District's offer to pay for 60 percent of construction cost be increased to 70 percent. He is willing to pay for up to 30 percent of the current cost. The current cost is \$18,000, with Roger's share being \$5,400.

Regier made the motion (Motion #3) that the Upper Big Blue NRD pay 70 percent of construction cost and that Roger Bailey be requested to pay 30 percent of construction cost to elevate the principal spillway riser crest and construct required embankment modifications in accordance with the District's design for Project 18-09-01W. Seconded by Ehlers. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson

Woodward-Clyde Consulting Engineers has completed the geotechnical engineering study of Bailey Dam modifications. Their findings indicated the structure will have an adequate factor of safety with the revisions.

Regier made the motion (Motion #4) that Woodward-Clyde Consulting Engineers be paid \$4,000 in accordance with their proposal for providing geotechnical engineering services on Project 18-09-01W. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

PASS: Goding

ABSENT: Anderson

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS:

Regier made the motion (Motion #5) that the 19 new applications for NSWCP funds, which were reviewed by the committee, be approved as eligible for cost-share assistance. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSTAIN: Andersen
ABSENT: Anderson

LAND TREATMENT - PROGRAM - NSWCP FUNDS PAYMENTS:

Regier made the motion (Motion #6) that the payment of \$17,005.72 be approved for 18 NSWCP applications, which were reviewed by the committee. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Moore
NAY: None
PASS: Andersen, Volkmer
ABSENT: Anderson

SCHOOL CREEK WATERSHED - SUTTON FLOOD MITIGATION:

The City of Sutton has signed the Administrative Agreement between the City and the District specifying the cost-share and administrative responsibilities of the District and City. It will be used if federal flood disaster relief funds become available through FEMA.

Regier made the motion(Motion #7) that the District enter into an Administrative Agreement with the City of Sutton to define the responsibilities of Sutton and the District if federal flood disaster relief funds become available for Project 02-07-05W, Sutton Flood Mitigation Project. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson

AURORA FLOOD CONTROL PROJECT - PROJECT 24-11-07W:

The Nebraska Natural Resources Commission requested that aerial photography flight lines be extended to a total of 21 miles. Western Air Maps, Inc. will provide the additional aerial photography for \$1,060, increasing their contract to \$4,100. The staff recommends that the contract be increased to include the additional aerial photography.

Regier made the motion (Motion #8) that the aerial photography contract with Western Air Maps, Inc. be increased to \$4,100 to provide for additional photography to be taken along 20.6 miles of flight lines for Project 24-11-07W. Seconded by Ediger. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None

ABSENT: Anderson

DARGELOH DAM - PROJECT 28-10-03E:

The staff -contracted landowners affected by the proposed Dargeloh Dam. Most of the upstream landowners will grant the District a free easement. One landowner is requesting payment for his easement and Mr. Dargeloh has not decided. It will be late in 1992 before he makes his decision.

Regier made the motion (Motion #10) that Project 28-10-03E, Dargeloh Dam, be put on hold. Seconded by Burke. Question called. Dickinson amended the motion to make the motion (Motion #11) that Project 28-10-03E, Dargeloh Dam, be put on hold until September 17, 1992. Seconded by Ehlers. Question called on the amendment. Amendment carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Moore

NAY: Volkmer

PASS: Reichlinger

ABSENT: Anderson

Question called on the original motion as amended. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Moore

NAY: None

KRONBORG DAM - PROJECT 13-12-06W:

The landowner at the site of Kronborg Dam, Project 13-12-06W, requested that the District not proceed with the project.

Regier made the motion (Motion #12) that Project 13-12-06W be suspended. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSTAIN: Andersen

ABSENT: Anderson

WATER COMMITTEE MEETING REPORT:

Reichlinger gave a report on the Water Committee meeting held February 13, 1992 and reviewed the committee report as distributed.

POSSIBLE WATER SUPPLY STUDY FOR EASTERN SEWARD COUNTY:

Several months ago, members of the Seward City Council had met; with John and Rod to discuss what assistance the NRD could be in Seward's effort to secure an adequate supply of good quality water. The Village of Bee has had difficulty finding and keeping good quality water. Several rural residents east of the Big Blue River complained about the quality of water. The NRD has found

several wells in the area with very high nitrates. The Lower Platte South NRD has applied to the Corps of Engineers for the Water Resource's Development Act, Section 22, funds for a water supply study in Western Lancaster and Eastern Seward Counties bordering the Upper Big Blue NRD. Rod spoke with Larry Buss at the Corps of Engineers, who indicated that if the Upper Big Blue NRD was interested in adding part of this NRD to the study, or running a concurrent study, funds may be available. Reichlinger made the motion (Motion #13) that the staff be authorized to work with the interested communities and individuals in Eastern Seward County to prepare a request to the Corps of Engineers for a scope of work and cost estimate for EL Section 22 water supply study. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore
NAY: Siebert
ABSTAIN: Andersen
ABSENT: Anderson

AQWACAP - TENTATIVE APPLICATION:

Reichlinger made the motion (Motion #14) that the board grant tentative approval for one AQWACAP application. Estimated cost-share is \$381.39. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson

AQWACAP - FINAL APPLICATIONS:

Reichlinger made the motion (Motion #15) that the board grant final approval to three AQWACAP applications totaling \$811.14 that were reviewed by the committee. Seconded by Ehlers. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT:

Burke gave a report on the Budget, Planning & Legislative Committee meeting held February 14, 1992 and reviewed the committee report as distributed.

LEGISLATIVE BILL - LB 349 (THE FIFRA BILL):

Burke made the motion (Motion #16) that the District oppose Senator Beutler's amendment of LB 349 (the FIFRA bill) that would have the Department of Environmental Control administer FIFRA instead of the Department of Agriculture. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier,

Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson

EXECUTIVE COMMITTEE MEETING REPORT:

Oswald gave a report on the Executive Committee meeting held February 14, 1992 and reviewed the committee report as distributed.

NARD DUES:

The District owes an additional \$406.00 to the WARD for FY 92 dues.

FY 91 dues	\$10,148
4% increase	<u>406</u>
FY 92 dues	\$10,554

The District paid \$10,148 in July of 1991.

Oswald made the motion (Motion #17) to pay the \$406.00 additional dues to the NARD. Seconded by Burke. Question called. Motion failed.

AYE: Burke, Ediger, Goding, Jackson, Obermier, Oswald, Regier, Moore
NAY: Andersen, Dickinson, Ehlers, Hansen, Reichlinger, Sedlak, Siebert, Volkmer
ABSENT: Anderson

ATTORNEY FEES:

Oswald made the motion (Motion #18) to approve payment of \$3,912.45 to Crosby, Guenzel, Davis, Kessner and Kuester for Steve Seglin's work through January 20, 1992. Seconded by Ediger. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson

NIGHT MEETINGS:

Oswald made the motion (Motion #19) to maintain the present board policy of holding committee and board meetings in the daytime November through March and at night April through October. Seconded by Ediger.

Goding amended the motion to make the motion (Motion #20) to change the present board policy of holding committee and board meetings in the daytime November through March and at night April through October to read...night time November through March and at night April through October. Seconded by Volkmer.

Considerable discussion followed about whether or not the amendment was in order in light of the

fact that it would completely change the intent of the original motion.

Chairman Moore, citing Robert's Rules of Order, ruled that the amendment was improper and would not be allowed. Question called on the original motion. Motion carried.

AYE: Andersen, Burke, Dickinson, Jackson, Obermier, Oswald, Regier, Sedlak, Moore

NAY: Ediger, Ehlers, Goding, Hansen, Reichlinger, Siebert, Volkmer

ABSENT: Anderson

AMERICANS WITH DISABILITIES ACT:

The committee agreed with the manager that a single floor addition to the existing office should be pursued.

Reichlinger made the motion (Motion #20) to direct the General Manager to pursue bringing the building into compliance with the Americans with Disabilities Act. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson

LOWER PLATTE NORTH NRD CLERICAL BILLING:

Oswald made the motion (Motion #21) to pay \$2,725.57 to Lower Platte North NRD to reimburse the Butler County SCS clerical expense of \$2,725.57. Seconded by Ediger. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Anderson, Goding, Siebert

NARD DUES:

Reichlinger made the motion (Motion #22) to reconsider Motion #17 to pay the \$406.00 for additional dues to the NARD. Seconded by Dickinson. Motion carried.

AYE: Burke, Dickinson, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Moore

NAY: Andersen, Ediger, Ehlers, Hansen, Volkmer

ABSENT: Anderson, Goding, Siebert

Volkmer made the motion (Motion #23) to refer Motion #17 to the Executive Committee and to have the Executive Committee report back to the board at the March board meeting. Seconded by Sedlak. Motion carried.

AYE: Andersen, Dickinson, Ediger, Ehlers, Hansen, Obermier, Oswald, Reichlinger, Sedlak, Volkmer

NAY: Burke, Jackson, Regier, Moore

ABSENT: Anderson, Goding, Siebert

EDUCATION & PARKS COMMITTEE MEETING REPORT:

Oswald gave a report on the Education & Parks Committee meeting held February 13, 1992 and reviewed the committee report as distributed.

MODEL AQUIFER COST-SHARE PROGRAM - PAYMENT:

Oswald made the motion (Motion #24) that payment of \$150.00 be made on one application to Osceola High School for the Model Aquifer Cost-Share Program. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Anderson, Goding, Siebert,

1992 ENVIRONMENTAL EDUCATION CONFERENCE:

Dave Seggerman, a science teacher from Fairmont High, has requested assistance of \$25 for registration fees for the Environmental Education Conference to be held in Grand Island on March 9. The conference will cover topics, such as outdoor classrooms, recycling and environmental education.

Oswald made the motion (Motion #25) to provide \$25.00 for registration fees for Dave Seggerman to attend the 1992 Environmental Education Conference. Seconded by Jackson. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Hansen, Jackson, Oswald, Regier, Sedlak, Volkmer, Moore

NAY: Ediger, Ehlers, Obermier

ABSENT: Anderson, Goding, Reichlinger, Siebert

KRVN TREE PROGRAM:

Oswald made the motion (Motion #26) that the Upper Big Blue NRD participate in the KRVN tree contest again this year by donating and planting 200 trees to the most deserving entry in the Upper Big Blue Natural Resources District. Seconded by Burke. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Anderson, Goding, Reichlinger, Siebert

URBAN FORESTRY - HENDERSON:

Oswald made the motion (Motion #27) that the Upper Big Blue NRD fund the City of Henderson at the amount of \$1,000 for new tree plantings at the Henderson Lakeview Park for FY 92. Seconded by Hansen. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Volkmer, Moore

NAY: None
ABSENT: Anderson, Goding, Reichlinger, Siebert

WILDLIFE HABITAT PROGRAM - PAYMENT TO COOPERATORS:

Oswald made the motion (Motion #28) that the Upper Big Blue NRD make payment of \$5,657.50 to the cooperators in the wildlife program for the month of February, as reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Ehlers, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Volkmer
NAY: Dickinson, Ediger
ABSTAIN: Andersen, Moore
ABSENT: Anderson, Goding, Reichlinger, Siebert

SEEDING PAYMENT - JOHNSON CREEK SITE 12:

Oswald made the motion (Motion #29) that the Upper Big Blue NRD Board of Directors authorize that final payment of \$5,623.50 be made to B.A.B, Inc. for the seeding work completed on Project. 04-08-02E, Johnson Creek Site 12. Question called. Seconded by Hansen. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Volkmer, Moore
NAY: None
ABSENT: Anderson, Goding, Reichlinger, Siebert

FINANCIAL STATEMENT:

Burke made the motion (Motion #30) to approve the financial statement and budget report as of January 31, 1992; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Volkmer. Question called. Motion carried.

AYE: Andersen, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Oswald, Regier, Sedlak, Volkmer, Moore
NAY: None
ABSENT: Anderson, Goding, Obermier, Reichlinger, Siebert

Meeting adjourned at 4:24 p.m.

James Jackson, Secretary
:lh

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
JANUARY 16, 1992

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 1:30 p.m.

PRESENT

Doug Dickinson, Chairman

Louis Oswald, Secretary

Board of Director's Meeting

Ed Ediger, Director
Wayne Hansen, Director
Larry Moore, Director
Kenneth Regier, Director
Ron Sedlak, Director
Merlin Volkmer, Director
Nancy Davis, Staff
Jay Bitner, Staff
Steve Swanberg, Staff
Ken Feather, Staff
Kristi Schleif, Osceola SCS
Connie Tvrdy, Seward SCS
Dennis Schroeder, Aurora SCS
Gerald Stengel, Shickley

Ray Burke, Vice Chairman
Bob Ehlers, Treasurer
Cal Goding, Director
Jim Jackson, Director
Norman Obermier, Director
Perry Reichlinger, Director
Roger Siebert, Director
John Turnbull, Manager
Prudence Sadler, Staff
Kurt Staroscik, Staff
Jeff Ball, Staff
Russ Callan, Staff
Ron Hansen, Seward SCS
Kent Norquest, Geneva SCS
Dick Hayes, Clay Center SCS
Kelly Harre, York News-Times

ROLL CALL

15 members were present at the meeting. Anderson and Hermansen were absent.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published January 6, 1992 in the York News-Times. A current agenda is kept on file for public inspection.

MINUTES OF THE DECEMBER BOARD MEETING

Ediger made the motion (Motion #1) to approve the minutes of the December 19, 1991 board of directors meeting as distributed. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Hermansen, Sedlak

MINUTES OF THE SPECIAL BOARD MEETING

Volkmer made the motion (Motion #2) to approve the minutes of the January 8, 1992 special board of directors meeting as distributed. Seconded by Ediger. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Hermansen, Sedlak

ELECTION OF OFFICERS - BOARD CHAIRMAN

The nominating committee submitted the names of Wayne Hansen and Larry Moore for chairman. Nominations from the floor were called for. There being no further nominations Ehlers made the motion (Motion #3) that nominations for the office of chairman cease and that voting for all offices

be done by secret ballot. Seconded by Goding. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Goding, Hansen, Jackson, Moore, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Dickinson

NAY: None

ABSENT: Anderson, Hermansen

Chairman Dickinson instructed Ken Feather and Jeff Ball to count the ballots. Hansen received seven votes and Moore 8 votes. Moore will serve as Chairman for 1992.

ELECTION OF OFFICERS - VICE CHAIRMAN

The nominating committee submitted the names of Buzz Oswald and Raymond Burke for vice chairman. Nominations from the floor were called for. There being no nominations from the floor Goding made the motion (Motion #4) that nominations for the office of vice chairman cease. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

Oswald received 12 votes and Burke 2 votes. Oswald will serve as Vice Chairman for 1992.

ELECTION OF OFFICERS - TREASURER

The nominating committee submitted the names of Kenneth Regier and Norman Obermier for Treasurer. Nominations from the floor were called for. There being no nominations from the floor Goding made the motion (Motion #5) that nominations for the office of Treasurer cease. Seconded by Ediger. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

Regier received five votes and Obermier nine votes. Obermier will serve as Treasurer for 1992.

ELECTION OF OFFICERS - SECRETARY

The nominating committee submitted the names of Jim Jackson and Cal Goding for Secretary. Nominations from the floor were called for. There being no nominations from the floor Dickinson made the motion (Motion #6) that nominations for the office of Secretary cease. Seconded by Regier.

Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

Jackson received eight votes and Goding seven votes. Jackson will serve as Secretary for 1992.

The nominating committee submitted the names of Bob Ehlers and Merlin Volkmer for NARD Representative. Nominations from the floor were called for. Volkmer nominated Cal Goding; Goding declined the nomination. There being no further nominations from the floor Burke made the motion (Motion #7) to vote for the NARD Representative for 1992; the winner being the Representative and the runner-up serving as the Alternate for 1992. Seconded by Goding. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

Ehlers received 12 votes and will serve as the NARD Representative for 1992. Volkmer received one vote and will serve as the NARD Alternate for 1992.

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held January 6, 1992 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS

Regier made the motion (Motion #8) that 19 new applications for NSWCP funds, which were reviewed by the committee, be appeared as eligible for cost-share assistance. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Dickinson, Ehlers, Goding, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Moore

NAY: Ediger, Reichlinger

PASS: Hansen

ABSENT: Anderson, Hermansen

LAND TREATMENT PROGRAM - NSWCP FUNDS - PAYMENTS

Regier made the motion (Motion #9) that payment of \$7,845.05 be approved for four NSWCP applications, which were reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

LAND TREATMENT PROGRAM - NRD FUNDS - PAYMENTS

Regier made the motion (Motion #10) that payment of \$4,229.154 be approved for one NRD application which was reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

PROJECT 24-11-7W, AURORA FLOOD CONTROL PROJECT

This project currently has a priority of #3 on the active projects list. The project would be designed as a flood control dam and would provide some recreation and ground water recharge. Estimates of the quantity of each benefit have not been prepared at this time.

In order to continue the planning process, staff has recommended that aerial photography and mapping be done to assist with dam site selection, determination of flood way and identification of lands affected by reservoir conservation pool and flood pool.

Proposals received for providing aerial photography and mapping are as follows:

Contractor \$	Photography \$	Mapping \$	Total \$
Horizons	3,238	94,609	97,847
Western Air Maps	3,040	114,535	117,575
Surdex	4,400	87,950	92,350
NNRC	31040**	23,343	26,383

** Aerial photography by Western Air Maps

Regier made the motion (Motion #11) that the district proceed with aerial photography and mapping for Project 24-11-7W if Aurora will pay for 50 percent of the \$26,383 cost. Seconded Dickinson.

Volkmer amended the motion to make the motion (Motion #12) that the district proceed with aerial photography and mapping for Project 24-11-7W and will pay for 100 percent of the \$26,383 cost. Seconded by Burke. Question called on the amendment. Amendment carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Jackson, Obermier, Regier, Sedlak, Siebert, Volkmer, Moore

NAY: Goding, Hansen, Oswald, Reichlinger

ABSENT: Anderson, Hermansen

Question called on the original motion as amended. Motion carried.

AYE: Burke, Ediger, Ehlers, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Moore

NAY: Goding, Reichlinger, Dickinson

ABSENT: Anderson, Hermansen

Regier made the motion (Motion #13) that the district accept the proposal combination of aerial photography for Project 24-1.1-7W by Western Air Maps, \$3,040, and mapping by the Nebraska Natural Resources Commission, \$23,343, for a total cost of \$26,383. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Ediger, Ehlers, Hansen, Jackson, Obermier, Oswald, Regier, Sedlak, Siebert, Volkmer, Moore

NAY: Goding, Dickinson

PASS: Reichlinger

ABSENT: Anderson, Hermansen

PROJECT 28-10-3E, DARGELOH DAM

Geotechnical Services, Inc. has completed drilling and testing of soils at the Dargeloh Dam site. Staff has reviewed the final report and recommends payment of the invoice for completed work.

Regier made the motion (Motion #14) that final payment of \$15,056 be made to Geotechnical Services, Inc. for soil drilling and testing at Project 28-10-3E. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

PROJECT 2-7-5W, SUTTON FLOOD CONTROL PROJECT

E.A. Engineering is approximately 50 percent completed on the Sutton Area Flood Control Study. The contract with E.A. Engineering is not to exceed \$30,000. Expenditure to-date, including current invoice, is \$13,363.05. The City of Sutton is being invoiced for 50 percent of the invoiced amounts.

Regier made the motion (Motion #15) that payment of \$9,450.07 be made to E.A. Engineering for work completed on the Sutton Area Flood Control Study in December 1991. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

PROJECT 18-9-1W, BAILEY DAM REHABILITATION PROJECT

Final design for rehabilitation of Bailey Dam has been completed. Project cost is estimated to be \$25,000. The Projects Committee discussed possible cost-share between the District and Roger Bailey and decided that a 60/40 split should be proposed.

Regier made the motion (Motion #16) that the district cost-share with Roger Bailey on the cost of rehabilitating the Bailey dam, Project 18-9-1W, and that the District pay 60 percent and Roger Bailey pay 40 percent of the construction cost. Seconded by Volkmer.

Turnbull advised the board that following the committee meeting he and Bitner met with Roger Bailey to discuss the final design for Bailey Dam and proposed 60/40 cost-share split. Bailey approved of the design changes but felt 40 percent of the cost was more than he was willing to put into the rehabilitation of the dam.

Bailey is scheduled to meet with the Projects Committee in February to attempt to come to an agreement on the cost.

Ehlers made the motion (Motion #17) to refer back to the Projects Committee. Seconded by Dickinson. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

EDUCATION & PARKS COMMITTEE MEETING REPORT

Oswald gave a report on the Education & Parks Committee meeting held January 6, 1992 and reviewed the committee report as distributed.

SOIL AND WATER STEWARDSHIP WEEK

This year's Stewardship Week will be observed April 26-May 3. The theme is "Our Treasured Trees" and will compliment Nebraska's Arbor Day observance on April 24.

The NACD has developed some additional educational material relating to tree planting and conservation that will be useful for Stewardship Week, Arbor Day and other conservation activities.

Oswald made the motion (Motion #18) that the Upper Big Blue NRD supply bulletin covers or inserts to interested churches within the district, as it has in the past. In addition, that the NRD supply reference books to each church to aid in sermon or program preparation and that the NRD order 500 childrens' activity booklets and 100 posters printed with educational material and the NRD's name for Stewardship Week, Arbor Day and other uses. Seconded by Dickinson. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT

Goding gave a report on the Budget, Planning & Legislative Committee meeting held January 8, 1992 and reviewed the committee report as distributed.

CNPPID WATER RIGHTS

Goding made the motion (Motion #19) that the District maintain its current position as an interested party in the CNPPID water rights case concerning Applications A-17111 and A-17112. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

LEGISLATIVE BILLS

LB 242: IRRIGATION WATER ON PUBLIC ROADS

Present Nebraska law prevents the diversion of water onto or across a public road so as to saturate, wash, or impair the maintenance or passability of the road. LB 242 would expand the prohibition to include irrigation water flowing or falling upon the road. The bill would also eliminate the current exemption for mechanical malfunctions and for damage caused by a sprinkler because of adverse weather conditions. Mechanical malfunctions and weather conditions would be considered by the court as it determined the appropriate sentence, but would not be a defense to prosecution.

Dickinson made the motion (Motion #20) to oppose LB 242. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Siebert, Volkmer, Moore
NAY: None
PASS: Sedlak
ABSENT: Anderson, Hermansen

LB 288: OPEN MEETINGS LAW

LB 288 would amend the Open Meetings Law in several ways. First, it would provide that imminent litigation, not just current litigation, would be an acceptable reason for a public body to meet in closed session. Secondly, the bill would define what constitutes "formal action" for purposes of determining what must be done in open session. Formal action would be defined to mean . . . a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order or ordinance or formation of a position or policy." Lastly, the bill would increase the penalties for knowing violations of the act. A first offense would be a Class IV misdemeanor and subsequent offenses would be Class III misdemeanors. Currently all offenses are considered Class 17 offenses.

Volkmer made the motion (Motion #21) to oppose LB 288 in its entirety. Seconded by Goding. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson, Hermansen

LB 306: CONJUNCTIVE USE AND INSTREAM FLOW MODIFICATIONS

LB 306 is the first bill concerning the interrelationship between ground water and surface water. The bill is on general file with pending committee amendments. Other amendments have been prepared and may be offered when the bill reaches the debate stage on general file.

In its original form, LB 306 provides that ground water located within one mile of a natural stream is declared subject to appropriation under the surface water statutes. Ground water located more than one mile from a natural stream would be subject to such appropriation if it was "shown to be influenced by stream flow." To avoid making a public water supplier well field withdrawal an interbasin transfer under state law (e.g., MUD's well field on the Platte), the interbasin transfer statutes would be amended to exclude such transfers from the definition of interbasin transfer. Also, the instream flow statutes would be modified to add public water supply as a valid purpose for instream appropriations; public water suppliers could request such appropriations.

LB 891: APPROPRIATION OF GROUND WATER/INSTREAM APPROPRIATIONS FOR PUBLIC WATER SUPPLY; INTRODUCED BY SENATOR ROD JOHNSON

This bill is the same as LB 306 including the pending committee amendments and the same as Request #1319. It would declare that ground water within one mile of a natural stream is subject to appropriation except where the Director of DWR determined that the ground water was not interrelated with the natural stream. Ground water located more than one mile from the natural stream would be declared subject to appropriation if it could be shown that it was influenced by stream flow. The bill also says that "nothing in the section shall be construed to give surface water users a preference over ground water users or to authorize an automatic better right for surface water users based on priority of appropriation over ground water users based on the date of well installation or first use."

Siebert made the motion (Motion #22) to oppose LB 306 and LB 891. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

LB 453: ENTRY UPON LAND

LB 453 authorizes counties, cities, villages, and natural resources districts to enter upon property to make surveys, examinations, investigations and tests to acquire data. No damages would be recoverable solely because a trespass had occurred, but the municipality or district would be liable for actual damages. The bill would also require 15 days advance notice by mail or personal delivery to the property owner.

Goding made the motion (Motion #23) to oppose LB 453. Seconded by Ehlers.

Following considerable discussion Goding withdrew his motion with the approval of Ehlers.

LB 489: UNIFORM PROPERTY ACQUISITION HEARINGS

All entities subject to the uniform property acquisition statutes are currently required to hold a public hearing at least 30 days prior to purchasing land for a project even if the entity does not plan to use

an eminent domain or has no authority for an eminent domain. LB 489 would repeal that requirement in those situations. The bill would also exempt the City of Lincoln from application of the uniform property acquisition statutes if the proposed acquisition was to be within the corporate limits or involved 10 or fewer separately owned tracts.

Reichlinger made the motion (Motion #24) to oppose LB 489. Seconded by Goding. Question called. Motion carried.

AYE: Dickinson, Ediger, Ehlers, Goding, Jackson, Obermier, Oswald, Reichlinger, Sedlak, Siebert, Moore

NAY: Hansen

PASS: Burke, Regier, Volkmer

ABSENT: Anderson, Hermansen

LB 730: INTERBASIN TRANSFER WATER RIGHT PROCEEDINGS

This bill provides as follows concerning the water right proceedings involving interbasin transfers: "a party located anywhere within the basin of origin shall be deemed a party in interest in any proceeding before the Director of DWR."

Goding made the motion (Motion #25) to oppose LB 730. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

WATER COMMITTEE MEETING REPORT

Reichlinger gave a report on the Water Committee meeting held January 13, 1992 and reviewed the committee report as distributed.

REQUEST FOR A GROUNDWATER TRANSFER VARIANCE

Gerald Stengel of rural Shickley was present at the Water Committee meeting to request a variance to the District's Control Area Regulation concerning groundwater transfer (Rule 5, Chapter 10).

Mr. Stengel currently irrigates over 396 acres under three center pivots in the following legals: the SE 1/4 of Section 5 and the S 1/2 of Section 4, Township 6 North, Range 4 West, Fillmore County from a well in the NE 1/4 of Section 17, Township 6 North, Range 4 West. Mr. Stengel proposed to add two more pivots 1:0 this transfer in the N 1/2 of Section 4, Township 6 North, Range 4 West, (approximately 264 acres). He indicated that he planned to grow wheat on two pivots in a rotation. He also indicated that the well in Section 17 provides approximately 1,500 gallons per minute, enough water to run the two pivots at the same time. The committee discussed the fact that the penalty for illegal transfer is no allocation for these acres. If Mr. Stengel wants to develop the two pivots and not receive any allocation, he could do so.

Reichlinger made the motion (Motion #26) that the District deny Gerald Stengel's request for a variance to Rule 5, Chapter 10 of the Control Area Rules and Regulations. Seconded by Goding,

Turnbull advised the board that if they were to grant this variance, and the Control Area Regulations were triggered and the District began allocation, Mr. Stengel would receive an additional allocation on approximately 260 acres.

The land Mr. Stengel wants to transfer water to is in an area of Fillmore County, generally west of Geneva, where there is no groundwater. Turnbull recommended that the board follow the Water Committee's recommendation. Question called on the motion. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Oswald, Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: Obermier

ABSENT: Anderson, Hermansen

LATE PERMIT FOR DON STULKEN

Don Stulken of Marion, Iowa has applied for a late permit for a well drilled in the SE 1/4 of the SW 1/4 of Section 15, Township 8 North, Range 9 West, Adams County. The well was drilled in 1978 as a replacement well. The old well was not registered. According to Mr. Stulken and the well driller, the old well, was more than 600 feet from the existing well. Therefore, the existing well must be treated as a new well. Except for failure to obtain a permit, this well does not violate any other NFD regulations.

Reichlinger made the motion (Motion #27) that the District grant a late permit to Donald Stulken for a well drilled in 1978 in the SE 1/4 of the W-1/4 of Section 15, Township 8 North, Range 9 West, Adams County. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: Goding

ABSENT: Anderson, Hermansen, Siebert

AQWACAP - TENTATIVE APPLICATIONS

Reichlinger made the motion (Motion #28) that the District give tentative approval to two AQWACAP applications with cost-share totaling \$560.00. Seconded by Ediger. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald, Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen, Siebert

AQWACAP - FINAL APPLICATIONS

Reichlinger made the motion (Motion #29) that the District give final approval to five AQWACAP applications with a total payment of \$670.66. Seconded by Goding. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen, Siebert

EXECUTIVE COMMITTEE MEETING REPORT

Burke gave a report on the Executive Committee meeting held January 13, 1992 and reviewed the committee report as distributed.

ATTORNEY FEES

Burke made the motion (Motion #30) to approve payment of \$602.20 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through December 17, 1991. Seconded by Goding. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

4TH QUARTER DIRECTORS' PER DIEM AND EXPENSES

Burke made the motion (Motion #31) to approve payment of 4th quarter director's per diem of \$7,360.00 and expenses of \$2,098.79. Seconded by Goding. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson, Hermansen

DIRECTOR'S RESIGNATION

Lance Hermansen submitted a letter of resignation on December 30, 1991. His term expires in January 1993.

Burke made the motion (Motion #32) to accept, with regret, Lance Hermansen's resignation as a director of subdistrict seven. Seconded by Goding. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson

NACD DUES

Burke made the motion (Motion #33) to approve payment of \$550.00 to the National Association of Conservation Districts for annual dues. Seconded by Goding. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald,

Board of Director's Meeting

Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore
NAY: None
ABSENT: Anderson

FINANCIAL STATEMENT

Burke made the motion (Motion #34) to approve the financial statement and budget report as of December 31, 1991; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Hansen. Question called. Motion carried

AYE: Burke, Dickinson, Ediger, Ehlers, Goding, Hansen, Jackson, Obermier, Oswald,
Regier, Reichlinger, Sedlak, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson

Meeting adjourned at 4:39 p.m.

James Jackson, Secretary

:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
SPECIAL BOARD OF DIRECTORS MEETING
JANUARY 8, 1992

CALL TO ORDER

A special board of directors meeting was called to order by Chairman Doug Dickinson in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska at 2:00 p.m.

PRESENT

Doug Dickinson, Chairman	Ray Burke, Vice Chairman
Buzz Oswald, Secretary	Bob Ehlers, Treasurer
Ed Ediger, Director	Cal Goding, Director
Wayne Hansen, Director	Jim Jackson, Director
Larry Moore, Director	Norman Obermier, Director
Perry Reichlinger, Director	Ron Sedlak, Director
Roger Siebert, Director	Merlin Volkmer, Director
John Turnbull, Manager	Steve Seglin, Lincoln
Nancy Davis, Staff	Prudence Sadler, Staff
Jay Bitner, Staff	Ken Feather, Staff
Kent Norquest, Geneva SCS	John VanKirk, Jr., Sutton
Mac Tilberg, Sutton	Luke Jacobsen, Marquette
Kelly Harre, York News-Times	

ROLL CALL

14 members were present during the meeting. Anderson, Hermansen and Regier were absent.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published January 2, 1992 in the York News Times. A current agenda is kept on file for public inspection.

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT

Goding gave a report on the Budget, Planning & Legislative Committee meeting held January 8, 1992 and reviewed the committee report as distributed.

LANDMARK APPEAL

Steve Seglin, the District's legal counsel, reviewed the Department of Water Resources denial of the Landmark water rights applications. Possible issues that could be raised on an appeal to the Nebraska Supreme Court were discussed.

The Department of Water Resources Order was issued on December 16, 1991. The District has 30

days to file an appeal with the court.

Mac Tilberg and John VanKirk, Jr., were present at the meeting representing the Sutton Commercial Club and asked to address the board concerning the Stockham Reservoir, a component of the Landmark project.

Mac Tilberg submitted a letter from the Sutton Commercial Club which read in part "Motion by Carol VanKirk and seconded by Malcolm Tilberg to lend support for a similar structure to be built within the Upper Big Blue watershed, and to not pursue the current NRD proposal to divert Platte River water. Discussion followed in which many members voiced concern that since Platte River water permits were denied, the goal of ground water recharge within the watershed would be abandoned. This, it was felt by the group is not necessary and that an alternate structure/structures should be built on a smaller scale with local source runoff to provide reservoir recharge. With no further discussion, the motion was passed unanimously".

Staff advised Mr. Tilberg and Mr. VanKirk that a scaled-down version of the Stockham Reservoir, separate from the Landmark proposal, is currently listed as number 17 on the active Projects Priority List. The low priority number is a result of the expense of the project.

The concept has been to build the scaled-down version of the Stockham reservoir in such a fashion that if Landmark were to go ahead in the future that the structure could be enlarged to accommodate the Landmark version of the reservoir. As a result the two proposals are really not competing with each other.

Tilberg advised the board that the members of the Sutton Commercial Club were not even aware that the scaled-down version of the Stockham Reservoir was on the active priority list and requested that a letter confirming this be sent to the Commercial Club.

Goding made the motion (Motion #1) that the Department of Water Resources Order of Denial of Landmark be appealed to the State Supreme Court. Seconded by Ediger. Question called. Motion carried.

AYE: Burke, Ediger, Hansen, Jackson, Moore, Obermier, Oswald, Volkmer, Dickinson
NAY: Ehlers, Goding, Reichlinger, Sedlak, Siebert
ABSENT: Anderson, Hermansen, Regier

Meeting adjourned at 2:30 p.m.

Louis Oswald, Secretary

:nd

MINUTES

UPPER BIG BLUE NATURAL RESOURCES DISTRICT

BOARD OF DIRECTORS MEETING
DECEMBER 16, 1993

CALL TO ORDER

A regular board of directors meeting was called to order by chairman Larry Moore at 1:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Larry Moore, Chairman	Kenneth Regier, Treasurer
Yvonne Austin, Director	Ray Burke, Director
Bob Ehlers, Director	Luke Jacobsen, Director
Roger Siebert, Director	John Turnbull, Manager
Rod DeBuhr, Staff	Ken Feather, Staff
Kent Kopetzky, KAWL	Kent Norquest, SCS
Erin Ziegler, Concordia	Jim Jackson, Secretary
Bruce Anderson, Director	Steve Buller, Director
Doug Dickinson, Director	Wayne Hansen, Director
Roland Schulz, Director	Merlin Volkmer, Director
Nancy Schneider, Staff	Prudence Sadler, Staff
Jay Bitner, Staff	Donna Rhoades, York News-Times
Jeff Huebschman, Concordia	Mark Nannen, Blue River Assn.

QUORUM CALL

13 directors were present during quorum call. Austin arrived during the NARD Report.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published December 6, 1993 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

EXCUSED ABSENCES

Moore advised the board that requests for excused absences had been made by Oswald, Ediger and Houdersheldt.

Ehlers made the motion (Motion #1) to approve the requests of Oswald, Ediger and Houdersheldt for an excused absence. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Austin, Ediger, Houdersheldt, Oswald

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the agenda for the board of directors meeting as presented. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Austin

EXCUSED: Ediger, Houdersheldt, Oswald

APPROVAL OF MINUTES OF THE NOVEMBER BOARD MEETING

Jacobsen made the motion (Motion #3) to approve the minutes of the November 18, 1993 board of directors meeting as distributed. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Austin

EXCUSED: Ediger, Houdersheldt, Oswald

WATER COMMITTEE REPORT

Hansen gave a report on the Water Committee meeting held December 6, 1993 and reviewed the committee report as distributed.

NON-POINT SOURCE MONITORING PROGRAM

Dan Fitzpatrick and Ingrid Verstraeten from the USGS presented a draft proposal for a five-year effort to develop a monitoring program for non-point groundwater contamination. The intent is to develop an adequate tool for monitoring the spatial and temporal nitrogen variations in concentrations of the NRD. The specific objectives are to:

- A. Perform an evaluation of the principal aquifer systems susceptible to non-point source contamination based on existing land use, soil, geological, and hydrological information.
- B. Identify acceptable monitoring sites and depths which effectively allow evaluation of nitrogen concentrations in the subsurface over time.
- C. Identify frequency and optional time frames with which groundwater samples should be collected and analyzed.
- D. Estimate the nitrogen species concentrations in the unsaturated zone prior to fertilizer application at representative sites.

Hansen made the motion (Motion #4) to authorize the staff to work with the USGS to develop a final

work plan and agreement for consideration by the board in January. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Moore
NAY: Volkmer
EXCUSED: Ediger, Houdersheldt, Oswald

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
LAYNE WESTERN FINAL PAYMENT

Bitner reported that the multi-level well installation has been completed. The payment due Layne Western is the final payment. The total contract amount is somewhat less than the original contract due to several modifications. The total dollar amount of work completed to date is \$79,603.07. Total approved payments to Layne Western, including retainage has been \$63,856.91.

Hansen made the motion (Motion #5) to authorize final payment of \$22,131.85 to Layne Western Company for work completed, including \$6,385.69 which was previously held as retainage. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Ediger, Houdersheldt, Oswald

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
FINAL PAYMENTS

Hansen made the motion (Motion #6) to approve final payment for two well abandonments totaling \$360.00. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Ediger, Houdersheldt, Oswald

TENTATIVE APPROVALS

Hansen made the motion (Motion #7) to give tentative approval to six AQWACAP applications with a total estimated cost-share of \$1,573.04. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
PASS: Buller
EXCUSED: Ediger, Houdersheldt, Oswald

MID-NEBRASKA DEMONSTRATION PROJECT
IRRIGATION EFFICIENCY EVALUATION USING POLYSONICS FLOW METER

Andy Christiansen and Dennis Schroeder presented a proposal to the Water Committee for evaluation and education of area producers concerning water use and distribution efficiency. This project would be a joint effort between Cooperative Extension, SCS, and other ag related cooperators, with the district providing use of the electronic meter. The district would use this meter for other similar activities.

Hansen made the motion (Motion #8) to purchase a Polysonics ISTT ultrasonic meter and Stresstel ultrasonic wall thickness gauge for \$8,494.50. Seconded by Burke.

Austin expressed her concern about lending out an expensive piece of equipment without a written agreement or policy regarding repairs, breakage, etc.

Turnbull felt her concerns should be addressed and this could be accomplished by drafting a simple agreement. Question called. Motion failed.

AYE: Anderson, Austin, Burke, Hansen, Jackson, Jacobsen, Regier

NAY: Buller, Dickinson, Ehlers, Schulz, Siebert, Volkmer

ABSTAIN: Moore

EXCUSED: Ediger, Houdersheldt, Oswald

POCKET GUIDE AND FIELD RECORD BOOK

The Mid-Nebraska Project Committee has authorized the printing of 3,000 pocket guides. These provide a handy source of information and record keeping method for irrigation, fertilizer and pesticide management decisions. The committee is asking the four NRDs to contribute \$1,000.00 each to the printing cost. The total printing cost is approximately \$6,000.00.

Hansen made the motion (Motion #9) to contribute \$1,000-00 to the printing of the Mid-Nebraska Pocket Guide and Field Record Book. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier,
Schulz, Siebert, Moore

NAY: Austin, Volkmer

EXCUSED: Ediger, Houdersheldt, Oswald

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Hansen made the motion (Motion #10) that payment of NRD land treatment funds be made in the amount of \$892.62 for one application reviewed by the committee. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen,
Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ediger, Houdersheldt, Oswald

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Hansen made the motion (Motion #11) that payment of NSWCP land treatment funds be made in the amount of \$13,337.68 for four applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ediger, Houdersheldt, Oswald

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Hansen made the motion (Motion #12) that one new application for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Anderson. Question called. motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

PASS: Burke

EXCUSED: Ediger, Houdersheldt, Oswald

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Hansen made the motion (Motion #13) that five new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ediger, Houdersheldt, Oswald

EXECUTIVE COMMITTEE REPORT

Jackson gave a report on the Executive Committee meeting held December 8, 1993 and reviewed the committee report as distributed.

NARD VOTING DELEGATE AND ALTERNATE

The Executive Committee recommended that the board designate Bob Ehlers as the voting delegate and Doug Dickinson as the voting alternate for the NARD for 1994.

Ehlers requested that Dickinson be named the voting delegate and that he be named as alternate. Jackson made the motion (Motion #14) to designate Doug Dickinson as the voting delegate and Bob Ehlers as the voting alternate for the NARD for 1994. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None
ABSTAIN: Dickinson, Ehlers
EXCUSED: Ediger, Houdersheldt, Oswald

FINAL PAYMENT - SOLID WASTE ASSOCIATION LEGAL FEES

Jackson made the motion (Motion #15) to approve final payment of \$34.75 to Adams, Owens and Jones for the South Central Nebraska Solid Waste Management Association legal work through October 25, 1993. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Ediger, Houdersheldt, Oswald

NARD VISION CARE PROPOSAL

The NARD Insurance Committee recommended to the NARD that the employees benefit package be expanded to include a Vision Care Plan. The NARD board approved the plan provided that the majority of the districts accept it. The final decision should be made no later than March.

Jackson made the motion (Motion #16) that the district recommends to the NARD that the Vision Care Plan not be added to the NARD health care plan. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Ediger, Houdersheldt, Oswald

EDUCATION AND PARKS COMMITTEE REPORT

Volkmer gave a report on the Education & Parks Committee meeting held December 9, 1993 and reviewed the committee report as distributed.

OUTDOOR CLASSROOM PROGRAM

The district has had a request from Concordia College in Seward, for assistance in establishing an outdoor classroom. The district's Outdoor Classroom Assistance Program specifically mentions elementary and junior and senior high schools as eligible. Colleges are not mentioned. The committee thinks this was probably an oversight and proposes that it be corrected.

Volkmer made the motion (Motion #17) that the Upper Big Blue NRD's Outdoor Classroom Assistance Policy be amended to replace elementary and junior and senior high schools with educational facilities and to read as follows:

The outdoor classroom is an educational program to assist students in learning about their environment. The program includes the planting of trees, shrubs and native grasses. Ponds, marshy areas and miniature water sheds may be constructed. An educational facility may design its own classroom or the NRD will give technical assistance. Almost any type of development which includes environmental factors will be acceptable. All educational facilities within the Upper Big Blue district are eligible to participate.

Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Moore

NAY: None

PASS: Ehlers, Volkmer

EXCUSED: Ediger, Houdersheldt, Oswald

Concordia College is proposing establishing a tallgrass prairie outdoor classroom on approximately one third of an acre on the eastern end of the campus. They are requesting cost-share assistance from the NRD.

Volkmer made the motion (Motion #18) that the Upper Big Blue NRD provide cost-share assistance under the Outdoor Classroom Assistance Program to Concordia College for grass seed, materials and related items at the rate of 50 percent of \$375 or 50 percent of the actual cost, whichever is less, for an outdoor classroom. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore

NAY: Ehlers

EXCUSED: Ediger, Houdersheldt, Oswald

PIONEER TRAILS ISTE A GRANT

The district has been informed that its grant application for a hiking trail and foot bridge construction at Pioneer Trails Recreation Area has been approved. The ISTE A grant, administered by the Nebraska Department of Roads, will cover 80 percent of the cost of the project (\$19,848.00) while the district's share will be 20 percent (\$4,962.00). While we are not yet authorized by either the DOR or the NRD board to proceed with construction, design work can be completed now so we will be ready to begin when authorization is received.

Volkmer made the motion (Motion #19) that the district staff proceed with final design for a hiking trail and foot bridge at Pioneer Trails Recreation Area. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ediger, Houdersheldt, Oswald

COMMUNITY FORESTRY - VILLAGE OF UTICA

Volkmer made the motion (Motion #20) that the Upper Big Blue NRD make payment to the Village of Utica in the amount of \$436.28 for the trees planted in Utica I s Park and the areas around the baseball field. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Jacobsen

EXCUSED: Ediger, Houdersheldt, Oswald

MCCOOL FERTILIZER COMPANY

Volkmer made the motion (Motion #21) that the Upper Big Blue NRD make payment of \$328.66 to McCool Fertilizer Company for the fall spraying of musk thistles at the Recharge Lake. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ediger, Houdersheldt, Oswald

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Regier gave a report on the Budget, Planning & Legislative Committee meeting held December 9, 1993 and reviewed the committee report as distributed.

NNRC MEMBER - NUMBER OF TERMS

Traditionally this district and the Lower Big Blue NRD have rotated members on the Natural Resources Commission each term (four years); a gentlemen's agreement. Several past commission members feel that one four-year term is not enough to be effective. The committee suggests that it is time to move away from the traditional one term, and to let the best person be elected at the Blue Basin Caucus whenever elections are held.

Regier made the motion (Motion #22) that the Upper Big Blue NRD Board of Directors discontinue the tradition of rotating the Natural Resource Commission members with the Lower Big Blue NRD, in order to allow for election of a commission member to successive terms. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ediger, Houdersheldt, Oswald

FINANCIAL STATEMENT

Burke made the motion (Motion #23) to approve the financial statement and budget report as of November 30, 1993; to make payment of the accounts payable and approve the expenditures for

Board of Director's Meeting

publication. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen,
Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ediger, Houdersheldt, Oswald

Meeting adjourned at 3:35 p.m.

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
NOVEMBER 18, 1993

CALL TO ORDER

A regular board of directors meeting was called to order by chairman Larry Moore at 1:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Larry Moore, Chairman	Buzz Oswald, Vice Chairman
Jim Jackson, Secretary	Kenneth Regier, Treasurer
Bruce Anderson, Director	Yvonne Austin, Director
Steve Buller, Director	Ray Burke, Director
Doug Dickinson, Director	Ed Ediger, Director
Wayne Hansen, Director	Roger Houdersheldt, Director
Luke Jacobsen, Director	Roland Schulz, Director
Roger Siebert, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Prudence Sadler, Staff	Ken Feather, Staff
Jay Bitner, Staff	Bill Gilliam, York SCS
Kent Kopetzky, KAWL	Craig Derickson, Lincoln
Norene Fitzgerald, Geneva	Bob Ramsel, Red Cloud
Dennis Schroeder, Aurora SCS	Jerry Willhoft, Aurora
Kent Norquest, Geneva SCS	Donna Rhoades, York News-Times

QUORUM CALL

14 directors were present during quorum call. Anderson arrived at 1:38 p.m. and Siebert arrived at 1:48 p.m.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published November 1, 1993 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

EXCUSED ABSENCES

Moore informed the board that Ehlers, citing medical reasons, had requested that his absence from the board meeting be excused.

Hansen made the motion (Motion #1) to excuse the absence of Ehlers from the November 18, 1993 board meeting. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer, Moore

NAY: None

ABSENT: Anderson, Ehlers, Siebert

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the agenda for the board of directors meeting as presented. Seconded by Hansen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer, Moore

NAY: None

ABSENT: Anderson, Siebert

EXCUSED: Ehlers

APPROVAL OF MINUTES OF THE OCTOBER BOARD MEETING

Ediger made the motion (Motion #3) to approve the minutes of the October 21, 1993 board of directors meeting as distributed. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer, Moore

NAY: None

ABSENT: Anderson, Siebert

EXCUSED: Ehlers

PROJECTS COMMITTEE REPORT

Oswald gave a report on the Projects Committee meeting held November 8, 1993 and reviewed the committee report as distributed.

EMERGENCY WATERSHED PROTECTION PROGRAM - APPLICATIONS

Bill Gilliam, SCS, recommended six applications for cost-share assistance to clear log jams at bridges in Hamilton and York Counties. The total cost of these applications is \$16,050. The current board policy is to cost-share at the rate of 10% of the total cost on each application, not to exceed a cumulative total of \$7,500.

Oswald made the motion (Motion #4) that the NRD cost-share on Emergency Watershed Protection Program applications having an actual cost of greater than \$2,000 and that the NRD's cumulative cost-share not exceed \$1,000 and that all work be completed by July 15, 1994. Seconded by Anderson.

Dickinson amended the motion to make the motion (Motion #5) that the word "cumulative" be stricken and that the NRD's cost-share not exceed \$1,425. Seconded by Austin. Question called on the amendment. Amendment carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson,

Jacobsen, Oswald, Regier, Siebert, Moore
NAY: Schulz, Volkmer
EXCUSED: Ehlers

Houdersheldt amended the motion to make the motion (Motion #6) to strike the word "actual" and replace with the word "estimated." Seconded by Hansen. Question called on the amendment. Amendment carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore
NAY: Ediger, Volkmer
EXCUSED: Ehlers

Volkmer made the motion (Motion #7) to send the matter back to committee. Seconded by Austin. Question called. Motion failed.

AYE: None
NAY: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Siebert, Moore
PASS: Schulz, Volkmer
EXCUSED: Ehlers

Question called on the original motion as amended. "That the NRD cost-share on Emergency Watershed Protection Program applications having an estimated cost of greater than \$2,000 and that the NRD's cost-share not exceed \$1,425 and that all work be completed by July 15, 1994.11 Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert
NAY: Austin Ediger, Hansen, Volkmer, Moore
EXCUSED: Ehlers

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Oswald made the motion (Motion #8) that payment of NRD land treatment funds be made in the amount of \$109.20 for one application reviewed by the committee. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Ehlers

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Oswald made the motion (Motion #9) that payment of NSWCP land treatment funds be made in the amount of \$4,440.63 for three applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ehlers

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Oswald made the motion (Motion #10) that nine applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ehlers

PROJECT 04-13-02E, STARA DAM - FINAL PAYMENT

Oswald made the motion (Motion #11) that the district pay Slepicka Brothers, Inc. \$59,401.00, which includes release of previous retainage, as final payment on Project 04-13-02E. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ehlers

SMALL DAMS PROGRAM - PROJECT SELECTION

Staff completed a benefit to cost assessment for each Small Dam application on file. This information was then used to show each project's watershed size compared to its benefit to cost ratio. On the basis of benefits vs. cost, staff recommended that the Small Dams program be amended to require that eligible projects have a contributing drainage area of greater than 250 acres. This will eliminate projects with marginal benefit to cost ratios. Projects with less than 250 acres of contributing drainage area will still be eligible for the land treatment program.

Oswald made the motion (Motion #12) that the Small Dams program be amended to require that all eligible projects have a contributing drainage area greater than 250 acres. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ehlers

WATER COMMITTEE REPORT

Hansen gave a report on the Water Committee meeting held November 8, 1993 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
LAYNE WESTERN - PROGRESS PAYMENT

Hansen made the motion (Motion #13) to authorize payment of \$21,207.80 to Layne Western Company for work completed from October 1 through October 30, 1993, including \$2,120.78 to be held as retainage. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Ehlers

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

Hansen made the motion (Motion #14) to approve final payment for one well abandonment totaling \$300.00, as reviewed by the committee. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Ehlers

Hansen made the motion (Motion #15) to give tentative approval to four Aquifer Quality Well Abandonment Cost-share Assistance Program applications with a total estimated cost-share of \$800.00 Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
PASS: Buller
EXCUSED: Ehlers

GROUNDWATER MANAGEMENT PLAN

Staff reviewed draft language that would eliminate the requirement for updating the Groundwater Management Plan if an SPA is recommended.

46-673.14 **Amendment of groundwater management plan; contents; exception.** Prior to July 1, 1993, each district shall amend its groundwater management plan to identify to the extent possible the levels and sources of groundwater contamination within the area, groundwater quality goals, long-term solutions necessary to prevent the levels of groundwater contaminants from becoming too high and to reduce high levels sufficiently to eliminate health hazards, and practices recommended to stabilize, reduce, and prevent the occurrence, increase, or spread of groundwater contamination. if a special groundwater quality protection area has been designated in a district as of September 6, 1991, or if Department of Environmental Quality study as required by section 47-674.04 is completed by July 1, 1993, which recommends -the designation of a special groundwater quality protection area, the district shall not be required to amend its plan for the geographical area encompassed by the special protection area.

Hansen made the motion (Motion #16) to pursue changes in the Nebraska Groundwater management and Protection Act that will eliminate the requirement for updating. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ehlers

FALL DOMESTIC WELL NITRATES - PAYMENT TO BLUE RIVER ASSN. OF GWCD'S

Hansen made the motion (Motion #17) to pay the Blue River Association of Groundwater Conservation Districts \$309.00 for nitrate analysis conducted in September and October of 1993. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ehlers

LATE WELL PERMIT

Hansen made the motion (Motion #18) to approve a late permit for a monitoring well constructed on August 31, 1993 by CORANCO, Inc. in the NE ¼ NE ¼ of Section 29, Township 8 North, Range I West, Fillmore County. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ehlers

EDUCATION AND PARKS COMMITTEE REPORT

Dickinson gave a report on the Education & Parks Committee meeting held November 10, 1993 and reviewed the committee report as distributed.

UNL WATER CENTER'S TABLOID PROPOSALS

The Water Center will publish a 16-page tabloid, Water-Sharing a Resource, which will be inserted in the Sunday Omaha World-Herald and Lincoln Journal-Star in February or March. They have offered to dedicate four pages to the NRD system and would like help with the production from the districts.

Dickinson made the motion (Motion #19) that the Upper Big Blue NRD support the University of Nebraska Water Center's effort to publish a 16-page tabloid, Water-Sharing a Resource, by assisting with research, writing and editing for a four-page NRD insert. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson,

Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Ehlers

TRAILBLAZER RESOURCE CONSERVATION AND DEVELOPMENT (RC&D)

Representatives of the Webster County SCS, Webster County Extension Service and the Fillmore County Development Corporation introduced the Trailblazer RC&D. It will provide regional organization for economic development in a seven-county area. The counties involved are Clay, Fillmore, Franklin, Harlan, Nuckolls, Thayer and Webster. The Upper Big Blue NRD has been asked to join as a sponsor and adopt a resolution stating their support.

Dickinson made the motion (Motion #20) that the Upper Big Blue NRD support formation of the Trailblazer RC&D with the following resolution:

RESOLUTION 94-1

RESOLUTION OF THE UPPER BIG BLUE NATURAL RESOURCES DISTRICT, YORK, NEBRASKA, GIVING SUPPORT TO THE NEWLY ESTABLISHED RESOURCE, CONSERVATION AND DEVELOPMENT PROGRAM.

WHEREAS, on or about September 8, 1993, efforts were begun to establish a resource, conservation and development program for South Central Nebraska; and

WHEREAS, purpose of the program is to accelerate the conservation, development and use of natural resources to improve economic activity for South Central Nebraska; and

WHEREAS, the NRD board believes that this program would be a benefit to the Upper Big Blue Natural Resources District.

NOW THEREFORE, BE IT RESOLVED, by the NRD Board Chairman of the Upper Big Blue Natural Resources District:

That this body gives its support to the formation of a resource conservation and development program for South Central Nebraska.

DATED this 18th day of November 1993.

Seconded by Volkmer.

Austin amended the motion to make the motion (Motion #21) that the NRD contribute \$25.00 to the Trailblazer RC&D as start-up money. The amendment died for lack of a second. Question called on the original motion. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Volkmer, Moore

NAY: Burke, Dickinson, Siebert
PASS: Schulz
EXCUSED: Ehlers

NOVEMBER WILDLIFE PAYMENTS

Dickinson made the motion (Motion #22) that the Upper Big Blue NRD Board of Directors approve payment of \$3,109.00 to the cooperators of the Wildlife Habitat Improvement Program for the month of November, as submitted and reviewed. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: Dickinson, Ediger
EXCUSED: Ehlers

EXECUTIVE COMMITTEE REPORTS

Oswald gave a report on the Executive Committee meeting held November 10, 1993 and reviewed the committee reports as distributed.

PUBLIC INFORMATION SPECIALIST

The manager is recommending that the board authorize the creation of a new full-time position for a Public Information Specialist. The individual would be under the supervision of Prudence Sadler, and would do much of the routine information and education work. The addition of the position would allow Prudence to devote much more time to SPA activities. The position was budgeted for in the FY 94 SPA Budget, and is necessary because of the increase in education work for the Special Protection Area. The manager is recommending that the position be classified as a Grade 8 on the pay scale (currently with a minimum wage of \$16,936 and a maximum of \$27,098).

Jackson made the motion (Motion #23) to authorize the position of Public Information Specialist as a full-time employee, with a job classification of Grade 8; and further, to authorize the General manager to fill the position. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Moore
NAY: Siebert, Volkmer
EXCUSED: Ehlers

OFFICE FURNITURE

When the Public Information Specialist position is filled, office space will need to be made and furniture purchased. It is anticipated that the district will hire a technician for the SPA work early in fiscal year 95. Furniture purchases should be made with this in mind.

Staff has recommended that Steelcase furniture be purchased to match the existing panel system.

One desk with secretarial return, work counter, two swivel chairs, and acoustical panels to separate work areas are needed. A quote was received from Eakes Office Equipment of Grand Island.

desk	\$1,803.00
counter	739.00
acoustic panels	3,729.00
chairs	<u>858.00</u>
	\$7,129.00
discount	<u>- 2,637.00</u>
total cost	\$4,492.00

Jackson made the motion (Motion #24) that the purchase of Steelcase office furniture consisting of a desk with return, counter, acoustical panels, and swivel chairs, from Eakes Office Equipment of Grand Island, be purchased for an amount not to exceed \$4,492.00, plus tax. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Siebert, Moore

NAY: None

PASS: Hansen, Schulz

EXCUSED: Ehlers

NARD FEDERAL GOVERNMENT CONTACT TRIP

The board provided funds in the FY 94 budget for two people to attend the NARD federal government contact trip in this fiscal year. The names need to be submitted as soon as possible, along with a deposit of \$350.00 per person.

Jackson made the motion (Motion #25) to approve out-of-state travel and deposit of \$350.00 each to the NARD for Louis Oswald and John Turnbull to attend the NARD federal government contact trip in Washington, D.C., March 26-31, 1994. Seconded by Burke.

After some discussion about the number of directors sent in past years, Burke amended the motion to make the motion (Motion #26) that two directors be sent on the NARD federal government contact trip. Seconded by Austin. Question called on the amendment. Amendment carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Regier, Schulz, Siebert, Moore

NAY: None

PASS: Oswald, Volkmer

EXCUSED: Ehlers

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Regier, Schulz, Siebert, Volkmer, Moore

Board of Director's Meeting

NAY: None
PASS: Oswald
EXCUSED: Ehlers

NEBRASKA STATE IRRIGATION ASSOCIATION DUES

Jackson made the motion (Motion #27) to approve payment of \$250.00 to the Nebraska State Irrigation Association for 1994 dues. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None
EXCUSED: Ehlers

FINANCIAL STATEMENT

Burke made the motion (Motion #28) to approve the financial statement and budget report as of October 31, 1993; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None
EXCUSED: Ehlers

Meeting adjourned at 3:20 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
OCTOBER 21, 1993

CALL TO ORDER

A regular board of directors meeting was called to order, by chairman Larry Moore at 8:00 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Larry Moore, Chairman	Buzz Oswald, Vice Chairman
Jim Jackson, Secretary	Kenneth Regier, Treasurer
Bruce Anderson, Director	Yvonne Austin, Director
Steve Buller, Director	Ray Burke, Director
Doug Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Wayne Hansen, Director
Roger Houdersheldt, Director	Luke Jacobsen, Director
Roland Schulz, Director	Roger Siebert, Director
John Turnbull, Manager	Nancy Schneider, Staff
Prudence Sadler, Staff	Rod DeBuhr, Staff
Ken Feather, Staff	Jay Bitner, Staff
Bill Gilliam, York SCS	Kent Kopetzky, KAWL Donna
Rhoades, York News-Times	

QUORUM CALL

14 directors were present during quorum call. Houdersheldt arrived at 8:10 p.m. and Regier arrived at 8:20 p.m.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published October 13, 1993 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

EXCUSED ABSENCES

Moore informed the board of Volkmer's request that his absence from the board meeting be excused. Hansen made the motion (Motion #1) to excuse the absence of Merlin Volkmer from the October 21, 1993 board meeting. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Moore

NAY: None

ABSENT: Houdersheldt, Regier, Volkmer

MINUTES OF THE SEPTEMBER 23, 1993 BOARD MEETING

Burke made the motion (Motion #2) to approve the agenda for the board of directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Moore
NAY: None
ABSENT: Houdersheldt, Regier
EXCUSED: Volkmer

MINUTES OF SEPTEMBER 23, 1993 PUBLIC HEARING

Ehlers made the motion (Motion #3) to approve the minutes of the September 23, 1993 public hearing, as distributed. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Moore
NAY: None
ABSENT: Houdersheldt, Regier
EXCUSED: Volkmer

MINUTES OF THE SEPTEMBER 23, 1993 BOARD MEETING

Burke made the motion (Motion #4) to approve the minutes of the September 23, 1993 board of directors meeting as distributed. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Moore
NAY: None
ABSENT: Houdersheldt, Regier
EXCUSED: Volkmer

PROJECTS COMMITTEE REPORT

Anderson gave a report on the Projects Committee meeting held October 7, 1993 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Anderson made the motion (Motion #5) that four new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Moore
NAY: None
ABSENT: Regier
EXCUSED: Volkmer

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Anderson made the motion (Motion #6) that payment of NSWCP Land Treatment funds be made in the amount of \$6,535.06 for five applications reviewed by the committee. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Moore
NAY: None
ABSENT: Regier
EXCUSED: Volkmer

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Anderson made the motion (Motion #7) that payment of NRD land treatment funds be made in the amount of \$777.22 for one application reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Moore
NAY: None
ABSENT: Regier
EXCUSED: Volkmer

PROJECT 04-13-02E, STARA DAM - PROGRESS PAYMENT

Construction on Project 04-13-02E (Stara Dam) is 42% complete as of this progress payment. Staff estimates that construction will be completed by the end of October.

Anderson made the motion (Motion #8) that the district pay Slepicka Brothers, Inc. \$26,766.76, with \$2,676.68 to be held as retainage, for work completed in September 1993 on Project 04-13-02E. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Moore
NAY: None
ABSENT: Regier
EXCUSED: Volkmer

AURORA FLOOD CONTROL PROJECT - FEASIBILITY STUDY

Bitner reviewed the feasibility study with the committee. Alternative flood control measures studied include levees and flood control dam. The cost of flood damage in Aurora along Lincoln Creek is \$109,000. Levees would cost \$140,000 and would reduce damages by \$68,500 (benefit to cost ratio = 0.49). A flood control dam would cost \$1,000,000 and would reduce damages by \$65,000 (benefit to cost ratio = 0.65). The study concludes that federal and state grants would not be available for construction of either levees or a dam since a benefit to cost ratio of 1.0 or greater would be required.

The study recommends that further residential and commercial construction in the flood plain not be allowed. The study further recommends that Highway 34, extending from the intersection of Highways 34 and 14 east to the Highway 34 bridge over Lincoln Creek, be raised to protect existing residential areas south of Highway 34. The study states that the district encourages development of the Lincoln Creek Parkway project and other public green belt type uses of the flood plain. The study also states that projects such as the Parkway trail place flood plain lands in public ownership which prevents residential or commercial development in the flood plain.

Anderson made the motion (Motion #9) that the district approve the study and submit it to the City of Aurora. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore

NAY: None

ABSENT: None

EXCUSED: Volkmer

WATER COMMITTEE REPORT

Hansen gave a report on the Water Committee meeting held October 12, 1993 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT LAYNE WESTERN PROGRESS PAYMENT

Bitner reported that the multi-level installation is approximately 50 percent complete. The progress payment due Layne Western for work completed in September is \$24,190.49. If approved, this will bring the total earnings to \$42,649.11 out of a total contract of \$99,395.50.

Hansen made the motion (Motion #10) to approve payment of \$24,190.49, with \$2,419.05 to be held as retainage, to Layne Western Company for work completed from September 1, 1993 to September 30, 1993. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore

NAY: None

ABSENT: None

EXCUSED: Volkmer

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENT

Hansen made the motion (Motion #11) to approve final payment for three well abandonments totaling \$584.21. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore

NAY: None

ABSENT: None
EXCUSED: Volkmer

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
TENTATIVE APPROVALS

Hansen made the motion (Motion #12) to give tentative approval for 11 AQWACAP applications with a total estimated cost-share of \$1,372.06. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore
NAY: None
PASS: Buller
ABSENT: None
EXCUSED: Volkmer

LEGISLATIVE CHANGES TO THE WELL PERMIT PROCESS

Recent changes in the Nebraska Groundwater Management and Protection Act have, in the staffs opinion, created an unintentional bureaucracy by requiring permits for all wells drilled in control areas and management areas.

The staff has some suggested changes to the statute to correct this situation.

Hansen made the motion (Motion #13) to authorize the staff to work with other interested parties to seek legislation to correct the well permit process. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore
NAY: None
ABSENT: None
EXCUSED: Volkmer

EXECUTIVE COMMITTEE REPORTS

Oswald gave a report on the Executive Committee meeting 'held October 12, 1993 and reviewed the committee reports as distributed.

ATTORNEY FEES

Oswald made the motion (Motion #14) to approve payment of \$80.00 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through September 20, 1993. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore

NAY: None
ABSENT: None
EXCUSED: Volkmer

THIRD QUARTER DIRECTORS' PER DIEM AND EXPENSES

Oswald made the motion (Motion #15) to approve payment of third quarter directors, per them and expenses of \$7,800.00 and \$2,176.49. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore

NAY: None
ABSENT: None
EXCUSED: Volkmer

FULL-TIME MAINTENANCE WORKER

The manager is recommending that the board authorize the creation of a new full-time position for a maintenance worker. The principal duties are to be tree planting, park maintenance (including mowing), minor repairs on projects (dams, etc.), assisting with recharge project water sampling, vehicle care, and building and grounds maintenance. The manager is also recommending that the position be classified as a Grade I on the pay scale (currently with a minimum wage of \$9,105 and a maximum of \$14,568).

The full-time position has been budgeted for in the current budget. The total amount in the FY 94 budget, including paid benefits and social security, is \$14,422.

Oswald made the motion (Motion #16) to authorize the position of maintenance worker as a full-time employee, with a job classification of Grade 1; and further to authorize the general manager to fill the position immediately. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Moore

NAY: Schulz
PASS: Siebert
ABSENT: Volkmer

EDUCATION AND PARKS COMMITTEE REPORT

Dickinson gave a report on the Education & Parks Committee meeting held October 14, 1993 and reviewed the committee report as distributed.

FALLER LANDSCAPE & NURSERY

Dickinson made the motion (Motion #17) that the Upper Big Blue NRD make payment of \$1,399.76 to Faller Landscape & Nursery for the trees planted at Pioneer Trails. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt,

Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore

NAY: None
ABSENT: None
EXCUSED: Volkmer

TREE PROGRAM FY 94

Dickinson made the motion (Motion #18) that the Upper Big Blue NRD charge 40 cents per tree, 25 cents per tree for planting, and six cents per tree for spraying (trees that are sprayed will only be in plantings where all the trees are two years and older.) Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore
NAY: None
ABSENT: None
EXCUSED: Volkmer

NEW WILDLIFE CONTRACTS

Dickinson made the motion (Motion #19) that the Upper Big Blue NRD Board of Directors accept the new Wildlife Habitat Improvement Program contracts for the amount of \$1,400.00 (75% Game and Parks and 25% NRD), as submitted and reviewed. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore
NAY: Dickinson, Ehlers
ABSENT: None
EXCUSED: Volkmer

FINANCIAL STATEMENT

Burke made the motion (Motion #20) to approve the financial statement and budget report as of September 31, 1993; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore
NAY: None
ABSENT: None
EXCUSED: Volkmer

Meeting adjourned at 9:15 p.m.

James K. Jackson, Secretary

:nds

Board of Director's Meeting

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
SEPTEMBER 23, 1993

CALL TO ORDER

A regular board of directors meeting was called to order by acting chairman Ken Regier at 8:00 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Jim Jackson, Secretary	Ken Regier, Treasurer
Bruce Anderson, Director	Yvonne Austin, Director
Steve Buller, Director	Ray Burke, Director
Doug Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Wayne Hansen, Director
Roger Houdersheldt, Director	Luke Jacobsen, Director
Roland Schulz, Director	Roger Siebert, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Jay Bitner, Staff
Rodney DeBuhr, Staff	Ken Feather, Staff
Prudence Sadler, Staff	Bill Gilliam, LDC, York SCS
Kent Kopetzky, KAWL Radio	Amy Kopetzky, York
Donna Rhoades, York News-Times	

QUORUM CALL

14 directors were present during quorum call. Jacobsen arrived at 8:25 p.m.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published September 13, 1993 in the York News Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

EXCUSED ABSENCES

Regier advised the board that Oswald and Moore had requested that their absence from the board meeting be excused.

Hansen made the motion (Motion #1) that the absence of Oswald and Moore from the September 23, 1993 board meeting be excused. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Schulz, Siebert, Volkmer, Regier

NAY: None

ABSENT: Jacobsen, Oswald, Moore

Regier opened the public hearing regarding the operating policy for awards and recognition dinners at 8:07 p.m.

Turnbull reviewed the draft policy. Regier asked for comments regarding the policy. No comments were received. Regier advised those present that he would continue on with the board meeting and that the hearing would remain open until such time as the Executive Committee report was heard.

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to adopt the agenda as circulated. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Schulz, Siebert, Volkmer, Regier

NAY: None

ABSENT: Jacobsen

EXCUSED: Oswald, Moore

APPROVAL OF MINUTES OF THE FY 94 BUDGET HEARING

Dickinson made the motion (Motion #3) to approve the minutes of the FY94 budget hearing as circulated. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Schulz, Siebert, Volkmer, Regier

NAY: None

ABSENT: Jacobsen

EXCUSED: Oswald, Moore

APPROVAL OF MINUTES OF THE AUGUST 19, 1993 BOARD MEETING

Burke made the motion (Motion #4) to approve the minutes of the August 19, 1993 board of directors meeting as circulated. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Schulz, Siebert, Volkmer, Regier

NAY: None

ABSENT: Jacobsen

EXCUSED: Oswald, Moore

PROJECTS COMMITTEE REPORT

Houdersheldt gave a report on the Projects Committee meeting held September 13, 1993 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #5) that one new application, for NRD land treatment funds,

reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier
NAY: None
ABSENT: None
EXCUSED: Oswald, Moore

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Houdersheldt made the motion (Motion #6) that payment of NRD land treatment funds be made in the amount of \$4,843.99 for three applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier
NAY: None
ABSENT: None
EXCUSED: Oswald, Moore

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Houdersheldt made the motion (Motion #7) that payment of NSWCP land treatment funds be made in the amount of \$7,648.35 for eight applications reviewed by the committee. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier
NAY: None
ABSENT: None
EXCUSED: Oswald, Moore

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #8) that seven new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier
NAY: None
ABSENT: None
EXCUSED: Oswald, Moore

PROJECT 04-13-02E, STARA DAM - PROGRESS PAYMENT

Slepicka Brothers, Inc. has started construction at the Stara Dam in Butler County. Cutoff trench excavation and backfilling is completed and the principal spillway pipe is being installed.

Houdersheldt made the motion (Motion #9) that the District pay Slepicka Brothers, Inc. \$11,933.24, with \$1,193.32 to be held as retainage, as payment for work completed in August 1993 on Project 0413-02E. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier

NAY: None

ABSENT: None

EXCUSED: Oswald, Moore

EMERGENCY WATERSHED PROTECTION PLAN

The SCS is conducting a program to assist public entities with repair of secondary damages from the recent flooding. The program will help with projects such as clearing log jams from streams. The program is designed to assist the general public instead of individual land owners. Eligible projects must have tributary drainage areas less than 400 square miles.

The SCS will provide 75% funding, program administration, engineering, contract documents and field inspection. The District has previously agreed to assist with mapping, review of prospective projects, obtaining land owner approvals, etc.

Staff requested that the board of directors consider funding a portion of the 25% local share of these projects.

Austin made the motion (Motion #10) that the district contribute 10% of the total funding of the Emergency Watershed Protection Program. Seconded by Burke.

Ehlers amended the motion to make the motion (Motion #11) not to exceed \$7,500.00. Seconded by Hansen. Question called on the amendment. Amendment carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Volkmer, Regier

NAY: Dickinson

PASS: Schulz, Siebert

ABSENT: None

EXCUSED: Oswald, Moore

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Regier

NAY: Dickinson, Schulz, Siebert, Volkmer

ABSENT: None

EXCUSED: Oswald, Moore

PUBLIC HEARING

Regier again asked for comments regarding the awards and recognition dinners operating policy. There being no comments the hearing was officially closed at 9:22 p.m.

EXECUTIVE COMMITTEE REPORTS

Jackson gave a report on the Executive Committee meetings held August 19, 1993 and September 13, 1993 and reviewed the committee reports as distributed.

LITTLE BLUE NRD SALARY REIMBURSEMENT

Jackson made the motion (Motion #12) to approve payment of \$11,086.34 to the Little Blue NRD for the Adams County field office clerk and part-time technicians payroll costs from July 1, 1992 to June 30, 1993. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier

NAY: None

ABSENT: None

EXCUSED: Oswald, Moore

MOTOROLA TRUNKED RADIO SYSTEM ANNUAL BILLING

Jackson made the motion (Motion #13) to approve payment of \$1,224.00 to Motorola for the trunked radio system annual billing. Seconded by Buller. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier

NAY: None

ABSENT: None

EXCUSED: Oswald, Moore

LB 734 - LOCAL GOVERNMENTS MISCELLANEOUS EXPENDITURE ACT

The Local Governments Miscellaneous Expenditure Act passed the 1993 Legislature and is now in effect. It governs miscellaneous expenditures of NRDs. The board needs to amend its operating policies governing expenses for meals associated with board and committee meetings and mileage reimbursement rates. Action is also needed to adopt the draft policy for awards and recognition dinners.

Jackson made the motion (Motion #14) to amend Operating Policy No. 5 - Directors' Compensation, Expenses, and Spouse Travel and Operating Policy No. 6 - Mileage, as presented. Seconded by Houdersheldt.

Dickinson amended the motion to make the motion (Motion #15) effective October 1, 1993. Seconded by Austin. Question called on the amendment. Amendment carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier

NAY: None

ABSENT: None
EXCUSED: Oswald, Moore

Question called on the original motion, as amended. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier
NAY: None
ABSENT: None
EXCUSED: Oswald, Moore

Jackson made the motion (Motion #16) to recommend adoption of the operating policy on Awards and Recognition Dinners. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier
NAY: None
ABSENT: None
EXCUSED: Oswald, Moore

YORK SCS FIELD OFFICE CLERK

The SCS reorganization will take place October 1. The area offices will be eliminated, with much of their authority and responsibilities placed on the Liaison District Conservationists. The LDC now becomes the line of authority from the local county offices to the state office. The York Office will supervise Fillmore, Hamilton, Polk, Seward and York Counties.

The clerical workload at the York field office will increase considerably. As a result Bill Gilliam has requested that the district consider making the York field office clerk's job a full time position. In exchange, Gilliam is proposing that the SCS engineer assigned to his office lead a team of SCS technical staff to survey, design, and inspect minimum of two structures per year under the District's Small Dam Program.

Jackson made the motion (Motion #17) that the York field office clerk's position be changed from part-time to full-time effective October 1, 1993, due to an increase in workload. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Hansen, Houdersheldt, Jackson, Jacobsen, Siebert, Regier
NAY: Dickinson, Ediger, Ehlers, Schulz, Volkmer
ABSENT: None
EXCUSED: Oswald, Moore

DISTRICT BUILDING DESIGN

The staff requested proposals from three architectural firms for board room design. Only two firms responded; James Canon and Associates and Architectural Partners. Both sent letters indicating they

were not interested in doing the design work.

Based on the lack of positive response, staff is recommending that the district engineer design the board room and related facilities to meet the orders of the State Fire Marshall and the ADA requirements. Design work could be completed during the winter months with construction anticipated in the summer of 1994. The geotechnical, electrical, heating and ventilating will still need to be hired out to consultants.

Jackson made the motion (Motion #18) that the staff proceed with the architectural and engineering design of the district building extension, to meet ADA and other building code standards. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Regier
NAY: None
PASS: Volkmer
ABSENT: None
EXCUSED: Oswald, Moore

WATER COMMITTEE REPORT

Dickinson gave a report on the Water Committee meeting held September 14, 1993 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT

Rod reported at the Water Committee meeting that the U.S. Fish. and Wildlife Service has agreed to pay 50 percent of the cost to convert the west spreading basin into a wetland.

Dickinson made the motion (Motion #19) to authorize the conversion of the west spreading basin into a wetland and to enter into Wildlife Extension Agreement No. NE-64560-93-0 with the U.S. Fish and Wildlife Service for 50 percent cost-share assistance from the service, not to exceed \$2,500 for the cost of the conversion. Seconded by Anderson. Question called. Motion failed.

AYE: Anderson, Austin, Burke, Houdersheldt, Jackson
NAY: Buller, Dickinson, Ediger, Ehlers, Jacobsen, Schulz, Siebert, Volkmer
PASS: Hansen, Regier
ABSENT: None
EXCUSED: Oswald, Moore

RECHARGE LAKE PESTICIDE MANAGEMENT PROJECT - 319 APPLICATION

Rod distributed copies of the revised 319 applications at the Water Committee meeting. The deadline for submittal is September 30. The major changes between this application and the one submitted last spring are: the time frame for some activities has been changed, the duration of the pesticide management project has been shortened and some costs, which were paid by 319 funds, have been shifted to Ciba Geigy. The total 319 request is \$70,000 compared to \$122,000 in the

previous request.

Hansen made the motion (Motion #20) to submit the revised application for Clean Water Act 319 funding for the Recharge Lake Pesticide Management Project. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Regier
NAY: None
PASS: Volkmer
ABSENT: None
EXCUSED: Oswald, Moore

PAYMENT TO DEPARTMENT OF HEALTH FOR WATER ANALYSIS

Hansen made the motion (Motion #21) to pay the Nebraska Department of Health \$3,294.70 for water analysis conducted in April, May and June 1993 for the York Groundwater Recharge Demonstration Project. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier
NAY: None
ABSENT: None
EXCUSED: Oswald, Moore

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

Hansen made the motion (Motion #22) to approve final payment for one well abandonment totaling \$100.00. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier
NAY: None
ABSENT: None
EXCUSED: Oswald, Moore

Hansen made the motion (Motion #23) to give tentative approval to four AQWACAP applications with a total estimated cost-share of \$642.50. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier
NAY: None
PASS: Buller
ABSENT: None
EXCUSED: Oswald, Moore

LATE WELL PERMIT

Hansen made the motion (Motion #24) to approve four late permits for monitoring wells drilled in

the NE ¼ of Section 20, Township 11 North, Range 3 East, Seward County, owned by Hughes Brothers, Inc. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier

NAY: None

ABSENT: None

EXCUSED: Oswald, Moore

Hansen made the motion (Motion #25) to approve six late permits, for monitoring wells drilled in the NW ¼ of Section 13, Township 7 North, Range 2 West, Fillmore County, owned by Manning Grain Company. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier

NAY: None

ABSENT: None

EXCUSED: Oswald, Moore

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Siebert gave a report on the Budget, Planning & Legislative Committee meeting held September 16, 1993 and reviewed the committee report as distributed.

FY 93 AUDIT

Steve Wiemer, of Romans, Wiemer & Associates, was present at the Budget Committee meeting to present the audit and answer questions.

Siebert made the motion (Motion #26) to accept the FY 93 audit as presented by Romans, Wiemer & Associates. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier

NAY: None

ABSENT: None

EXCUSED: Oswald, Moore

EDUCATION AND PARKS COMMITTEE REPORT

Dickinson gave a report on the Education & Parks Committee meeting held September 16, 1993 and reviewed the committee report, as distributed.

1994 SNEES

A motion was made in committee to require a minimum of 16 participants in the 1994 SNEES, however, the motion failed to make it out of committee. This action was inadvertently left out of the Education and Parks Committee report.

Dickinson made the motion (Motion #27) that the Upper Big Blue NRD support and participate in the 1994 Southeast Nebraska Environmental Education Seminar. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Regier

NAY: Volkmer

PASS: Ehlers

EXCUSED: Oswald, Moore

COMMUNITY FORESTRY - VILLAGE OF UTICA

Dickinson made the motion (Motion #28) that the Upper Big Blue NRD fund the Village of Utica in an amount not to exceed \$718.00 for trees to be planted in Utica's park and the area around the baseball field during FY 94. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier

NAY: None

ABSENT: None

EXCUSED: Oswald, Moore

SEEDING & FENCING CONTRACT

Dickinson made the motion (Motion #29) that the Upper Big Blue NRD accept the bid of \$11,979.00 and enter into a contract with B.A.B., Inc., of Adams, Nebraska for the seeding and fencing required to be done on Project 4-13-2E (Stara Dam) and Project 17-07-05W (Tom Alberts Dam). Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier

NAY: None

ABSENT: None

EXCUSED: Oswald, Moore

FINANCIAL STATEMENT

Burke made the motion (Motion #30) to approve the financial statement and budget report as of August 31, 1993; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Schulz, Siebert, Volkmer, Regier

NAY: None

ABSENT: None

EXCUSED: Oswald, Moore

Meeting adjourned at 11:10 p.m.

Board of Director's Meeting

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
AUGUST 19, 1993

CALL TO ORDER

A regular board of directors meeting was called to order by chairman Larry Moore at 8:10 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Larry Moore, Chairman
Jim Jackson, Secretary
Yvonne Austin, Director
Ray Burke, Director
Ed Ediger, Director
Wayne Hansen, Director
Roland Schulz, Director
Merlin Volkmer, Director
Nancy Schneider, Staff
Rod DeBuhr, Staff
Ken Feather, Staff
Donna Rhoades, YNT

Buzz Oswald, Vice Chairman
Bruce Anderson, Director
Steve Buller, Director
Doug Dickinson, Director
Bob Ehlers, Director
Luke Jacobsen, Director
Roger Siebert, Director
John Turnbull, Manager
Jay Bitner, Staff
Prudence Sadler, Staff
Bill Gilliam, York SCS
Larry Hansen, Utica

QUORUM CALL

15 directors were present during quorum call.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published August 9, 1993 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

EXCUSED ABSENCES

Chairman Moore advised the board that Houdersheldt and Regier had requested that their absence from the board meeting be excused.

Ehlers made the motion (Motion #1) to excuse the absence of Roger Houdersheldt and Ken Regier. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Houdersheldt, Regier

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the agenda for the board of directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Houdersheldt, Regier
ABSENT: None

APPROVAL OF MINUTES OF THE JULY BOARD MEETING

Ediger made the motion (Motion #3) to approve the minutes of the July 15, 1993 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Houdersheldt, Regier
ABSENT: None

FISCAL YEAR 1994 BUDGET

Burke made the motion (Motion #4) to adopt the FY 94 budget, as presented, and to authorize the board secretary to set the final levy, if necessary. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Moore
NAY: Siebert, Volkmer
EXCUSED: Houdersheldt, Regier
ABSENT: None

PROJECTS COMMITTEE MEETING REPORT

Anderson gave a report on the Projects Committee meeting held August 9, 1993 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Anderson made the motion (Motion #5) that payment of NSWCP land treatment funds be made in the amount of \$859.95 for one application reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Houdersheldt, Regier
ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Anderson made the motion (Motion #6) that one new application for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Houdersheldt, Regier
ABSENT: None

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Anderson made the motion (Motion #7) that payment of NRD land treatment funds be made in the amount of \$286.65 for one application, reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Houdersheldt, Regier
ABSENT: None

SMALL DAMS PROGRAM - CONSTRUCTION FINAL PAYMENT

Anderson made the motion (Motion #8) that the district pay Shuck Engineering Company \$5,607.22, which includes payment of \$1,098.73 retainage, as final payment for construction work completed on the Tom Albert's dam. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Houdersheldt, Regier
ABSENT: None

EMERGENCY WATERSHED PROTECTION PLAN

The SCS is conducting a program to assist public entities with repair of secondary damages from the recent flooding. The program will help with projects such as clearing log jams from streams. The program is designed to assist the general public instead of individual land owners. Eligible projects must have tributary drainage areas less than 400 square miles.

The SCS will provide funding, program administration, engineering, contract documents and field inspection. The district can assist with mapping, review of prospective projects, obtaining land owner approvals, etc.

Anderson made the motion (Motion #9) that the district assist the SCS in carrying out the Emergency Watershed Protection Plan by providing staff time when authorized by the General

Manager. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Houdersheldt, Regier

ABSENT: None

WATER COMMITTEE MEETING REPORT

Hansen gave a report on the Water Committee meeting held August 10, 1993 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT

REVISED OPERATIONS PLAN

Hansen made the motion (Motion #10) to approve the revised operations plan for the York Groundwater Recharge Demonstration Project. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Houdersheldt, Regier

ABSENT: None

MULTI-LEVEL MONITORING WELLS

The total bid price for the multi-level monitoring wells was \$114,245.50. The total dollar amount of work completed through July 30 is \$18,458.61. Prior approved payments to Layne Western Company, including retainage, total \$11,749.43.

Hansen made the motion (Motion #11) to approve payment of \$6,709.19 to Layne Western Company for work completed in the month of July 1993, including \$670.92 to be held as retainage. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Houdersheldt, Regier

ABSENT: None

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

Hansen made the motion (Motion #12) to approve final payment for one well abandonment totaling \$336.38, as reviewed. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Houdersheldt, Regier

ABSENT: None

Hansen made the motion (Motion #13) to give tentative approval to two AQWACAP applications with a total estimated cost-share of \$446.00. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

PASS: Buller

EXCUSED: Houdersheldt, Regier

ABSENT: None

LATE WELL PERMIT

On May 17, 1993, Seim Irrigation & Well Drilling of Chapman, Nebraska began construction of a well for Morrison Enterprises of Hastings. No permit was obtained from the NRD. Seim Irrigation & Well Drilling has contacted the NRD office and has acknowledged the error. Morrison Enterprises has applied for a late permit. No other law or regulation appears to have been violated by the construction of this well.

Hansen made the motion (Motion #14) to approve a late well permit for a well constructed in the SW ¼ of the SE ¼ of Section 9, Township 7 North, Range 9 West, Adams County, owned by Morrison Enterprises. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Houdersheldt, Regier

ABSENT: None

NARD RESOLUTION #93-6

REPLACEMENT IRRIGATION WELL SPACING STANDARDS

Ehlers made the motion (Motion #15) to return Resolution 93-6 to the table for consideration. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Houdersheldt, Regier

ABSENT: None

Following a short discussion on the intent of the resolution, Ehlers made the motion (Motion #16) to support NARD Resolution 93-6. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Siebert, Volkmer

NAY: Schulz, Moore

EXCUSED: Houdersheldt, Regier

ABSENT: None

EXECUTIVE COMMITTEE MEETING REPORT

Oswald gave a report on the Executive Committee meeting held August 10, 1993 and reviewed the committee report as distributed.

ATTORNEY FEES

Oswald made the motion (Motion #17) to approve payment of \$62.73 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through July 20, 1993. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Houdersheldt, Regier

ABSENT: None

LOWER PLATTE NORTH NRD SALARY REIMBURSEMENT

Oswald made the motion (Motion #18) to approve payment of \$2,860.81 to the Lower Platte North NRD for the Butler County field office clerk payroll costs from January 1 through June 30. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Houdersheldt, Regier

ABSENT: None

LOWER BIG BLUE NRD SALARY REIMBURSEMENT

To approve payment of \$2,914.57 to the Lower Big Blue NRD for Saline County field office clerk and part-time technician payroll costs from January 1 through June 30. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Houdersheldt, Regier

ABSENT: None

GAME & PARKS LAND AND WATER CONSERVATION FUND REAPPLICATION

Last year the Board approved an application to Game & Parks for park improvements at Pioneer Trails. The application was not approved, but was rated high by the state. Sadler requested approval to resubmit the application for the current fiscal year.

Oswald made the motion (Motion #20) that the Upper Big Blue NRD apply to the Nebraska Game & Parks Commission for a 50% matching grant of \$24,000 (total project cost is \$48,000) for phase two construction at the Pioneer Trails Recreation Area, from the Land and Water Conservation Fund

and that the chairman be authorized to sign necessary application documents and resolutions. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Moore

NAY: None

PASS: Volkmer

EXCUSED: Houdersheldt, Regier

ABSENT: None

FINANCIAL STATEMENT

Burke made the motion (Motion #21) to approve the financial statement and budget report as of July 31, 1993; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Houdersheldt, Regier

ABSENT: None

Meeting adjourned at 9:15 p.m.

James K. Jackson, Secretary

: nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JULY 15, 1993

CALL TO ORDER

A regular board of directors meeting was called to order by chairman Larry Moore at 8:00 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Larry Moore, Chairman

Jim Jackson, Secretary

Bruce Anderson, Director

Steve Buller, Director

Doug Dickinson, Director

Bob Ehlers, Director

Roger Houdersheldt, Director

Roland Schulz, Director

Merlin Volkmer, Director

Nancy Schneider, Staff

Rod DeBuhr, Staff

Ken Feather, Staff

Buzz Oswald, Vice Chairman

Ken Regier, Treasurer

Yvonne Austin, Director

Ray Burke, Director

Ed Ediger, Director

Wayne Hansen, Director

Luke Jacobsen, Director

Roger Siebert, Director

John Turnbull, Manager

Prudence Sadler, Staff

Jay Bitner, Staff

Bill Gilliam, York SCS

Donna Rhoades, York News-Times

QUORUM CALL

16 directors were present during quorum call. Anderson arrived following the approval of the minutes.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published July 6, 1993 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ADOPTION OF AGENDA

Hansen made the motion (Motion #1) to approve the agenda for the board of directors meeting as circulated. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson

APPROVAL OF MINUTES OF THE JUNE BOARD MEETING

Burke made the motion (Motion #2) to approve the minutes of the June 17, 1993 board of directors meeting as distributed. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Anderson

WATER COMMITTEE REPORT

Hansen gave a report on the Water Committee meeting held July 6, 1993 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE PROJECT - PAYMENT FOR GRUNDFOS PUMP

In May the board approved the purchase of a Grundfos REDI-FLO2 sampling pump from Nebraska Pump Company for the Recharge Project.

Hansen made the motion (Motion #3) that the district pay Nebraska Pump Company \$3,252.16 for the Grundfos REDI-FLO2 pump, controller and related equipment. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

FINAL PAYMENTS

Hansen made the motion (Motion #4) to approve final payment for two well abandonments totaling \$540.31. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

PASS: Buller

ABSENT: None

TENTATIVE APPROVALS

Hansen made the motion (Motion #5) to give tentative approval to nine AQWACAP applications with a total estimated cost-share of \$1,263.00. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

PASS: Buller

ABSENT: None

EXTENSION OF COMPLETION DEADLINE

Hansen made the motion (Motion #6) to extend the completion deadline for six previously approved AQWACAP applications. With a total cost-share of \$1,405.40, to December 31, 1993. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

DOMESTIC WELL NITRATE SAMPLES

Mark Nannen of the Blue River Association of Ground Water Conservation Districts has completed the nitrate sampling in Adams, Butler, Clay, Polk and Saline Counties.

Hansen made the motion (Motion #7) to pay the Blue River Association of Ground Water Conservation Districts \$318.00 for 106 domestic well nitrate samples tested for Adams, Butler, Clay, Polk and Saline Counties. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

EDUCATION AND PARKS COMMITTEE REPORT

Dickinson gave a report on the Education and Parks Committee meeting held July 8, 1993 and reviewed the committee report as distributed.

1993 SNEES PAYMENT

The total cost of the seminar is \$8,395.34. The Upper Big Blue NRD's share is \$1,335.07. The district has already paid \$122.45 in miscellaneous expenses, therefore we owe the Little Blue NRD \$1,212.62.

Dickinson made the motion (Motion #8) that payment of \$1,212.62 be made to the Little Blue NRD for the 1993 SNEES. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

POLK BASEBALL FIELD RENOVATION

Dickinson made the motion (Motion #9) that the Upper Big Blue NRD make payment of \$1,580.68 to the Village of Polk (25% of \$6,322.71) as agreed to upon completion of the project located at the baseball field in Polk. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

WYAD UTILITY CONTRACTORS

Dickinson made the motion (Motion #10) that the Upper Big Blue NRD make payment of \$1,982.00 to WyAd Utility Contractors for digging and setting the vault, digging and pouring the footings, pouring the walkway, and moving and setting the restroom at the Recharge Lake. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

PROJECT 4-13-2 (STARA DAM) - EASEMENT

Dickinson made the motion (Motion #11) that the Upper Big Blue NRD Board of Directors approve the purchase of an easement in the amount of \$1.00 located in the W ½ of the SW 1/4 of Section 4, Township 13 North, Range 2 East of the 6th P.M., Butler County, Nebraska from Stanley Robert Wynegar and Lucille Ann Wynegar for 3.0 acres of permanent water storage and 5.0 acres of temporary water storage. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

PROJECT 4-13-2 (STARA DAM) - AGREEMENT

Dickinson made the motion (Motion #12) that the Upper Big Blue NRD Board of Directors approve the agreement between the Upper Big Blue NRD and Stanley Robert Wynegar and Lucille Ann

Wynegar and authorize the chairman to sign said agreement. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held July 12, 1993 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Regier made the motion (Motion #13) that payment of NSWCP land treatment funds be made in the amount of \$25,754.92 for 10 applications reviewed by the committee. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #14) that six new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Regier made the motion (Motion #15) that payment of NRD land treatment funds be made in the amount of \$5,282.00 for six applications reviewed by the committee. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #16) that two new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None

ABSENT: None

SMALL DAMS PROGRAM - CONSTRUCTION PROGRESS PAYMENT

Sixty-five percent of the work on the Tom Alberts dam was completed during the month of June.

Regier made the motion (Motion #17) that the district pay Shuck Engineering Company \$10,987.26 for work completed in June 1993 on the Tom Alberts dam, and that \$1,098.73 be withheld as retainage until the contracted work is completed. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

YORK GROUNDWATER RECHARGE PROJECT - CONSTRUCTION PROGRESS PAYMENT

Construction of the multi-level monitoring wells has begun at the recharge project site. Ten percent of the contract work was completed in June.

Regier made the motion (Motion #18) that the district pay Layne Western Company \$11,749.43 for work completed in June 1993 on the multi-level monitoring wells at the York Groundwater Recharge

Project, and that \$1,174.94 be withheld as retainage until the contract work is complete. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

EXECUTIVE COMMITTEE REPORT

Oswald gave a report on the Executive Committee meeting held July 12, 1993 and reviewed the committee report as distributed.

ATTORNEY FEES

Oswald made the motion (Motion #19) to approve payment of \$124.67 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through June 20, 1993. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

SECOND QUARTER PER DIEM AND EXPENSES

Oswald made the motion (Motion #20) to approve payment of second quarter directors' per them of \$6,700.00 and expenses of \$1,694.96. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt,

Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

EQUIPMENT PAYMENT - COMPUTER PLOTTER

The computer plotter ordered from Todays Computers Business Center of Lincoln has been delivered and is in service.

Oswald made the motion (Motion #21) to approve payment to Todays Computers Business Centers of Lincoln, Nebraska in the amount of \$3,295.00 plus \$164.75 sales tax. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

NARD DUES

The NARD dues have been set for FY 94. The NARD budget was adopted at the June association meeting. The budget does not require any increase in dues over last year.

Oswald made the motion (Motion #22) to approve payment of \$11,613.00 to the Nebraska Association of Resources Districts for FY 94 dues. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore
NAY: Volkmer
ABSENT: None

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Siebert gave a report on the Budget, Planning & Legislative committee meeting held July 14, 1993 and reviewed the committee report as distributed.

NARD RESOLUTIONS

RESOLUTION 93-1 WATER QUALITY MANAGEMENT PLAN IMPLEMENTATION

This resolution calls for legislation that would require all NRDs to have a ground water quality management plan implemented by January 1, 1997.

Siebert made the motion (Motion #23) that the district oppose NARD Resolution 93-1. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
PASS: Schulz
ABSENT: None

RESOLUTION 93-2 CONSERVATION RESERVE PROGRAM

Legislation to amend Nebraska Soil and Water Conservation Program rules to allow cost-share of conservation practices in the 'Last spring or summer of a CRP contract.

Siebert made the motion (Motion #24) that the district support NARD Resolution 93-2. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Buller, Ediger, Ehlers, Hansen, Jacobsen, Oswald, Regier, Schulz, Siebert,
NAY: Austin, Burke, Dickinson, Jackson, Volkmer, Moore
PASS: Houdersheldt
ABSENT: None

RESOLUTION 93-3 NOXIOUS WEED SEEDS IN MULCH MATERIAL FOR EROSION CONTROL

This resolution would encourage the purchase of only certified noxious weed seed free hay for mulch in the State of Nebraska.

Siebert made the motion (Motion #25) that the district take a neutral position on NARD Resolution 93-3. Seconded by Houdersheldt. Question called. Motion failed.

AYE: Anderson, Buller, Burke, Dickinson, Houdersheldt, Oswald, Regier, Siebert
NAY: Austin, Ediger, Ehlers, Schulz, Moore
PASS: Hansen, Jackson, Jacobsen, Volkmer
ABSENT: None

Ehlers made the motion (Motion #26) that the district oppose NARD Resolution 93-3. Seconded by Austin. Question called. Motion failed.

AYE: Austin, Buller, Ehlers, Houdersheldt, Jacobsen, Siebert, Moore
NAY: Anderson, Dickinson, Ediger, Oswald
PASS: Dickinson, Hansen, Jackson, Regier, Schulz, Volkmer
ABSENT: None

RESOLUTION 93-4 GROUNDWATER MANAGEMENT OF NEBRASKA'S AQUIFER

Calls for the NNRC to develop programs which require irrigators to use best management practices, encourage use of flow meters and other water measuring devices, promote maximum efficiency and uniformity of application to reduce the potential for ground water depletion and leaching of nitrates and other contaminants.

Further, that the NRDs work with cities, businesses, industries, and other water users to assure that conservation and protection of the resource is practiced.

Siebert made the motion (Motion #27) that the district support NARD Resolution 93-4. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Regier, Moore
NAY: Austin, Buller, Ehlers, Siebert, Volkmer
PASS: Schulz

ABSENT: None

RESOLUTION 93-5 WATER TRANSFER AND TRANSPORTING

Calls for legislation to define "overlying land" and to place limitations on transfers and transporting of ground water in normal agricultural operations.

Siebert made the motion (Motion #28) that the district oppose NARD Resolution 93-5. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
PASS: Schulz
ABSENT: None

RESOLUTION 93-6 REPLACEMENT IRRIGATION WELL SPACING STANDARDS

Nebraska Statute 46-609 requires that a replacement well must be drilled within 600 feet of the well it replaces.

Resolution 93-6 calls for legislation to amend Section 46-609 to provide "replacement well" status to a well which is constructed within 2,000 feet of the well it replaces.

Siebert made the motion (Motion #29) that the district oppose NARD Resolution 93-6. Seconded by Regier.

Following a lengthy discussion, Ehlers made the motion (Motion #30) to table the matter of NARD Resolution 93-6 until the August board meeting. Seconded by Hansen. Question called on the motion to table. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

RESOLUTION 93-7 AMENDMENTS TO DEPARTMENT OF WATER RESOURCES PROJECT APPLICATIONS

Would provide for legislation to develop and adopt appropriate and simplified regulations for construction and special use projects such as wetland developments.

Siebert made the motion (Motion #31) that the district oppose NARD Resolution 93-7. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Siebert, Moore
NAY: Burke
PASS: Anderson, Schulz, Volkmer
ABSENT: None

RESOLUTION 93-8 EMINENT DOMAIN

Calls for the eminent domain statutes to be amended to provide for a change in the interest rate to more realistically reflect market conditions. Also, calls for legislative action clarifying when damages are assessed regarding flood control structures.

Siebert made the motion (Motion #32) that the district support NARD Resolution 93-8. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Hansen, Houdersheldt, Jacobsen, Oswald, Moore

NAY: Ehlers, Jackson, Schulz, Siebert, Volkmer

PASS: Regier

ABSENT: None

FY 94 BUDGET

Siebert made the motion (Motion #33) to adopt the FY 94 district budget as presented, for the purpose of public hearing; and further, that the budget hearing be set for 8:00 p.m., Thursday, August 19, 1993. Seconded by Burke.

Volkmer amended the motion to make the motion (Motion #34) to delete the amount of \$7,500 in line item 63 on page 10 of the Control Area Fund Budget. Seconded by Schulz. Question called on the amendment. Amendment failed.

AYE: Buller, Ediger, Ehlers, Schulz, Siebert, Volkmer

NAY: Anderson, Austin, Burke, Dickinson, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Moore

ABSENT: None

Question called on the original motion. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Moore

NAY: Siebert, Volkmer

ABSENT: Schulz

FINANCIAL STATEMENT

Burke made the motion (Motion #34) to approve the financial statement and budget report as of June 30, 1993; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

Meeting adjourned at 9:45 p.m.

James K. Jackson, Secretary

:nds

Board of Director's Meeting

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JUNE 17, 1993

CALL TO ORDER

A regular board of directors meeting was called to order by -vice chairman Louis Oswald at 8:00 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Larry Moore, Chairman	Louis Oswald, Vice Chairman
Jim Jackson, Secretary	Bruce Anderson, Director
Yvonne Austin, Director	Steve Buller, Director
Ed Ediger, Director	Bob Ehlers, Director
Wayne Hansen, Director	Roger Houdersheldt, Director
Luke Jacobsen, Director	Merlin Volkmer, Director
John Turnbull, Manager	Jay Bitner, Staff
Prudence Sadler, Staff	Rod DeBuhr, Staff
Ken Feather, Staff	Jeff Ball, Staff
Lori Hoemann, Staff	Bill Gilliam, York SCS
Jennifer Williams, KAWL	Krishna P. Sigdyaal, Nepal
Stacy McWeker, Kansas City, MO	Donna Rhoades, York News-Times

ROLL CALL

11 directors were present during quorum call. Jacobsen and Moore arrived late.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published June 2, 1993 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

EXCUSED ABSENCES

Burke made the motion (Motion #1) to excuse the absence of Roland Schulz. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert, Moore

ADOPTION OF AGENDA

Austin made the motion (Motion #2) to approve the agenda for the board of directors meeting as presented. Seconded by Volkmer Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson,

Jacobsen, Oswald, Volkmer
NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert, Moore

APPROVAL OF MINUTES OF THE MAY BOARD MEETING

Anderson made the motion (Motion #3) to approve the minutes of the May 20, 1993 board of directors meeting as distributed. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer
NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert, Moore

EDUCATION COMMITTEE MEETING REPORT

Volkmer gave a report on the Education and Parks Committee meeting held June 9, 1993 and reviewed the committee report as circulated.

GRANT APPLICATION FOR PIONEER TRAILS RECREATION AREA

Volkmer made the Motion (Motion #4) that the Upper Big Blue NRD apply to the Nebraska Department of Roads for a matching grant (up to 80 percent) of \$30,500 from the Transportation Enhancement Program for the construction of a hiking trail, three information stations and a foot bridge at Pioneer Trails Recreation Area. The district's share would be \$6,100 and the Department of Roads share \$24,400, if the matching rate is 80 percent. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer
NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert, Moore

PAYMENT TO THE UNIVERSITY OF NEBRASKA - LINCOLN

Volkmer made the motion (Motion #5) that the Upper Big Blue NRD make payment of \$16,782.65 to the University of Nebraska for the purchase of 51,000 trees through the Clark McNary Tree Program. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer
NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert, Moore

PAYMENT TO THE LOWER LOUP NRD

Volkmer made the motion (Motion #6) that the Upper Big Blue NRD make payment of \$1,206.75 to the Lower Loup NRD for the purchase of 3,500 trees purchased through Colorado State University and the Clark McNary Tree Program. Seconded by Hansen. Question called. Motion

carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert, Moore

PAYMENT TO THE TWIN PLATTE NRD

Volkmer made the motion (Motion #7) that the Upper Big Blue NRD make payment of \$131.60 to the Twin Platte NRD for the purchase of 400 trees. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert, Moore

PAYMENT TO YORK COLD STORAGE

Volkmer made the motion (Motion #8) that the Upper Big Blue NRD make payment of \$300.00 to York Cold Storage for the use of the cold storage facilities to store the trees through May 9, 1993. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert, Moore

COMMUNITY FORESTRY - GENEVA

Volkmer made the motion (Motion #9) that the Upper Big Blue NRD make payment of \$1,000.00 to the City of Geneva as agreed to upon completion of the project along the North three blocks of 11th Street and based on a matching dollar for dollar, not to exceed the \$1.00 per capita. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert, Moore

COMMUNITY FORESTRY - HENDERSON

Volkmer made the motion (Motion #10) that the Upper Big Blue NRD make payment of \$1,000 to the City of Henderson as agreed to upon completion of the project located at the Henderson Municipal Golf Course. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer

NAY: None

EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert, Moore

COMMUNITY FORESTRY - SUTTON

Volkmer made the motion (Motion #11) that the Upper Big Blue NRD make payment of \$412.50 to the City of Sutton as agreed to upon completion of the project located at the Lions Club Park. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer
NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert, Moore

EASTSIDE NEIGHBORHOOD PARK - SUTTON

Volkmer made the motion (Motion #12) that the Upper Big Blue NRD make payment of \$975.32 to the City of Sutton (25% of \$3,901.29) as agreed to upon completion of the project located at the Eastside Neighborhood Park. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer
NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert, Moore

JUNE WILDLIFE PAYMENTS

Volkmer made the motion (Motion #13) that the Upper Big Blue NRD Board of Directors approve the payment of \$2,080.00 to the cooperators of the Wildlife Habitat Improvement Program for the month of June.

AYE: Anderson, Austin, Buller, Burke, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer
NAY: Ehlers
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert, Moore

DEAN E. STRUEBING & JANICE H. STRUEBING EASEMENT

Volkmer made the motion (Motion #14) that the Upper Big Blue NRD Board of Directors approve the purchase of an easement in the amount of \$1.00 located in the NW 1/4 of Section 4, Township 13 North, Range 2 East of the 6th P.M. in Butler County, Nebraska from Dean E. Struebing & Janice H. Struebing for 3.06 acres of permanent storage and 18.24 acres of temporary storage. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer
NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert, Moore

BUTLER COUNTY AGREEMENT

Volkmer made the motion (Motion #15) that the Upper Big Blue Board of Directors approve the agreement between the Upper Big Blue NRD and Butler County and authorize the Chairman to sign said agreement. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert, Moore

WATER COMMITTEE MEETING REPORT

Hansen gave a report on the Water Committee meeting held June 8, 1993 and reviewed the committee report as distributed.

LATE WELL PERMITS - VILLAGE OF STAPLEHURST

Hansen made the motion (Motion #16) that the district issue a late permit to the Village of Staplehurst for a well in the NW 1/4 of the NW ¼ of Section 8, Township 12 North, Range 2 East, Seward County, provided the Village pays the \$250 permit fee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer

NAY: Buller

PASS: Austin

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert, Moore

SPRING GROUNDWATER LEVELS

Hansen made the motion (Motion #17) that the district pay the Blue River Association \$478.50 for the Spring 1993 measurement of sixty-six observation wells in Adams, Butler, Polk, and Saline Counties. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert, Moore

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT

A. ISCO GAGING AND SAMPLING EQUIPMENT

Hansen made the motion (Motion #18) that the district pay ISCO \$13,275.16 for gaging and sampling equipment for the York Groundwater Recharge Demonstration Project pesticide study. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert, Moore

B. FARMING PRACTICES AND ATTITUDE STUDY

Hansen made the motion (Motion #19) that the district make payment to the University of Nebraska - Lincoln in the amount of \$6,000.00 for the York Groundwater Recharge Demonstration Project Farming Practices and Attitude Study. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald

NAY: Volkmer

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert, Moore

PAYMENT TO THE NEBRASKA DEPARTMENT OF HEALTH LABORATORY

Hansen made the motion (Motion #20) to make payment to the Nebraska Department of Health Laboratory in the amount of \$4,824.36 for water analysis conducted during the months of January, February and March 1993 for the York Groundwater Recharge Demonstration Project. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert, Moore

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

Hansen made the motion (Motion #21) to approve final payment for four well abandonments totaling \$1,027.83. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer

NAY: None

PASS: Buller

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert, Moore

BUDGET COMMITTEE MEETING REPORT

Ehlers gave a report on the Budget, Planning & Legislative Committee meeting held June 10, 1993 and reviewed the committee report as circulated.

PROJECT COMMITTEE MEETING REPORT

Volkmer gave a report on the Projects Committee meeting held June 14, 1993 and reviewed the committee report as circulated.

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Volkmer made the motion (Motion #22) that payment of NSWCP land treatment funds be made in the amount of \$8,847.68 for 11 applications reviewed by the committee. Seconded by Burke.

Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Moore

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert

LAND TREATMENT PROGRAM - NSWCP FUNDS NEW APPLICATIONS

Volkmer made the motion (Motion #23) that four new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Oswald.

Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Moore

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert

LAND TREATMENT PROGRAM - NRD FUNDS PAYMENTS

Volkmer made the motion (Motion #24) that payment of NRD land treatment funds be made in the amount of \$6,349.10 for four applications reviewed by the committee. Seconded by Jackson.

Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Moore

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Volkmer made the motion (Motion #25) that one new application for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Moore

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert

LAND TREATMENT PROGRAM - CONTRACTOR SUSPENSION

Eret Construction has been cited for improper construction of mechanical outlets for terraces on the Douglas Furtwangler farm in Seward County. The SCS has found that Eret failed to properly backfill the outlet pipe trenches. Water seeped along the trench wall and washed out the terraces and diversion. Eret did not offer to repair the washout. A meeting was held with the landowner and Eret Construction, but the problem could not be resolved.

Volkmer made the motion (Motion #26) that Eret Construction not be allowed to construct land treatment practices cost-shared With NRD funds or NSWCP funds within the Upper Big Blue NRD.

Seconded by Jacobsen.

Austin amended the motion to make the motion (Motion #27) that Eret Construction not be allowed to construct land treatment practices cost-shared with NRD funds or NSWCP funds within the Upper Big Blue NRD, until Eret Construction agrees in writing to guarantee their work. Seconded by Ehlers. Question called on the amendment. Amendment carried.

AYE: Austin, Buller, Ediger, Ehlers, Jackson, Oswald, Moore
NAY: Anderson, Hansen, Houdersheldt, Jacobsen, Volkmer
ABSTAIN: Burke
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert

Question called on the original motion, as amended. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Jackson, Oswald, Moore
NAY: Anderson, Hansen, Houdersheldt, Jacobsen, Volkmer
ABSTAIN: Burke
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert

SUTTON FLOOD MITIGATION PROJECT - AGREEMENTS

Volkmer made the motion (Motion #28) that the District file a claim, on behalf of the City of Sutton, for \$15,592.50 for state and federal funds and that these funds be paid to the City of Sutton upon receipt from the Nebraska Civil Defense. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Moore
NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert

PROJECT 4-13-02E - STARA DAM

Volkmer made the motion (Motion #29) that Slepicka Brothers be awarded a contract for constructing Project 4-13-02E in accordance with their bid of \$92,824.70. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Moore
NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert

Volkmer made the motion (Motion #30) that Geotechnical Services, Inc. be paid \$5,633.50 for foundation drilling and testing at Project 4-1302E in accordance with their proposal. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Moore

NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert

PROJECT 03-08-02E - JOHNSON CREEK SITE #10

Volkmer made the motion (Motion #31) that Project 03-08-02E be suspended due to difficulty in obtaining land rights. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Moore
NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert

EXECUTIVE COMMITTEE MEETING REPORT

Jackson gave a report on the Executive Committee meeting held June 14, 1993 and reviewed the committee report as distributed.

ATTORNEY FEES

Jackson made the motion (Motion #32) to approve payment of \$58.30 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through May 20, 1993. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Moore
NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert

COMPUTER PLOTTER PURCHASE

Jackson made the motion (Motion #33) that a Hewlett Packard pen plotter be purchased from Todays Computers Business Center, Lincoln, Nebraska for \$3,295.00. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Moore
NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert

DISTRICT LIABILITY, PROPERTY AND AUTO INSURANCE

Jackson made the motion (Motion #34) to approve the purchase of general liability insurance from American Heartland Insurance Agency and INSPRO for \$26,368.00 for FY 94. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Moore
NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert

ENGINE REPLACEMENT IN 1987 CHEVY PICKUP

Jackson made the motion (Motion #35) to approve payment of \$2,142.92 to John Kohl Auto Center for replacement of the 305 V8 engine in the 1987 Chevy pickup. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Moore
NAY: None
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert

ADA SELF-STUDY

Jackson made the motion (Motion #36) to adopt the ADA Self-Study as presented to the Board. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Moore
NAY: None
PASS: Hansen, Volkmer
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert

FY 94 SALARIES

Jackson made the motion (Motion #37) to increase the total annual salaries of the district staff, with the exception of the General Manager, by \$10,000, a 3 percent average merit increase, and to authorize the General Manager to determine and make salary and wage adjustments. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Moore
NAY: Volkmer
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert

Jackson made the motion (Motion #38) to increase the General manager's salary by \$1,500 (2.85 percent), for merit, from \$52,602 to \$54,102. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Moore
NAY: Volkmer
EXCUSED: Schulz
ABSENT: Dickinson, Regier, Siebert

FINANCIAL STATEMENT

Volkmer made the motion (Motion #39) to approve the financial statement and budget report as of May 30, 1993; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Moore

Board of Director's Meeting

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Regier, Siebert

Meeting adjourned at 9:41 p.m.

James K. Jackson, Secretary

:lsh

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MAY 20, 1993

CALL TO ORDER

A regular board of directors meeting was called to order by chairman Larry Moore at 8:00 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Larry Moore, Chairman
Jim Jackson, Secretary
Yvonne Austin, Director
Ed Ediger, Director
Wayne Hansen, Director
Luke Jacobsen, Director
Roger Siebert, Director
John Turnbull, Manager
Jay Bitner, Staff
Rod DeBuhr, Staff
Dennis Scamehorn, York
Bob Bettger, Fairmont
Bill Gilliam, York SCS
Randy McDonald, Phillips

Buzz Oswald, Vice Chairman
Bruce Anderson, Director
Steve Buller, Director
Bob Ehlers, Director
Roger Houdersheldt, Director
Roland Schulz, Director
Merlin Volkmer, Director
Nancy Schneider, Staff
Prudence Sadler, Staff
Ken Feather, Staff
Jennifer Williams, KAWL
Kelly Harre, York News-Times
Mary Evans, York

ROLL CALL

13 directors were present during quorum call. Anderson arrived following the approval of the minutes.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published May 3, 1993 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

EXCUSED ABSENCES

Ehlers made the motion (Motion #1) to excuse the absences of Ray Burke, Doug Dickinson, and Ken Regier. Seconded by Hansen. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

ABSENT: Anderson

ADOPTION OF AGENDA

Houdersheldt made the motion (Motion #2) to approve the agenda, for the board of directors meeting as presented. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

ABSENT: Anderson

APPROVAL OF MINUTES OF THE APRIL BOARD MEETING

Hansen made the motion (Motion #3) to approve the minutes of the April 15, 1993 board of directors meeting as distributed. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

ABSENT: Anderson

PROJECT COMMITTEE MEETING REPORT

Houdersheldt gave a report on the Projects Committee meeting held May 10, 1993 and reviewed the committee report as circulated.

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Houdersheldt made the motion (Motion #4) that payment of NSWCP land treatment funds be made in the amount of \$11,095.88 for 11 applications reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Ediger, Ehlers, Hansen, Houdersheldt, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

PASS: Buller, Jackson

EXCUSED: Burke, Dickinson, Regier

LAND TREATMENT PROGRAM - NSWCP FUNDS NEW APPLICATIONS

Houdersheldt made the motion (Motion #5) that 15 new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

LAND TREATMENT PROGRAM - NRD FUNDS PAYMENTS

Houdersheldt made the motion (Motion #6) that payment of NRD land treatment funds be made in the amount of \$740.03 for one application reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,

Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #7) that one new application for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

SUTTON FLOOD MITIGATION PROJECT - AGREEMENTS

The district has received notification from Nebraska Civil Defense that the Federal Emergency Management Agency has authorized a \$50,000 grant and that Nebraska Civil Defense has authorized an additional \$25,000 to assist Sutton with channel and levee construction.

The district has previously agreed to act as manager for the federal and state grants and will be required to enter into a "state-local contractual agreement" with Nebraska Civil Defense so that the grant monies can be released.

The City of Sutton has signed a supplemental agreement with the district agreeing to abide by the terms of the "state-local contractual agreement", the same as if the city were applicant for the grant money.

NRD staff reviewed terms of the "state-local contractual agreement" and the supplemental agreement and recommended that the district enter into the agreements.

Houdersheldt made the motion (Motion #8) that the district enter into a supplemental agreement with the City of Sutton to ensure that the city will carry out terms and conditions of the Nebraska Civil Defense "state-local contractual agreement". Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

Houdersheldt made the motion (Motion #9) that the district enter into the "state-local contractual agreement" with the State of Nebraska, on behalf of the City of Sutton, as applicant for state and federal disaster assistance grants. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

SUTTON FLOOD MITIGATION PROJECT - PROGRESS PAYMENT

The City of Sutton has filed a claim for progress payment on final design and channel clearing. Some of the costs are eligible for federal, state and NRD grants.

Houdersheldt made the motion (Motion #10) that the district pay \$11,582.55 to the City of Sutton, in accordance with its agreements with the city, for costs incurred to-date on the Sutton Flood Mitigation Project. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

HARVARD FLOOD MITIGATION PROJECT - AGREEMENTS

The district has received notification from Nebraska Civil Defense that the Federal Emergency Management Agency has authorized a \$123,950 grant and that Nebraska Civil Defense has authorized an additional \$62,165 to assist Harvard with channel and detention structure construction.

The district has previously agreed to act as manager for the federal and state grants and will be required to enter into a "state-local contractual agreement" with Nebraska Civil Defense so that the grant monies can be released.

The City of Harvard has signed a supplemental agreement with the district agreeing to abide by the terms of the "state-local contractual agreement", the same as if the city were applicant for the grant money.

NRD staff reviewed terms of the "state-local contractual agreement" and the supplemental agreement and recommended that the district enter into the agreements.

Houdersheldt made the motion (Motion #11) that the district enter into a supplemental agreement with the City of Harvard to ensure that the city will carry out terms and conditions of the Nebraska Civil Defense "state-local contractual agreement". Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

Houdersheldt made the motion (Motion #12) that the district enter into the "state-local contractual agreement" with the State of Nebraska, on behalf of the City of Harvard, as applicant for state and federal disaster assistance grants. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

AURORA FLOOD MITIGATION PROJECT - PAYMENT FOR MAPPING

The Nebraska Natural Resources Commission has completed approximately 18 percent of the mapping for the Aurora Flood mitigation Project. Staff reviewed the mapping and recommended that payment be made to NNRC for NRD's share of costs (50 percent of total cost) incurred to-date.

Houdersheldt made the motion (Motion #13) that the district pay \$4,135.34 to the Nebraska Natural Resources Commission, in accordance with the agreement for mapping services, for work completed on the Aurora Flood Mitigation Project. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

PROJECT 4-13-2E - STARA DAM

Final design of Project 4-13-2E has been completed and easements are currently being obtained. Staff requested authorization to advertise for bids so that construction work can begin in July.

Houdersheldt made the motion (Motion #14) that the staff be authorized to advertise for bids on Project 4-13-2E. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

SMALL DAMS PROGRAM - PROJECT 17-7-5W - TOM ALBERTS DAM

Staff reviewed bids for Project 17-7-5W and recommended that Shuck Engineering, from Edgar, Nebraska, be awarded the contract. A summary of bids and engineers estimate is as follows:

Slepicka Brothers	\$22,576.52
Shuck Engineering Co.	\$16,877.25
Engineer's Estimate	\$14,077.80

Houdersheldt made the motion (Motion #15) that the district award Shuck Engineering Company a contract for constructing Project 17-07-05W in accordance with their bid for \$16, 877.25. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: Ehlers

EXCUSED: Burke, Dickinson, Regier

FURTWANGLER FARMS - LAND TREATMENT COST-SHARE REPAYMENT

Furtwangler Farms had a terrace system, cost-shared on by the district under the land treatment program, where two of the three terraces washed out. Staff was instructed to have the landowner

repair the damage to the terrace or repay a portion of the land treatment cost-share funds.

Turnbull advised the board that Doug Furtwangler met with Jay Bitner today and the matter was resolved with the repayment of \$1,200.00; two thirds of the cost-share he received for this practice.

EXECUTIVE COMMITTEE MEETING REPORT

Oswald gave a report on the Executive Committee meeting held May 10, 1993 and reviewed the committee report as distributed.

REPLACE ENGINE IN 1987 CHEVY PICKUP

The engine block in the 1987 Chevy 1/2 ton pickup is cracked and needs to be replaced. The truck has 80,000 miles on it.

<u>Quotes</u>	<u>Hy-Tec, York</u>	<u>John Kohl, York</u>
Target Engine	\$2,385.35	\$1,979.00
Long Block	\$1,758.25	\$1,700.00

Oswald made the motion (Motion #16) to approve the replacement of the 305 V8 engine in the 1987 Chevy pickup with a Target engine for \$1,970.00 from John Kohl Motors. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

APPROVE PAYMENT TO YORK EQUIPMENT FOR SHREDDER

Oswald made the motion (Motion #17) to approve payment of \$2,625.00 and sales tax of \$131.25 to York Equipment, for the Rhino shredder delivered in April 1993. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

ADA SELF-STUDY

The ADA self-study was forwarded by the Executive Committee to the board for a public comment period from May 10 to June 17, 1993 and board action at the June board meeting.

NACD EXPENSES - ED EDIGER

The Nebraska Natural Resources Commission paid approximately one half of the cost of attending the NACD convention for Ed Ediger. The balance of the expense is \$502.71.

Oswald made the motion (Motion #18) to approve payment of \$502.71 for Ed Ediger's expenses to attend the 1993 NACD convention in Orlando, Florida. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore
NAY: None
PASS: Ediger
EXCUSED: Burke, Dickinson, Regier

WATER COMMITTEE MEETING REPORT

Hansen gave a report on the Water Committee meeting held May 11, 1993 and reviewed the committee report as distributed.

LATE WELL PERMITS - McDONALD FARMS

During the updating of irrigated acres and well ownership records it was discovered that McDonald Farms had purchased property, upon which the previous owner had drilled two wells without permits. Randy McDonald requested that the district waive the late permit fee because he was not the owner of the land at the time the wells were drilled.

Hansen made the motion (Motion #19) that the district issue late permits for two wells. One in the NW ¼ of the SW ¼ and one in the SW ¼ of the SE ¼ of Section 8, Township 10 North, Range 8 West, Hamilton County. Furthermore, that the district waive the late permit fees. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Burke, Dickinson, Regier

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT

A. UNL WATER CENTER COOPERATIVE AGREEMENT

Jay explained the UNL Water Science Laboratory cooperative agreement. The work covered by the agreement includes the following items:

1. Analyze ground and surface water samples for nitrates, Atrazine and other pesticides, stable isotopic tracers, and other tracers as deemed necessary.
2. Interpret transport and fate characteristics of Atrazine and its degradation products in groundwater.
3. Determine the rate that Atrazine in reservoir surface water moves to groundwater and the degree to which surface water and groundwater mix.
4. Help develop and calibrate a model of Atrazine fate and transport.
5. The contract shall run for one year beginning June 1, 1993. The district will pay \$69,000 over this period of time. This cost is grant eligible from Ciba Geigy.

Hansen made the motion (Motion #20) to approve the cooperative agreement with the UNL Water Center for water analysis and associated activities for one year beginning June 1, 1993. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,

Oswald, Schulz, Siebert, Volkmer, Moore
 NAY: None
 EXCUSED: Burke, Dickinson, Regier

B. ISCO GAGING AND SAMPLING EQUIPMENT

Jay explained the functions of the equipment to be installed in the gaging stations. The following is a list of equipment needed.

<u>Equipment Item</u>	<u>Cost</u>
2 Automatic samplers	\$ 5,100
2 Intake strainers	136
2 Extra bottle sets	160
2 Power cables	80
Teflon tubing	500
2 Flow meters	6,350
2 Bubbler tubes	15
2 Cables (flow meter to sampler)	150
2 Rain gages	1,150
2 Cables (rain gage to flow meter)	150
2 Telephone modems	510
Computer software	<u>545</u>
Sub-total	\$14,846
Sales tax	<u>742</u>
TOTAL COST	\$15,588

Jay advised the board that since the Water Committee meeting he had talked with ISCO about receiving government pricing on the needed equipment. They indicated that they would reduce the price from \$15,588 to \$14,217.53.

Hansen made the motion (Motion #21) to approve the purchase of ISCO gaging and sampling equipment for the York Groundwater Recharge Demonstration Project at a cost of \$14,217.53. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore
 NAY: None
 EXCUSED: Burke, Dickinson, Regier

C. MULTI-LEVEL MONITORING WELLS

Three bids were received for construction of 13 multi-level monitoring wells to be constructed at the Recharge Project site.

<u>Bidder</u>	<u>Drilling Method</u>	<u>Bid Price</u>
Geotechnical Services	hollow stem auger with continuous split-spoon sampling	\$ 99,913.35

Layne Western Co.	percussion hammer/air rotary with split-spoon sampling	\$144,245.50
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Layne Western Co.	percussion hammer/air rotary without split-spoon sampling (Company agrees to demonstrate prior to bid acceptance.)	\$ 94,745.50
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Hansen made the motion (Motion #22) to approve the low bid of \$94,745.50 and enter into a contract with Layne Western Company for the drilling of 13 multi-level monitoring wells at the York Groundwater Recharge Demonstration Project site, provided Layne Western Company demonstrates, to the satisfaction of the district staff, that the drilling method is acceptable. Furthermore, that if Layne Western's method is determined, by district staff, to be unacceptable that the contract be awarded to the Geotechnical Services in the amount of \$99,913.35. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Moore

NAY: Volkmer

EXCUSED: Burke, Dickinson, Regier

D. MULTI-LEVEL WELL SAMPLING EQUIPMENT

The district needs to purchase portable pumping equipment to be able to sample the monitoring wells that are to be installed as part of the Recharge Lake Pesticide studies. Roy Spalding has recommended the equipment needed. We have received the following quotation from Nebraska Pump Company.

Grundfos Redi-Flo2 2" pump with 1751 lead	\$ 783.43
BMI/MPI 115 volt converter	1,285.71
Teflon lined Tigon tubing (200, x1/2" ID)	638.00
1/21, stainless steel adapter	11.71
#1500 Hannay reel w/stainless steel internals	351.15
Sales tax	<u>199.55</u>
TOTAL	\$3,269.55

Hansen made the motion (Motion #23) that the district purchase a Grundfos Redi-flo2 pump and converter, and all necessary accessories from Nebraska Pump Company for \$3,269.55. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Moore

NAY: Volkmer

EXCUSED: Burke, Dickinson, Regier

E. TRAILER TO HAUL SAMPLING EQUIPMENT

In order to haul the above equipment from site to site along with the generator, sample bottles and coolers, the district will need a trailer.

The trailer specifications are as follows: 61 x 10, flatbed, front and side rails, 3,500 lb. single axle, 151, tires, fenders, trailer jack.

Four quotes were obtained meeting these specifications:

Dalhberg Motors, Lincoln, NE	(Included Lincoln Sales Tax) *\$ 729.53
Bill Goedeken, Columbus, NE	735.00
Brett Naber, McCool Jct., NE	945.00
Peterson Trailers, Waco, NE	1,095.00

Hansen made the motion (Motion #24) that the district purchase a 61 x 10' flatbed trailer for the lowest bid. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Moore

NAY: Volkmer

EXCUSED: Burke, Dickinson, Regier

SPECIAL PROTECTION AREA - RECOMMENDATION TO DIRECTOR ENVIRONMENTAL QUALITY

Hansen made the motion (Motion #25) that the district reaffirm its position to Director Wood, that the Special Protection Area, if declared, include the entire Upper Big Blue Natural Resources District. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Moore

NAY: Volkmer

EXCUSED: Burke, Dickinson, Regier

* Dahl berg Motors 685.00

York Co. Treas. 34.25
719.25

Hansen made the motion (Motion #26) that the district recommend to Director Wood that the Special Protection Area declaration, if declared, include all agricultural, lawn and garden, and other chemicals that may contribute to non point groundwater contamination. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

Hansen made the motion (Motion #27) that if it is the intent of the director to declare a Special Protection Area to ask Director Wood to delay designation of the Special Protection Area until

September 1, 1993, or later. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Moore

NAY: None

PASS: Volkmer

EXCUSED: Burke, Dickinson, Regier

WORK ONE TASK FORCE REQUEST TO BE ON ADVISORY COMMITTEE

Rod received a letter from Tony Vrana on behalf of the Work One Task Force requesting representation on the SPA Advisory Committee. Rod expressed uncertainty over the organizational structure of the task force. Directors from Seward County expressed concern over the "loose structure" of the task force. The City of Seward and Seward County GWCD are members of the advisory committee and are already on the task force.

Hansen made the motion (Motion #28) to deny the Work One Task Force request for representation on the SPA Advisory Committee and direct the staff to draft a letter informing them why this decision was made. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Siebert, Moore

NAY: None

PASS: Austin, Schulz, Volkmer

EXCUSED: Burke, Dickinson, Regier

GEOLOGIC MAPPING

On several occasions the water committee has discussed the need for geologic mapping of the district in greater detail than currently exists. The concept of this project was discussed with Dr. Robert Difindahl of the UNL Conservation & Survey Division. His preliminary cost estimate was \$150,000

over a period of approximately three years. Dr. Difindahl indicated that he could begin work on this project in the fall or winter of 1993.

Hansen made the motion (Motion #29) to authorize the staff to begin negotiations with the University of Nebraska Conservation and Survey for geologic mapping of the district. Seconded by Jacobsen. Several directors expressed concern over the high cost of the proposed mapping. Question called on the motion. Motion failed.

AYE: Hansen, Houdersheldt, Jackson, Jacobsen, Moore

NAY: Austin, Buller, Ediger, Ehlers, Oswald, Schulz, Siebert, Volkmer

PASS: Anderson

EXCUSED: Burke, Dickinson, Regier

AQUIFER WATER QUALITY COST-SHARE ASSISTANCE PROGRAM

Hansen made the motion (Motion #30) to approve final payment for six well abandonments totaling \$1,171.66. Seconded by Jackson. Question called. Motion carried.

AYE: Anderson, Austin, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

Board of Director's Meeting

NAY: None
PASS: Buller
EXCUSED: Burke, Dickinson, Regier

EDUCATION COMMITTEE MEETING REPORT

Volkmer gave a report on the Education and Parks Committee meeting held May 13, 1993 and reviewed the committee report as circulated.

YORK HIGH SCHOOL OUTDOOR CLASSROOM PAYMENT

York High School submitted a claim for partial payment on its outdoor classroom which was approved in May 1991 for cost-share under the district's outdoor classroom cost-share program.

Itemized costs are:

Trees and shrubs - Wheelers	\$148.63
Fruit trees & ornamental trees - Fallers	212.84
Fruit trees - Walmart	60.51
Berm construction - WyAd	140.00
Fence materials - Meads	117.00
Tree seedlings - Clarke-McNary	<u>47.50</u>
TOTAL	\$726.48

The York project was approved as eligible at a rate of 50 percent of the actual cost of materials not to exceed \$400.00.

Volkmer made the motion (Motion #31) that the Upper Big Blue NRD make payment of \$363.24 to York High School as partial payment for the York High School outdoor classroom. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Burke, Dickinson, Regier

YORK EAST HILL PARK DEVELOPMENT

Volkmer made the motion (Motion #32) that the Upper Big Blue NRD fund the York East Hill Park Development in the amount of 25%, not to exceed \$5,750.00. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Burke, Dickinson, Regier

LINCOLN-OAKS NURSERY

Volkmer made the motion (Motion #33) that the Upper Big Blue NRD make payment of \$920.19 to Lincoln-Oaks Nursery for 3,000 trees and shrubs. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,

Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

GREEN ACRE SERVICES

Volkmer made the motion (Motion #34) that the Upper Big Blue NRD make payment of \$505.00 to Green Acre Service for mowing of Smith Creek and Pioneer Trails Recreation Areas through May 8, 1993. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

L & I FARMS, INC. - EASEMENT

Volkmer made the motion (Motion #35) that the Upper Big Blue NRD Board of Directors approve the purchase of an easement in the amount of \$1.00 located in the E 1/2 of the SW 1/4 of Section 4, Township 13 North, Range 2 East of the 6th P.M., Butler County, Nebraska from L & I Farms, Inc. for 13.0 acres of permanent storage, 13.5 acres of temporary storage, and 8.5 acres of construction area. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

L & I FARMS, INC. - AGREEMENT

Volkmer made the motion (Motion #36) that the Upper Big Blue NRD Board of Directors approve the agreement between the Upper Big Blue NRD and L & I Farms Inc. and authorize the chairman to sign said agreement. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

KENNETH & MARJORIE KLINGEMAN - EASEMENT

Volkmer made the motion (Motion #37) that the Upper Big Blue NRD Board of Directors approve the purchase of an easement in the amount of \$1.00 located in the NE 1/4 of Section 5, Township 13 North, Range 2 East of the 6th P.M., Butler County, Nebraska from Kenneth Klingeman and Marjorie Klingeman for 14.6 acres of temporary storage. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

DON V. & LORENE B. HEINS AND LORAN L. & WILMA J. HEINS

Volkmer made the motion (Motion #38) that the Upper Big Blue NRD Board of Directors approve the purchase of an easement in the amount of \$1.00 located in the SE 1/4 of Section 32, Township 14 North, Range 2 East of the 6th P.M., Butler County, Nebraska from Don V. Heins, Lorene B. Heins, Loran L. Heins, and Wilma J. Heins for 5.9 acres of temporary storage. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

JONAS J. SCHROEDER AND EDNA D. SCHROEDER - EASEMENT

Volkmer made the motion (Motion #39) that the Upper Big Blue NRD Board of Directors approve the purchase of an easement in the amount of \$1.00 located in the SW 1/4 of Section 33, Township 14 North, Range 2 East of the 6th P.M., Butler County, Nebraska from Jonas J. Schroeder and Edna D. Schroeder for .12 of an acre of temporary storage. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

FINANCIAL STATEMENT

Hansen made the motion (Motion #40) to approve the financial statement and budget report as of April 30, 1993; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Burke, Dickinson, Regier

Meeting adjourned at 10:01 p.m.

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
APRIL 15, 1993

CALL TO ORDER

A regular board of directors meeting was called to order by chairman Larry Moore at 8:00 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Larry Moore, Chairman	Buzz Oswald, Vice Chairman
Kenneth Regier, Treasurer	Yvonne Austin, Director
Steve Buller, Director	Ray Burke, Director
Doug Dickinson, Director	Bob Ehlers, Director
Wayne Hansen, Director	Luke Jacobsen, Director
Roger Siebert, Director	Merlin Volkmer, Director
John Turnbull, Staff	Nancy Schneider, Staff
Prudence Sadler, Staff	Ken Feather, Staff
Rod DeBuhr, Staff	Jay Bitner, Staff
Kelly Harre, York News-Times	Tony Vrana, Work I Task Force
	Mark Nannen, Blue River Assn. of GWCD's

ROLL CALL

12 directors were present during quorum call. Roland Schulz arrived after the meeting adjourned.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published April 5, 1993 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

EXCUSED ABSENCES

Burke made the motion (Motion #1) to excuse the absence of Bruce Anderson and Roger Houdersheldt due to out-of-state travel; the absence of Jim Jackson due to family commitment; and the absence of Ed Ediger for medical reasons. Seconded by Hansen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Ediger, Houdersheldt, Jackson

ABSENT: Schulz

ADOPTION OF AGENDA

Ehlers made the motion (Motion #2) to approve the agenda for the board of directors meeting as circulated. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

APPROVAL OF MINUTES OF THE MARCH BOARD MEETING

Volkmer made the motion (Motion #3) to approve the minutes of the March 18, 1993 board of directors meeting as circulated. Seconded by Hansen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the projects committee meeting held April 5, 1993 and reviewed the committee report as circulated.

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS

Regier made the motion (Motion #4) that 14 new applications for NSWCP funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

LAND TREATMENT PROGRAM - NSWCP FUNDS - PAYMENTS

Regier made the motion (Motion #5) that payment of NSWCP land treatment funds be made in the amount of \$3,071.09 for four applications reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

SMALL DAMS PROGRAM - ADVERTISEMENT FOR BIDS

Final design of the Tom Alberts dam, located 2 miles west of Sutton and ½ mile south of U.S. Hwy. 6, is completed and all permits have been obtained. Staff recommends that the project be advertised for bids.

Regier made the motion (Motion #6) that the district advertise for bids to construct the Tom Alberts

dam located in Section 7, Township 7 North, Range 5 West. Seconded by Hansen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

SMALL DAMS PROGRAM - NEW APPLICATIONS

A small dams program application has been received from Sylvan Tesar. The dam site is located about one quarter mile east of the Smith Creek dam. The dam would be used as a water storage area for wildlife and sediment/erosion control. The dam will be designed without a pipe spillway, but will have an earth emergency spillway to pass excess flood flow.

Silt yield from the 60-acre watershed is 282 tons per year. The dam is expected to trap 268 tons per year (95%). The estimated project cost is \$6,000; the NRD share is \$3,000. Conservation storage is 3.3 acre feet and the dam is designed for a 25-year life.

Regier made the motion (Motion #7) that the board of directors approve the Sylvan Tesar small dams program application as eligible for cost-share. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: Ehlers
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

EXECUTIVE COMMITTEE MEETING REPORT

Oswald gave a report on the executive committee meeting held April 5, 1993 and reviewed the committee report as circulated.

FIRST QUARTER DIRECTORS' PER DIEM & EXPENSES

Oswald made the motion (Motion #8) to approve payment of first quarter directors' per them and expenses of \$8,400.00 and \$3,053.39. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

YORK INSURANCE AGENCY PREMIUM ADJUSTMENT

York Insurance Agency billed the district for \$217.00 in November for an increase in premium for FY92 general liability insurance. The carrier based the liability on payroll. The increase is based on the insurance company's audit of our payroll records.

Oswald made the motion (Motion #9) to approve payment of \$217.00 to York Insurance Agency for FY92 adjusted premium in general liability for engineers and landscapers, due to a payroll audit by the insurance carrier. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Ediger, Houdersheldt, Jackson

ABSENT: Schulz

REGIONAL LANDFILL CONSULTANT AND ATTORNEY FEES

The association has hired Lee Jones of Aurora as their attorney and Bill Stoner of Olsson and Associates as their consultant for the siting studies. The association has incurred attorney fees of \$627.96 through February 26, 1993.

The York siting study is being updated by Olsson and Associates at a cost not to exceed \$2,500.00. The Fillmore County siting study is being done at a cost not to exceed \$5,000.00.

The attorney's fees are due and payable immediately. The consultant's fees will be due over the next 60 days. Turnbull recommends that the district continue to handle the billings for the association through the planning process, and that the participants reimburse the district for all billed costs from the attorney and engineering consultants. The solid waste association's executive committee will review and approve the bills for payment and collection.

Oswald made the motion (Motion #10) to authorize the payment of \$627.96 to Adams, Owens and Jones for Lee Jones' work through February 26, 1993 for the regional landfill association; further, to authorize the payment of bills received from Adams, Owens and Jones for association legal work conducted during the site selection process; and further, to approve payment of engineering consulting billings received from Olsson and Associates. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore

NAY: Buller

EXCUSED: Anderson, Ediger, Houdersheldt, Jackson

ABSENT: Schulz

EDUCATION & PARKS COMMITTEE MEETING REPORT

Dickinson gave a report on the education & parks committee meeting held April 6, 1993 and reviewed the committee report as circulated.

COMMUNITY FORESTRY PROGRAM - CITY OF SUTTON

Dickinson made the motion (Motion #11) that the Upper Big Blue NRD fund the City of Sutton in an amount not to exceed \$412.50 for a new tree planting located in Lions Club Park, 706 Saunders Avenue, Sutton, Nebraska during FY 93. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore

NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

WETLAND & WATER QUALITY ENHANCEMENT

Dickinson made the motion (Motion #12) that the board of directors authorize the staff to investigate wetland restoration, water quality, and wetland enhancement project possibilities in the district; and further, to prepare project proposals and cost estimates for grant applications to construct or develop such wetland projects. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Moore
NAY: Siebert, Volkmer
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

REVIEW OF PARKS & RECREATION POLICIES

Dickinson made the motion (Motion #13) that the Upper Big Blue NRD Board of Directors change the wording for paragraph 2(i) to read as follows: The applicant will complete the project within five years of the date that the application is approved by the NRD. Failure to do so may result in nonpayment and cancellation of the NRD participation. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

Dickinson made the motion (Motion #14) that the Upper Big Blue NRD Board of Directors change the wording of the funds available to community's clause to read as follows:

NRD cost-share: The district will fund up to 25 percent of the estimated or the actual costs, whichever is less. A maximum limit of \$10,000 in NRD funds can be approved per applicant per year. The amount of district funds available is dependent upon the annual budget.

State cost-share: Funds may be available. Check with the Nebraska Game and Parks Commission. Seconded by Hansen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

WATER COMMITTEE MEETING REPORT

Hansen gave a report on the water committee meeting held April 8, 1993 and reviewed the committee report as circulated.

PAYMENT OF PUMP REPAIR BILL

Jay reported that the district has been billed for repairs of the York Cold Storage water supply pump. The staff discovered a discrepancy in the billing, which has reduced the amount due by approximately \$900.00.

Hansen made the motion (Motion #15) to pay Armature and Electric Machine Company \$1,497.38 for repairs to the York Cold Storage water supply pump. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

WATER TREATMENT PLANT

Jay reported that, despite several modifications, the treatment plant has not been able to remove sediments adequately and therefore, direct injection is not possible with the current treatment system. The next step would be to convert the plant to a conventional water treatment system which would be very expensive. It is recommended that the treatment plant phase of the project be discontinued.

Hansen made the motion (Motion #16) to discontinue the treatment plant phase of the York Groundwater Recharge Demonstration Project. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

PESTICIDE STUDIES

Ciba Geigy has approve a \$75,000 grant to the district and the Bureau of Reclamation will provide an additional \$50,000 for the pesticide fate and transport and watershed pesticide study. We have not yet heard from EPA concerning the 319 grant. Jay recommended that the board authorize completion to the design phase of the additional monitoring wells and watershed sampling stations.

Hansen made the motion (Motion #17) to authorize the staff to proceed with design of the watershed sampling stations for the York Groundwater Recharge Demonstration Project pesticide studies. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

WATER SCIENCES LABORATORY BILLING

Hansen made the motion (Motion #18) to approve payment of \$1,186.62 to the University of Nebraska Water Sciences Laboratory for York Groundwater Recharge Demonstration Project water samples analyzed in February and March of 1993. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

Hansen made the motion (Motion #19) to give tentative approval to nine AQWACAP applications for a total estimated cost-share of \$2,450.00 and to close approval of applications for FY 93. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
PASS: Buller
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

LATE WELL PERMIT

Gene Anderson of rural Fairmont has applied for a late well permit for a well drilled in Section 34, Township 8 North, Range 3 West, Fillmore County. This well was drilled in July of 1991 as a replacement well. However, due to a ruling by NDWR the well must be classified as a new well.

Hansen made the motion (Motion #20) to approve a late well permit UBB-1-1580 for a well in the NW 1/4 of the SW 1/4 Section -14, Township 8 North, Range 3 West, Fillmore County, Nebraska and to waive the late permit fee. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

FINANCIAL STATEMENT

Volkmer made the motion (Motion #21) to approve the financial statement and budget report as of March 31, 1993; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Ediger, Houdersheldt, Jackson
ABSENT: Schulz

Board of Director's Meeting

Meeting adjourned at 9:25 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
SPECIAL BOARD OF DIRECTORS MEETING
MARCH 11, 1993

CALL TO ORDER

A special board of directors meeting was called to order by Chairman Larry Moore at 1:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Larry Moore, Chairman	Buzz Oswald, Vice Chairman
Jim Jackson, Secretary	Kenneth Regier, Treasurer
Yvonne Austin, Director	Steve Buller, Director
Ray Burke, Director	Doug Dickinson, Director
Ed Ediger, Director	Bob Ehlers, Director
Wayne Hansen, Director	Roger Houdersheldt, Director
Luke Jacobsen, Director	Roland Schulz, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Prudence Sadler, Staff
Rod DeBuhr, Staff	Ken Feather, Staff
Jay Bitner, Staff	Randy Wood, DEQ
Jeff Gottula, DEQ	Gale Hutton, DEQ
Kelly Harre, YNT	Bill Gilliam, York SCS
Dennis Schroeder, Aurora SCS	Dick Ehrman, DEQ

ROLL CALL

14 directors were present during roll call. Jacobsen arrived later in the meeting.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published March 4, 1993 in the York News-Times. The stated purpose of this special meeting was to discuss the probability, and extent, of a special protection area designation by the Director of the Department of Environmental Quality.

EXCUSED ABSENCES

Moore advised the board that Bruce Anderson had requested that his absence be excused due to out-of-state travel. Luke Jacobsen had also been in contact and indicated that he would attempt to make the meeting, but might be late in arriving.

Burke made the motion (Motion #1) to excuse the absences of Bruce Anderson and Luke Jacobsen from today's special board meeting. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Oswald, Regier, Schulz, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Jacobsen

Board of Director's Meeting

ABSENT: Siebert

SPECIAL PROTECTION AREA

DEQ staff members reviewed the well testing data that was collected during a three-year district-wide study to determine whether or not an SPA was needed.

DEQ Director Randy Wood told the board that Adams and Butler counties had the least contamination, at about three parts per million, Saline, Clay, Fillmore and Seward could be considered marginally contaminated, at four to five parts per million, and Hamilton, Polk and York should be considered the greatest threat, at five parts per million or greater.

Wood said he concluded from the data that not only do we have an existing non-point source contamination taking place, but that the contamination is likely to increase and become more widespread. Based on the data he has determined, in accordance with the state statutes, that a special protection area within the Upper Big Blue NRD is appropriate.

Wood also stated that prior to formally designating an SPA he is requesting input from the NRD regarding the size and scope of the SPA. He asked that the board bring a recommendation back to him by May or June.

Board chairman Larry Moore instructed the board's water committee to study the issue and to make a recommendation at the board's April meeting.

Meeting adjourned at 3:00 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MARCH 18, 1993

CALL TO ORDER

A regular board of directors meeting was called to order by chairman Larry Moore at 1:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Larry Moore, Chairman	Buzz Oswald, Vice Chairman
Jim Jackson, Secretary	Kenneth Regier, Treasurer
Yvonne Austin, Director	Steve Buller, Director
Ray Burke, Director	Doug Dickinson, Director
Ed Ediger, Director	Bob Ehlers, Director
Wayne Hansen, Director	Roger Houdersheldt, Director
Luke Jacobsen, Director	Roland Schulz, Director
Roger Siebert, Director	Merlin Volkmer, Director
John Turnbull, Staff	Nancy Schneider, Staff
Ken Feather, Staff	Jay Bitner, Staff
Rod DeBuhr, Staff	Prudence Sadler, Staff
Mike Carnes, KAWL/KTMX	Kent Norquest, Geneva SCS
Dick Hayes, Clay Center SCS	Joyce Wattles, Geneva SCS
William Gilliam, York SCS	Kelly Harre, YNT

ROLL CALL

15 directors were present during quorum call. Regier arrived following the approval of the minutes.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published March 8, 1993 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

EXCUSED ABSENCES

Austin, made the motion (Motion #1) to excuse the absence of Bruce Anderson due -to out-of-state travel. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: Regier

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the agenda for the board of directors meeting as

presented. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: Regier

APPROVAL OF MINUTES OF THE SPECIAL BOARD MEETING

Ehlers made the motion (Motion #3) to approve the minutes of the March 11, 1993 special board of directors meeting, as presented. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: Regier

APPROVAL OF MINUTES OF THE FEBRUARY BOARD MEETING

Hansen made the motion (Motion #4) to approve the minutes of the February 18, 1993 board of directors meeting as presented. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: Regier

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the projects committee meeting held March 8, 1993 and reviewed the committee report as circulated.

LAND TREATMENT PROGRAM - NSWCP FUNDS NEW APPLICATIONS

Regier made the motion (Motion #5) that 23 new applications for NSWCP funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUNDS PAYMENTS

Regier made the motion (Motion #6) that payment of NSWCP land treatment funds be made in the amount of \$1,642.06 for two applications reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None
EXCUSED: Anderson
ABSENT: None

SMALL DAMS PROGRAM - NEW APPLICATIONS

Small dams program applications have been received from Sylvan Tesar and Bernard Menke. The Tesar dam site is located about one quarter mile east of the Smith Creek Dam and the Menke dam site is located two miles east of Exeter.

The projects committee requested that staff obtain more information on the Tesar application and that consideration be given to building a reuse pit instead of a dam.

Regier made the motion (Motion #7) that the board of directors approve the Bernard Menke small dams program application as; eligible for cost-share. Seconded by Hansen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer, Moore
NAY: None
EXCUSED: Anderson
ABSENT: Siebert

WATER COMMITTEE MEETING REPORT

Hansen gave a report on the water committee meeting held March 8, 1993 and reviewed the committee report as circulated.

SPA/GROUNDWATER MANAGEMENT ADVISORY GROUP

Hansen made the motion (Motion #8) to authorize the staff to proceed with contacting potential SPA advisory group members. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson
ABSENT: None

ADDITION TO THE APPROVED FLOW METER LIST

Master Meter is a company that manufactures meters for commercial and industrial uses. Great Plains Meter has requested inclusion of the MMT model of Master Meter on the district's approved meter list. MMT meters come in two, three and four inch sizes.

Hansen made the motion (Motion #9) to approve the MMT models of Master Meter for inclusion on the Upper Big Blue approved meter list. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson

ABSENT: None

PAYMENT FOR SURGE VALVE

In March of 1992 the board approved the purchase of a P&R surge valve for the loaner program. Due to mis-communications, the district was not billed for this valve until now.

Hansen made the motion (Motion #10) to pay Northern Pump and Irrigation \$1,197.97 for the surge valve purchased in March of 1992. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: None

VADOSE ZONE SOIL ANALYSIS

Eight of the twelve vadose zone sampling sites approved by the board last fall were completed before the weather halted sampling. The UNL soil testing lab has completed analysis of these soil samples. Rod is preparing a report of all known vadose zone sampling results around the district.

Hansen made the motion (Motion #11) to pay the University of Nebraska Soil Testing Service \$192.60 for the soil samples analyzed in January of 1993. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: None

EDUCATION & PARKS COMMITTEE MEETING REPORT

Dickinson gave a report on the education & parks committee meeting held March 11, 1993 and reviewed the committee report as circulated.

1994 FARM CONSERVATION AWARD SELECTION

The education and parks committee reviewed ten nominations for the 1994 award.

Dickinson made the motion (Motion #12) that Ardean Andersen of Marquette receive the Upper Big Blue NRD's 1994 Farm Conservation Award. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: None

U.S. SMALL BUSINESS ADMINISTRATION NATIONAL TREE PLANTING GRANT

The district applied for and received funding to plant 24 trees, mostly deciduous, at Pioneer Trails Recreation Area. The trees must be purchased from and planted by a small business or businesses. The trees will be six to eight feet tall. The grant is a 55/45 matching grant (\$1,375 SBA/\$1,125 NRD) for a total of \$2,500.

Dickinson made the motion (Motion #13) to approve the order of trees and planting for the Pioneer Trails Recreation Improvement Plan and to contract with Faller Nursery of York for the work in accordance with the grant proposal authorized by the U.S. Small Business Administration National Tree Planting Program at a cost not to exceed \$2,500.00, \$1,375.00 of which will be funded by the SBA grant. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: None

1993 WATER JAMBOREE

The Cooperative Extension is planning a mini groundwater festival for 1,000 school children from Adams, Clay, Fillmore, Nuckolls, Thayer, and Webster Counties to be held at the Little Blue NRD's recreation area at Liberty Cove near Lawrence in September. They have applied for a grant from the NDEQ to cover the costs of the festival. As a backup funding plan, they have asked the three NRDs involved to share the cost of the festival with the six county extension units. Total festival cost is estimated at \$1,000. The three NRDs would split \$550 equally.

Dickinson made the motion (Motion #14) that the Upper Big Blue NRD provide funding, not to exceed \$200, for the 1993 Water Jamboree to be held at Liberty Cove Recreation Area in September. If the Jamboree receives an Information and Education Mini--grant from the NDEQ, funding will not be provided by the district. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: None

COMMUNITY FORESTRY - CITY OF GENEVA

Dickinson made the motion (Motion #15) that the Upper Big Blue NRD fund the City of Geneva in an amount not to exceed \$1,000 for a new tree planting located along the north three blocks of 11th street in the City of Geneva for FY 93. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: None

COMMUNITY FORESTRY - CITY OF HENDERSON

Dickinson made the motion (Motion #16) that the Upper Big Blue fund the City of Henderson in an amount not to exceed \$1,000 for a new tree planting located at the Henderson Municipal Golf Course for FY 93. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: None

MARCH WILDLIFE CONTRACTS

Dickinson made the motion (Motion #17) that the Upper Big Blue NRD Board of Directors approve payment of \$5,575 to the cooperators of the Wildlife Habitat Improvement Program for the month of March. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

PASS: Dickinson, Ehlers

EXCUSED: Anderson

ABSENT: None

PROJECT 4-13-2E (STARA DAM)

Dickinson made the motion (Motion #18) that the Upper Big Blue NRD acquire easements for project 4-13-2E to an elevation which is equal to the top of the dam. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

PASS: Ediger

EXCUSED: Anderson

ABSENT: None

EXECUTIVE COMMITTEE MEETING REPORT

Oswald gave a report on the executive committee meeting held March 11, 1993 and reviewed the committee report as circulated.

ATTORNEY FEES

Oswald made the motion (Motion #19) to approve payment of \$699.61 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through February 20, 1993. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: None

FULL TIME LOWER PLATTE NORTH TECHNICIAN

The Lower Platte North NRD is considering hiring a full time technician to work with the SCS. The technician is to work on land treatment and other conservation needs in Butler and Saunders County. The estimated annual cost is \$19,789.00, to be shared by three NRDs. The Upper Big Blue's share would be \$3,958.00.

Oswald made the motion (Motion #20) to reaffirm the board's previous position of not providing technical assistance for field or office work to the SCS. Seconded by Regier. Question called. Motion carried.

- AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
- NAY: None
- EXCUSED: Anderson
- ABSENT: None

NEBRASKA WATER RESOURCES ASSOCIATION

Oswald made the motion (Motion #21) to approve payment of \$900.00 the Nebraska Water Resources Association for 1993 dues (state dues \$810.00/national dues \$90). Seconded by Regier. Question called. Motion carried.

- AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore
- NAY: None
- PASS: Volkmer
- EXCUSED: Anderson
- ABSENT: None

LOWER PLATTE WORTH NRD SALARY REIMBURSEMENT

Oswald made the motion (Motion #22) to approve payment of \$2,858.73 to the Lower Platte North NRD for this district's share of Butler County SCS clerk's wages from July 1, 1992 to December 31, 1992. Seconded by Hansen. Question called. Motion carried.

- AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
- NAY: None
- EXCUSED: Anderson
- ABSENT: None

MOWER BIDS

Five bids were received on an eight-foot mower for the parks department.

Baxter's Ag-Land Equip.	John Deere	\$3,265.00
Grosshans International	Rhino	2,849.39
Geneva Implement Co.	Bush Hog	2,965.00
York Equipment	Rhino	2,625.00
Buchli & Son, Inc.	Bush Hog	3,165.00

Oswald made the motion (Motion #23) to accept the bid of \$2,625.00 from York Equipment for a Rhino eight foot mower. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: None

FINANCIAL STATEMENT

Burke made the motion (Motion #24) to approve the financial statement and budget report as of February 28, 1993; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Hansen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson

ABSENT: None

Meeting adjourned at 3:15 p.m.

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
FEBRUARY 18, 1993

CALL TO ORDER

A regular board of directors meeting was called to order by chairman Larry Moore in the NRD Administrative Office Building, 105 Lincoln Avenue, York Nebraska at 1:30 p.m.

PRESENT

Larry Moore, Chairman	Buzz Oswald, Vice Chairman
Jim Jackson, Secretary	Kenneth Regier, Treasurer
Bruce Anderson, Director	Yvonne Austin, Director
Steve Buller, Director	Doug Dickinson, Director
Bob Ehlers, Director	Wayne Hansen, Director
Roger Houdersheldt, Director	Luke Jacobsen, Director
Roland Schulz, Director	Roger Siebert, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Jerry Bucy, Wilber SCS
Dennis Schroeder, Aurora SCS	Dick Hayes, Clay Center SCS
Tom Schleif, David City SCS	Kent Norquest, Geneva SCS
Jay Bitner, Staff	Ken Feather, Staff
Kelly Harre, York News-Times	Prudence Sadler, Staff
Rod DeBuhr, Staff	Bill Gilliam, York SCS

ROLL CALL

15 directors were present during quorum call.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published February 3, 1993 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

EXCUSED ABSENCES

Oswald made the motion (Motion #1) to excuse the absences of Ray Burke and Ed Ediger who are attending the NACD Conference in Orlando, Florida. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: Burke, Ediger

ADOPTION OF AGENDA

Regier made the motion (Motion #2) to approve the agenda for the board of directors meeting as

presented. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke, Ediger

MINUTES OF THE JANUARY BOARD MEETING

Ehlers made the motion (Motion #3) to approve the minutes of the January 21, 1993 board of directors meeting as circulated. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke, Ediger

PROJECTS COMMITTEE MEETING REPORT

Ehlers gave a report on the Projects Committee meeting held February 8, 1993 and reviewed the committee report as circulated.

LAND TREATMENT PROGRAM - NSWCP FUNDS PAYMENTS

Ehlers made the motion (Motion #4) that payment of NSWCP land treatment funds be made in the amount of \$8,236.14 for five applications reviewed by the committee. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke, Ediger

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS

Ehlers made the motion (Motion #5) that eight new applications for NSWCP funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke, Ediger

LAND TREATMENT PROGRAM - IRRIGATION WATER RETURN LINES

The revised Irrigation Water Return Line Policy, which was referred back to committee last month, was discussed. The committee decided to allow pumping from reservoirs, as well as reuse pits, and to allow cost-share on zees and other fittings below grade.

Ehlers made the motion (Motion #6) that the board of directors adopt the following land treatment program policy on irrigation water return lines, and that this revised policy become effective upon adoption:

"The purpose of the District's cost-share program on Irrigation Water Return Lines is to encourage the efficient use of groundwater for irrigation. This practice is designed for gravity irrigation systems as a means of returning water from the irrigation reuse pit, or a reservoir, to the head of the field where water can be reused. The reuse of irrigation water helps conserve groundwater and prevents damage to lands downstream.

Water impounded in a reuse pit, or reservoir, and subsequently pumped through the return line must include water from land owned by the person receiving the cost-share assistance, but may include water from other sources. The water must be returned to the land from under which the runoff occurred, or to other crop land under the same ownership, provided the resulting runoff is controlled. Cost-share assistance is based on the length and diameter of underground pipe necessary to return the runoff water to the head of the field from which it came. Pipe length will be measured along the axis of the pipe to the head of the field from which the runoff occurred. The pipe layout plan is to be the most economical, reasonable and efficient for the system. If the landowner chooses to change the technician's design or layout, he/she may do so if, in the technician's opinion, the system will function properly without additional cost-share assistance.

Payment will not be made for pumps, pump stands or for pipe above ground."

The cost-share rates for irrigation water return lines will not be changed as a result of this policy change.

Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Oswald, Regier, Schulz, Siebert, Volkmer

NAY: Jackson, Jacobsen, Moore

ABSENT: Burke, Ediger

PROJECT 04-13-02E - STARA DAM

Final design of Project 04-13-02E is in progress. Staff has obtained proposals from two geotechnical firms to provide foundation drilling and testing:

Geotechnical Services, Inc. \$5,650

Woodward Clyde \$9,425

Ehlers made the motion (Motion #7) that the board of directors authorize the staff to enter into a contract with Geotechnical Services, Inc. to provide geotechnical engineering services on Project 04-13-02E for a fee not to exceed \$5,650. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke, Ediger

WATER COMMITTEE MEETING REPORT

Jackson gave a report on the Water Committee meeting held February 8, 1993 and reviewed the committee report as circulated.

AQWACAP PROGRAM - TENTATIVE APPROVALS

Jackson made the motion (Motion #8) to give tentative approval to two AQWACAP applications with a total cost-share of \$365.00. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke, Ediger

AQWACAP PROGRAM - FINAL APPROVALS

Jackson made the motion (Motion #9) to give final approval -to one AQWACAP application in the amount of \$300.00. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke, Ediger

LATE WELL PERMIT

Jackson made the motion (Motion #10) to approve a late well permit for Askey Farms, Inc., for a well drilled in the NW ¼ of the SE 1/4 of Section 1, Township 7 North, Range 8 West, Clay County. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke, Ediger

EDUCATION & PARKS COMMITTEE MEETING REPORT

Oswald gave a report on the Education & Parks Committee meeting held February 11, 1993 and reviewed the committee report as circulated.

GRANT APPLICATIONS FOR PIONEER TRAILS RECREATION AREA DEVELOPMENT

The district's application for funding for recreation area improvements at Pioneer Trails from the Land and Water Conservation Fund was not approved because there was not enough money available in the fund for the number of applications received. We were encouraged to revise our application (if needed) and resubmit for next year. In the interim, other possibilities for grant funding may be pursued.

FARR TRUST

This is a charitable trust that provides grants in Hamilton County. The district's application would be for the same recreation facilities included in the Land and Water Conservation fund application (foot bridge, picnic shelter, hiking trail, three information stations, playground equipment and an identification sign.) The grant would be a 50/50 matching grant (\$24,000/\$24,000) for a total of \$48,000.

Oswald made the motion (Motion #11) that the district apply for a \$24,000 grant from the Farr Trust

for recreation improvements at Pioneer Trails Recreation Area. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: Burke, Ediger

U.S. SMALL BUSINESS ADMINISTRATION NATIONAL TREE PLANTING GRANT

The grant is available to state and local units of government to contract with small business to plant trees on government owned land. The trees must be purchased and planted by a small business or businesses. The district would apply for funding to plant 24 trees, mostly deciduous, at the Pioneer Trails Recreation Area. The trees would be six to eight feet tall. The grant would be a 55/45 matching grant (\$1,375 - SBA / \$1,125 NRD) for a total of \$2,500.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: Burke, Ediger

HAMILTON COMMUNITY FOUNDATION

This is a charitable trust that provides grants in Hamilton County. The district's application would be for the same recreation facilities included in the Land and Water Conservation Fund application (foot bridge, picnic shelter, hiking trail, three information stations, playground equipment, and an identification sign.) The grant would be a 50/50 matching grant (\$24,000/\$24,000) for a total of \$48,000.

Oswald made the motion (Motion #13) that the district apply for a \$24,000 grant from the Hamilton Community Trust for recreation facilities improvements at Pioneer Trails Recreation Area. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: Burke, Ediger

FEBRUARY WILDLIFE CONTRACTS

Oswald made the motion (Motion #14) that the Upper Big Blue Natural Resources District Board of Directors approve payment of \$4,900.00 to the cooperators of the Wildlife Habitat Improvement Program for the month of February, as reviewed. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer
NAY: Dickinson
ABSTAIN: Moore
ABSENT: Burke, Ediger

MOWING OF RECREATION AREAS

The following quotes were submitted for mowing Pioneer Trails and Smith Creek Recreation Areas

on a per time basis.

Pioneer Trails - \$340.00

Mowing picnic area, access road, parking area, parking area by weather station, and around the guardrail on the county road.

Smith Creek - \$165.00

Mowing of picnic and parking area

Oswald made the motion (Motion #15) that the Upper Big Blue NRD Board of Directors approve the hiring of Joseph Block of Hampton, Nebraska to mow the picnic area, access road and parking areas at Pioneer trails for \$340.00 and Smith Creek Recreation Area for \$165.00 for combined total of \$505.00, on a per time basis approved by the district staff. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: Burke, Ediger

REVIEW WILDLIFE HABITAT IMPROVEMENT PROGRAM

Oswald made the motion (Motion #16) that the Upper Big Blue Natural Resources District continue the Wildlife Habitat Improvement Program under the existing policy. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore

NAY: Dickinson, Ehlers

PASS: Regier

ABSENT: Burke, Ediger

EXECUTIVE COMMITTEE MEETING REPORT

Oswald gave a report on the Executive Committee meeting held February 11, 1993 and reviewed the committee report as circulated.

BIDS FOR REPLACEMENT VEHICLE

The 1984 Chevy Suburban was considered a total loss by the insurance adjustor, as the result of a vehicle fire January, 21, 1993.

Bids received for a replacement vehicle are for a half ton 4x4 pickup with a 302-308 V8, automatic.

Acme Motor Company, York	Chevy	\$16,940.00
Rolfsmeier Motors, Seward	Chevy	16,303.48
John Kohl Auto, York	Chevy	18,113.14
John Kohl Auto, York	Dodge	15,332.35
Moses Ford, York	Ford	14,924.20

A quote has also been received for an engineers and surveyors tool box (like a topper with several compartments) from Silver Shield of Phoenix, Arizona for \$1,920.00, delivered.

The insurance company has agreed to pay the district \$5,412.50, less the \$250.00 deductible, for the loss of the Suburban. Average retail book value is \$5,050.

Oswald made the motion (Motion #17) to accept the bid of \$14,924.20 from Moses Ford for a new 4x4 half ton pickup; and further, to purchase the engineers and surveyors tool box from Silver Shield for \$1,920.00. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: Burke, Ediger

COMPUTER

Turnbull requested an additional computer, dedicated to his use, be purchased. Two quotes for a 486 computer with 120 MB hard drive, tape backup system, and Lawn Net communication box were submitted.

Computer Spectrum, Inc., Aurora	\$3,099.00
RST Business Solutions, Waco	2,430.00

Oswald made the motion (Motion #18) to approve the purchase of a 486 computer, as specified, from RTS Business Solutions of Waco for \$2,430.00, plus tax. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: Burke, Ediger

COMMITTEE ASSIGNMENTS

Oswald made the motion (Motion #19) to approve the committee assignments, as reviewed, with an effective date of February 19, 1993. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: Burke, Ediger

NACD DUES

Oswald made the motion (Motion #20) to approve payment of \$550.00 for 1993 NACD dues. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: Burke, Ediger

NARD LEGAL DEFENSE FUND

Oswald made the motion (Motion #21) to approve payment of \$196.38 to the NARD Legal Defense Fund for the Upper Republican court case. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Dickinson, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Moore

NAY: Buller, Hansen, Regier, Schulz, Volkmer

ABSENT: Burke, Ediger, Siebert

AMERICANS WITH DISABILITIES ACT

Turnbull reviewed a legal opinion he requested from Rocky Weber of Crosby, Guenzel, Davis, Kessner & Kuester.

Oswald made the motion (Motion #22) to direct staff to immediately conduct the ADA self evaluation study and to report the findings to the Executive Committee and Board. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer, Moore

NAY: None

ABSENT: Burke, Ediger, Siebert

BUDGET COMMITTEE MEETING REPORT

Dickinson gave a report on the Budget, Planning & Legislative Committee meeting held February 16, 1993 and reviewed the committee report as distributed.

LANDMARK

Turnbull reviewed the Landmark supreme court decision. The court ruled that the Upper Big Blue is not granted water rights for the Landmark Project. The principal reason is that the project is not in the public's interest.

The court did not rule on the endangered species issue. The reason given is that since the NRD is no longer required to consult with the Game and Parks Commission, the district is not affected by the Game and Parks ruling. That is in error.

Our attorney strongly recommended that a motion for rehearing be filed with the Nebraska Supreme Court. The rehearing should be about the endangered species issue. He agreed that the filing, briefs, and oral arguments will be done as part of his overall charges on the case to date. No additional fees will be billed to the district. The board chairman and the manager authorized Steve Seglin to ask for a rehearing, file the briefs, and to present oral arguments.

SINKING FUND

The district has \$419,654 set aside in the sinking fund for the Landmark Project. The manager recommended that the committee decide what project, or projects, these funds should be dedicated to.

Dickinson made the motion (Motion #22) that the board make a final decision on the deposition of

the Landmark funds by the May board meeting. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer, Moore
NAY: None
ABSENT: Burke, Ediger, Siebert

LEGISLATIVE BILL 736

Dickinson made the motion (Motion #23) that the district actively oppose LB 736. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer, Moore
NAY: None
ABSENT: Burke, Ediger, Siebert

LEGISLATIVE BILL 131

Volkmer made the motion (Motion #24) to support LB 131 only if registration fees are \$10.00 for domestic wells and \$20.00 for irrigation wells, and eliminate all other fees. Seconded by Hansen. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Volkmer, Moore
NAY: None
PASS: Schulz
ABSENT: Anderson, Burke, Ediger, Siebert

SENATORS' BRIEFING

Dickinson made the motion (Motion #25) that the district invite the state senators to the district to discuss issues and programs that affect this district; and that these briefings be conducted after the current legislative session. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer, Moore
NAY: None
ABSENT: Anderson, Burke, Ediger, Siebert

FINANCIAL STATEMENT

Regier made the motion (Motion #26) to approve the financial statement and budget report as of January 31, 1993; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer, Moore
NAY: None
ABSENT: Anderson, Burke, Ediger, Siebert

Meeting adjourned at 4:25 p.m.

Board of Director's Meeting

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 21, 1993

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Larry Moore in the NRD Administrative Office Building, 105 Lincoln Avenue, York Nebraska at 1:30 p.m.

PRESENT

Larry Moore, Chairman	Buzz Oswald, Vice Chairman
Jim Jackson, Secretary	Kenneth Regier, Treasurer
Bruce Anderson, Director	Yvonne Austin, Director
Steve Buller, Director	Ray Burke, Director
Doug Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Wayne Hansen, Director
Roger Houdersheldt, Director	Roland Schulz, Director
Roger Siebert, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Ken Feather, Staff	Jay Bitner, Staff
Rod DeBuhr, Staff	Prudence Sadler, Staff
Norman J. Brown, Stromsburg	Jim Luff, Marquette
Curt Friesen, Henderson	Dennis Schroeder, Aurora SCS
Rod Hansen, Seward	Bill Gilliam, LDC, York SCS
Kent Norquest, Geneva SCS	Larry A. Paul, Shickley
Thomas D. Votipka, Exeter	Luke Jacobsen, Director
Mark Nannen, Blue River Association of GWCDs	

ROLL CALL

16 directors were present during roll call.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published January 5, 1993 in the York News-Times. Agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

DIRECTORS' OATHS OF OFFICE

John Turnbull administered the oath of office to those directors elected in the general election.

ADOPTION OF AGENDA

Burke made the motion (Motion #1) to approve the agenda for the board of directors meeting as presented. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None
ABSENT: None

OPERATING POLICY NO. 3 - DIRECTORS' VACANCIES

Ehlers made the motion (Motion #2) to adopt Operating Policy No. 3: Directors' Vacancies, as presented, and that it goes into effect immediately. Seconded by Anderson. Question called. Motion carried.

A YE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

SUBDISTRICT 7 VACANCY

Chairman Moore stated who the applicants were for the director's vacancy in subdistrict seven. Copies of their letters of application had previously been mailed to all the directors.

Pursuant to Operating Policy No. 3, governing directors, vacancies, ballots were distributed and the directors were asked to cast their ballots for either Jim Luff, Norman Brown, or Luke Jacobsen.

Chairman Moore directed staff members Rod DeBuhr and Prudence Sadler to count the ballots. Jacobsen received 10 votes, Brown 5 and Luff 1.

Volkmer made the motion (Motion #3) to appoint Luke Jacobsen to serve as a director of subdistrict seven for a term of four years. Seconded by Oswald. Question called. Motion carried.

A YE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

Jacobsen will serve as a director of subdistrict seven until January 1997.

APPOINTEE'S OATH OF OFFICE

John Turnbull administered the oath of office to Luke Jacobsen.

ELECTION OF OFFICERS - NOMINATING COMMITTEE REPORT

Moore distributed a list of the nominating committee's slate of candidates for board officers, NARD representative and alternate.

ELECTION OF CHAIRMAN

The nominating committee submitted the names of Larry Moore and Wayne Hansen as candidates for the office of chairman. A call was made for nominations from the floor; there being none, it was declared that nominations cease and ballots be cast. Moore received 13 votes; Hansen 4. Moore will serve as chairman for a term of one year.

ELECTION OF VICE CHAIRMAN

The nominating committee submitted the names of Buzz Oswald and Ray Burke as candidates for the office of vice chairman. A call was made for nominations from the floor; there being none, it was declared that nominations cease and ballots be cast. Oswald received 14 votes; Burke 3. Oswald will serve as vice chairman for a term of one year.

ELECTION OF SECRETARY

The nominating committee submitted the names of Jim Jackson and Merlin Volkmer as candidates for the office of secretary. A call was made for nominations from the floor; there being none, it was declared that nominations cease and ballots be cast. Jackson received 9 votes; Volkmer 8. Jackson will serve as secretary for a term of one year.

ELECTION OF TREASURER

The nominating committee submitted the names of Ken Regier and Yvonne Austin as candidates for the office of treasurer. A call was made for nominations from the floor; there being none, it was declared that nominations cease and ballots be cast. Regier received 13 votes; Austin 4. Regier will serve a treasurer for a term of one year.

NARD REPRESENTATIVE AND ALTERNATE

The nominating committee submitted the names of Bob Ehlers and Doug Dickinson as candidates for the NARD representative. There being no nominations from the floor, Chairman Moore instructed the board to cast their ballots. The individual with the most votes will serve as the representative and the runner-up will serve as the alternate. Ehlers received 11 votes; Dickinson 6. Ehlers will serve as NARD representative and Dickinson will serve as alternate for 1993.

MINUTES OF THE DECEMBER BOARD MEETING

Burke made the motion (Motion #4) to approve the minutes of the December 17, 1992 board of directors meeting as circulated. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held January 11, 1993 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUNDS - PAYMENTS

Regier made the motion (Motion #5) that payment of NSWCP land treatment funds be made in the amount of \$21,514.83 for eight applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS

Regier made the motion (Motion #6) that nine new applications for NSWCP funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - NRD FUNDS -PAYMENTS

Regier made the motion (Motion #7) that payment of NRD land treatment funds be made in the amount of \$806.00 for one application reviewed by the committee. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - IRRIGATION WATER RETURN LINES

A request has been made to allow cost-share on irrigation water return lines from reservoirs. Current policy limits cost-share to return lines from reuse pits.

The consensus of the committee was that return lines from reservoirs will allow more efficient use of irrigation runoff.

Regier made the motion (Motion #8) that the board of directors adopt the following land treatment program policy on irrigation water return lines, and that this revised policy become effective upon adoption:

"The purpose of the district's cost-share program on irrigation water return lines is to encourage the efficient use of groundwater for irrigation. This practice is designed for gravity irrigation systems as a means of returning water from the irrigation reuse pit, or a reservoir, to the head of the field where water can be reused. The reuse of irrigation water helps conserve groundwater and prevents damage to lands downstream.

Water impounded in a reuse pit, or reservoir, and subsequently pumped through the return line must include water from land owned by the person receiving the cost-share assistance, but may include water from other sources. The water must be returned to the land from which the runoff occurred or to other crop land under the same ownership, provided the resulting runoff is controlled. Cost-share assistance is based on the length and diameter of underground pipe necessary to return the runoff water to the head of the field from which it came. The pipe will be measured along the axis of the pipe to the head of the field from which the runoff occurred. The pipe layout plan is to be -the most economical, reasonable and efficient for the system. If the landowner chooses to change the technician's design or layout, he or she may do so if, in the technicians opinion, the system will

function properly without additional cost-share assistance.

Payment will not be made for pumps, pump stands, zees or any other fittings or equipment, or for pipe above ground."

The cost-share rates for irrigation water return lines will not be changed as a result of this policy. Seconded by Hansen.

Volkmer expressed concern that zees would be ineligible for cost-share. There was some discussion about what should and should not be eligible for cost-share. Bitner explained that the district's cost-share policy on irrigation water return lines was written to correspond with that of the ASCS.

Dickinson made the motion (Motion #9) to refer to committee to reconsider cost-share on zees. Seconded by Volkmer. Question called. Motion failed.

AYE: Austin, Dickinson, Hansen, Houdersheldt, Oswald, Schulz, Volkmer, Moore
NAY: Anderson, Buller, Burke, Ediger, Ehlers, Jackson, Jacobsen, Regier, Siebert
ABSENT: None

Dickinson requested that Motion #8 be held over for 30 days because it would change current board policy.

PROJECT 4-13-2E STARA DAM

This project is located three miles north of Ulysses in Section 4, Township 13 North, Range 2 East. Staff has discussed dam site location with the landowner and Butler County officials. The selected site is approximately 300 feet upstream from the county road in the Southwest Quarter of Section 4.

The reservoir's conservation pool would have an area of 19 acres and would store 80 acre feet. The dam would be designed as low hazard. Construction cost is estimated to be \$97,000. At this point it appears that land rights will be in the form of easement at no cost if the District builds, owns and operates the dam.

This project is currently third on the District's priority list.

Regier made the motion (Motion #10) that the board of directors authorize the staff to proceed with final design of Project; 4-132E, Stara Dam. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

WATER COMMITTEE MEETING REPORT

Jackson gave a report on the Water Committee meeting held January 11, 1993 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT

Jackson made the motion (Motion #11) to approve the Clean Water Act Section 319 Application for pesticide management activities above Recharge Lake. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Moore
NAY: Ediger
PASS: Siebert, Volkmer
ABSENT: None

AQWACAP PROGRAM - FINAL PAYMENTS

Jackson made the motion (Motion #12) to approve final payment of \$2,192.50 for eight applications reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
PASS: Buller
ABSENT: None

AQWACAP PROGRAM - EXPIRED APPLICATIONS

Five applications expired on December 31, 1992. One other application was extended by the staff to January 31, 1993, at the request of the well owner, due to weather problems during the plugging operation. The staff has contacted the well drillers on all of these applications and weather has been the reason for delays in completing these abandonments.

Jackson made the motion (Motion #13) that applications 38, 54, 60, 61, 66 and 69 be extended until April 30, 1993. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

AQWACAP PROGRAM - BUDGET INCREASE

The current AQWACAP budget is \$10,000. These funds have all been allocated. The district has on file requests for an additional \$3,271.25.

Jackson made the motion (Motion #14) that the FY 93 AQWACAP fund ceiling be raised to \$15,000. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

Jackson made the motion (Motion #15) to give tentative approval for 12 AQWACAP applications totaling \$3,271.25, as reviewed by the committee. Seconded by Houdersheldt. Question called.

Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
PASS: Buller
ABSENT: None

BUDGET COMMITTEE MEETING REPORT

Burke gave a report on the Budget, Planning & Legislative Committee meeting held January 14, 1993 and reviewed the committee report as distributed.

GROUND WATER CONSERVATION DISTRICTS EXTENSION OF TIME (LB36)

Burke made the motion (Motion #16) that the Upper Big Blue NRD reaffirm the district's support of the GWCDs and to support LB36, and to testify at the Legislative Hearing. Seconded by Hansen.

Ediger made the motion (Motion #17) to table. Seconded by Austin. Question called. Motion failed.

AYE: Ediger
NAY: Austin, Buller, Burke, Dickinson, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore
PASS: Anderson, Schulz
ABSENT: None

Question called on the original motion. Motion carried.

AYE: Buller, Burke, Dickinson, Ehlers, Hansen, Jackson, Jacobsen, Regier, Siebert, Volkmer, Moore
NAY: Austin, Ediger, Houdersheldt, Oswald, Schulz
PASS: Anderson
ABSENT: None

REGIONAL SOLID WASTE MANAGEMENT

The staff explained the recent series of meetings with the Association and potential new county and municipal members. Four counties now belong to the Association and four more are being asked to consider joining because the private landfill west of Geneva has been offered for sale to the Association. This project is taking considerably more staff time than was originally planned.

Burke made the motion (Motion #18) that the district continue to provide staff support services, leadership, and coordination for the regional solid waste management planning. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

NRDF FUNDING LIMIT

The Central Platte NRD has asked for support in changing the \$10,000,000 funding limit in the Natural Resources Development Fund.

Burke made the motion (Motion #19) to support repeal of the \$10,000,000 project size limit on Natural Resources Development Fund, provided that the three percent rate of return funding criteria is reduced to zero percent by statute. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

EDUCATION & PARKS COMMITTEE MEETING REPORT

Oswald gave a report on the Education & Parks Committee meeting held January 14, 1993 and reviewed the committee report as distributed.

SOIL AND WATER STEWARDSHIP WEEK

Oswald made the motion (Motion #20) that the Upper Big Blue NRD supply bulletin covers or inserts to interested churches within the district, as it has in the past. In addition, that the NRD supply reference books to each church to aid in sermon or program preparation. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore

NAY: None

PASS: Schulz

ABSENT: None

RESTROOMS AT RECHARGE SITE

Oswald made the motion (Motion #21) that the district have the York High School industrial arts class construct a vault-type, handicapped accessible outhouse for the Recharge Lake Recreation Area at an estimated cost of \$5,500. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

REVIEW WILDLIFE HABITAT IMPROVEMENT PROGRAM

That the Education and Parks Committee review the Wildlife Habitat Improvement Program (WHIP) before the next budget year. Seconded by Hansen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

NEW WILDLIFE HABITAT CONTRACTS

That the Upper Big Blue Natural Resources District Board of Directors accept the new Wildlife

Habitat Improvement Program applications for the amount of \$2,292.50, as reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Moore
NAY: Dickinson
PASS: Ehlers, Regier
ABSENT: None

MONETARY GIFT FROM BILL DUNAVAN

Oswald made the motion (Motion #24) that the \$50.00 gift from Bill Dunavan be used to plant a tree at Smith Creek Recreation Area along with a post and nameplate. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

EXECUTIVE COMMITTEE MEETING REPORT

Oswald gave a report on the Executive Committee meeting held January 14, 1993 and reviewed the committee report as distributed.

ATTORNEY FEES

Oswald made the motion (Motion #25) to approve payment of \$30.00 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through December 17, 1992. Seconded by Burke. Question called. Motion carried.

AYE Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

DIRECTORS' FOURTH QUARTER PER DIEM & EXPENSES

Oswald made the motion (Motion #26) to approve payment of \$5,300.00 for fourth quarter directors' per them and \$2,251.81 for expenses. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
ABSENT: None

BOARD ROOM ADA REQUIREMENTS

Turnbull discussed the proposed floor plan of the new board room. He proposes that it be a ground floor addition northeast of the existing building and it should include handicap accessible restrooms. Turnbull feels it is time to hire an architect for design services.

Oswald made the motion (Motion #27) to request proposals from architects for design of the new board room wing, and to review ADA requirements for the existing building. Seconded by

Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Oswald, Regier, Moore

NAY: Volkmer

PASS: Jacobsen, Schulz, Siebert

ABSENT: None

WORKMEN'S COMPENSATION INSURANCE

Oswald made the motion (Motion #28) to approve payment of \$726.00, less any credits, to the York Insurance Agency for premium adjustments in FY 92 payroll. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

YORK COLD STORAGE PIPELINE PUMP

The pipeline pump at the cold storage plant is down for major repairs. The staff has shipped the pump to the manufacturer for repairs and the company has agreed to pay half of the cost. The cost to the NRD is \$2,268.30.

Oswald made the motion (Motion #29) to approve the repair of the cold storage pipeline pump by Armature and Elee Machine Company for \$2,268.30. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

1993 PICKUP BIDS

Turnbull advised the board that the district had received three bids for a 1993 3/4 ton pickup. Wortman Enterprises' bid, with trade in, was \$13,573.70 and Moses Ford's bid, with trade in, was \$12,092.72. The third bid was received from Rediger Chevrolet, and was incomplete.

Oswald made the motion (Motion #30) to accept the bid of Moses Ford for a 1993 3/4 ton pickup, as specified, for \$12,092.72 and to reject the incomplete bid of Rediger Chevrolet. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

OPERATING POLICIES

Oswald made the motion (Motion #31) to adopt the following policies as presented: Director and Employee Indemnification; District Credit Cards and Charge Accounts; District Surplus Property;

No Smoking; Public Access Areas; Nondiscrimination; and Collection of Funds and Cash. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore

NAY: None

PASS: Volkmer

ABSENT: None

FINANCIAL STATEMENT

Dickinson made the motion (Motion #32) to approve the financial statement and budget report as of December 31, 1992; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

ABSENT: None

Meeting adjourned at 4:45 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
DECEMBER 15, 1994

CALL TO ORDER

A regular Board of Directors meeting was called to order by chairman Wayne Hansen at 1:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman	Yvonne Austin, Vice Chairman
Jim Jackson, Secretary	Steve Buller, Treasurer
Ray Burke, Director	Doug Dickinson, Director
Ed Ediger, Director	Bob Ehlers, Director
Roger Houdersheldt, Director	Larry Moore, Director
Louis Oswald, Director	Kenneth Regier, Director
Roland Schulz, Director	Roger Siebert, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Jay Bitner, Staff
Prudence Sadler, Staff	Rod DeBuhr, Staff
Wm. Gilliam, NRCS	Gus Hughbanks, NRCS
Lisa Willis, KAWL	

ROLL CALL

Fourteen directors were present during quorum call. Siebert arrived following the approval of the minutes.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published December 5, 1994 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

CONSIDERATION OF DIRECTORS' ABSENCES

Volkmer made the motion (Motion #1) to excuse the absence of Bruce Anderson and Luke Jacobsen. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Anderson, Jacobsen, Siebert

ADOPTION OF AGENDA

Ehlers made the motion (Motion #2) to approve the agenda for the Board of Directors meeting as presented. Seconded by Houdersheldt. Question called. Motion carried.

Board of Directors
December 15, 1994

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Jacobsen
ABSENT: Siebert

APPROVAL OF MINUTES OF THE NOVEMBER 17, 1994 PUBLIC HEARING

Burke made the motion (Motion #3) to approve the minutes of the November 17, 1994 Special Protection Area Rules and Regulations Hearing. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Jacobsen
ABSENT: Siebert

APPROVAL OF MINUTES OF THE NOVEMBER 17, 1994 BOARD MEETING

Ediger made the motion (Motion #4) to approve the minutes of the November 17, 1994 Board of Directors meeting as distributed. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Jacobsen
ABSENT: Siebert

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held December 5, 1994 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #5) that five new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Jacobsen

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Regier made the motion (Motion #6) that payment of NSWCP land treatment funds be made in the amount of \$26,264.27 for nine applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None

EXCUSED: Anderson, Jacobsen

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #7) that three new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Jacobsen

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Regier made the motion (Motion #8) that payment of NRD land treatment funds be made in the amount of \$838.50 for one application reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Jacobsen

JOHNSON CREEK SITE 22

The landowner at Johnson Creek Site #22 has indicated that he plans to install a pivot system, which would conflict with construction of the proposed dam. Staff recommends that this project be suspended.

Regier made the motion (Motion #9) that Project 27-9-IE, Johnson Creek Site #22, be suspended. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Jacobsen

SUTTON FLOOD CONTROL DAM 2-7-5W - PROGRESS PAYMENT

Regier made the motion (Motion #10) that Van Kirk Brothers Contracting be paid \$20,787.63 as final payment on the Sutton Flood Control Dam 2-7-5W. Seconded by Oswald.

Bitner advised the board that Van Kirk Brothers Contracting has filed a separate claim for an additional 5,000 yards of dirt work on the dam. The district was told that during the construction of the golf course 5,000 yards of dirt would be stockpiled for use on the dam. The district feels that the City of Sutton and the Golf Course Association are responsible for the additional expense since they did not provide the 5,000 yards as promised. Staff has met with the city, Van Kirk Brothers, and the Golf Course Association to discuss the matter and are presently attempting to negotiate a settlement on the claim.

Volkmer amended the motion to make the motion (Motion #11) subject to receipt of the release of

all claims. Seconded by Houdersheldt. Question called on the amendment. Amendment carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Jacobsen

Question called on the original motion as amended. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Jacobsen

SUTTON FLOOD MITIGATION PROJECT - PROGRESS PAYMENT

The City of Sutton filed a claim in the amount of \$17,569.32 for work completed through October 1994. The NRD's share of this claim is \$8,784.66 and the City of Sutton's share of this claim is \$8,784.66.

Regier made the motion (Motion #12) that the District reimburse the City of Sutton \$8,784.66 in NRD intergovernment cost-share funds for work completed on the Sutton Flood Mitigation Project, in accordance with the city's November 1994 claim. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Jacobsen

HARVARD FLOOD MITIGATION PROJECT - PROGRESS PAYMENT

The City of Harvard filed a claim in the amount of \$40,832.38 for work completed through October 1994. FEMA's share is \$20,416.19, the State Civil Defense share is \$10,208.10, the city's share is \$5,104.05 and the NRD's share is \$5,104.04 in accordance with previous agreement.

Regier made the motion (Motion #13) that the District reimburse the City of Harvard \$30,624.29 in state and federal funds when they are received, and \$5,104.04 in intergovernment cost-share funds for work completed on the Harvard Flood Mitigation Project. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Jacobsen

WATER COMMITTEE REPORT

Moore gave a report on the Water Committee meeting held December 5, 1994 and reviewed the committee report as distributed.

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

TENTATIVE APPROVALS

Moore made the motion (Motion #14) to give tentative approval to eleven Aquifer Quality Well Abandonment Cost-share Assistance Program applications with a total estimated cost-share of \$3,100.00. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Volkmer, Hansen

NAY: None

PASS: Buller

EXCUSED: Anderson, Jacobsen

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
FINAL PAYMENTS

Moore made the motion (Motion #15) to make final payment for eight Aquifer Quality Well Abandonment Cost-share Assistance Program applications with a total cost-share of \$1,526.43. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Volkmer, Hansen

NAY: None

PASS: Buller, Moore

EXCUSED: Anderson, Jacobsen

SPECIAL PROTECTION AREA

USGS GROUNDWATER NITRATE MONITORING STUDY

Staff is scheduled to meet with USGS officials in December to review the study activities to-date. The District has been billed for the FY94 contract amount of \$32,850.00.

Moore made the motion (Motion #16) to pay \$32,850.00 for work completed from March 1, 1994 to October 31, 1994 on the Upper Big Blue Groundwater Nitrate Monitoring Study. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Oswald, Regier, Schulz, Siebert, Hansen

NAY: Volkmer

EXCUSED: Anderson, Jacobsen

DOMESTIC WELL NITRATES

The 1994 domestic well nitrate results were distributed to the board members. The Blue River Association of Groundwater Conservation Districts has billed the District \$303.00 for 101 samples analyzed during the fall of 1994.

Moore made the motion (Motion #17) to pay the Blue River Association of Groundwater Conservation Districts \$303.00 for groundwater nitrate analysis during the fall of 1994. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

Board of Directors
December 15, 1994

NAY: None
EXCUSED: Anderson, Jacobsen

FALL GROUNDWATER LEVEL CHANGES

A map showing changes in groundwater levels from the fall of 1993 to fall of 1994 was distributed. The average change was an increase of 0.34 feet. The Blue River Association of Groundwater Conservation Districts billed the district \$478.50 for groundwater level measurements taken in the fall of 1994.

Moore made the motion (Motion #18) to pay the Blue River Association \$478.50 for groundwater level measurements taken in the fall of 1994. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None
EXCUSED: Anderson, Jacobsen

U.S. GEOLOGICAL SURVEY AUTOMATIC RECORDER WELLS

The district has been billed \$1,078.00 for our share of the FY94 cost of operating the four remaining USGS automatic recorder wells in the NRD. This is the amount previously agreed upon. The amount for FY95 will be renegotiated.

Moore made the motion (Motion #19) to pay U.S. Geological Survey \$1,078.00 for the district's share of the FY94 operations cost of four automatic recorder wells in the NRD. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None
EXCUSED: Anderson, Jacobsen

EDUCATION & PARKS COMMITTEE REPORT

Dickinson gave a report on the Education and Parks Committee meeting held December 8, 1994 and reviewed the committee report as distributed.

SEEDING, MULCHING AND FENCING PAYMENT - PROJECT 20-9-4W

Dickinson made the motion (Motion #20) that the Upper Big Blue NRD make final payment of \$4,689.97 to B.A.B., Inc. for the seeding, mulching and fencing done on Project 20-9-4W (Salman Dam). Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None
EXCUSED: Anderson, Jacobsen

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held December 8, 1994 and reviewed the

committee report as distributed.

BUILDING PROGRESS PAYMENT

The site has been excavated and the footings have been poured.

Austin made the motion (Motion #21) that JLC, Incorporated be paid \$13,060.00, \$1,306.00 of which is to be held as retainage, for work completed in November 1994 on the office building project. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Jacobsen

NACD VICE PRESIDENT'S EXPENSES

In 1992 the Upper Big Blue agreed to pay a portion of Jerry Vap's expenses incurred as vice president of the NACD. One payment of \$522 was made that November. Recently it was learned that most districts have not made any more payments. Originally \$9,129 was collected and paid to Jerry Vap. Additional expenses he incurred were paid through the SCS contract with the NARD. However it is time to consider reimbursement of current expenses. The NARD has billed the District for \$522, however, any payment is voluntary.

Austin made the motion (Motion #22) to pay \$522 to the NARD for Jerry Vap's expenses as the NACD vice president. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Siebert, Hansen

NAY: Ediger, Volkmer

EXCUSED: Anderson, Jacobsen

FINANCIAL STATEMENT

Burke made the motion (Motion #23) to approve the financial statement and budget report as of November 30, 1994; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Schulz

EXCUSED: Anderson, Jacobsen

Meeting adjourned at 3:20 p.m.

James K. Jackson, Secretary
:nds

UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
NOVEMBER 17, 1994
CALL TO ORDER

A regular Board of Directors meeting was called to order by chairman Wayne Hansen at 1:54 p.m. in the old city council chambers at the City Auditorium, 612 Nebraska Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman	Yvonne Austin, Vice Chairman
Jim Jackson, Secretary	Bruce Anderson, Director
Ray Burke, Director	Doug Dickinson, Director
Ed Ediger, Director	Bob Ehlers, Director
Roger Houdersheldt, Director	Luke Jacobsen, Director
Larry Moore, Director	Kenneth Regier, Director
Roland Schulz, Director	Merlin Volkmer, Director
John Turnbull, Manager	Lori Hoemann, Staff
Prudence Sadler, Staff	Rod DeBuhr, Staff
Kenneth Feather, Staff	Norman Obermier, Waco
Bill Gilliam, LDC, York NRCS	Donna Rhoades, York News-Times
Mark Deisley, CET, York NRCS	Tom Manelli York News-Times

ROLL CALL

Thirteen directors were present during quorum call with Regier arriving late.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published October 27, November 3 and November 10, 1994 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

CONSIDERATION OF DIRECTOR'S ABSENCES

Ehlers made the motion (Motion #1) to excuse the absences of: Steve Buller, Louis Oswald, and Roger Siebert. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Buller, Oswald, Siebert

ADOPTION OF AGENDA

Houdersheldt made the motion (Motion #2) to approve the agenda for the Board of Directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Buller, Oswald, Siebert

APPROVAL OF MINUTES OF THE OCTOBER 20, 1994 BOARD MEETING

Burke made the motion (Motion #3) to approve the minutes of the October 20, 1994 Board of Directors meeting as distributed. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
ABSENT: Schulz, Siebert

CONSIDERATION OF APPROVAL - SPA RULES AND REGULATIONS

Moore made the motion (Motion #4) to adopt the Rule 9 and revise Rule 4. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
ABSENT: Buller, Oswald, Siebert

PROJECT COMMITTEE MEETING REPORT

Volkmer gave a report on the Projects Committee meeting held November 7, 1994 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUNDS NEW APPLICATIONS

Volkmer made the motion (Motion #5) that nine new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
ABSENT: Buller, Oswald, Siebert

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Volkmer made the motion (Motion #6) that payment of NSWCP land treatment funds be made in the amount of \$6,968.45 for two applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
ABSENT: Buller, Oswald, Siebert

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Volkmer made the motion (Motion #7) that two new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None

ABSENT: Buller, Oswald, Siebert

LAND TREATMENT PROGRAM - NRD FUNDS PAYMENTS

Volkmer made the motion (Motion #8) that payment of NRD land treatment funds be made in the amount of \$881.14 for one application reviewed by the committee. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Buller, Oswald, Siebert

SMALL DAMS PROGRAM - AGREEMENT WITH DON WELLS

Volkmer made the motion (Motion #9) that the staff be authorized to enter into a small dams program agreement with Don Wells, provide final design and advertise for bids on a small dam to be located in Section 30, Township 9 North, Range 6 West of Hamilton County. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Buller, Oswald, Siebert

SUTTON FLOOD CONTROL DAM - CONSTRUCTION BIDS

Volkmer made the motion (Motion #10) that Van Kirk Brothers Contracting be paid \$13,455.99, \$1,345.60 of which is to be held as retainage for work completed in October on the Sutton Flood Control Dam 2-7-5W. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Buller, Oswald, Siebert

SUTTON FLOOD MITIGATION PROJECT - NEBRASKA CIVIL DEFENSE AGREEMENT

Volkmer made the motion (Motion #11) that the District enter into the state-local contractual agreement with Nebraska Civil Defense on the Sutton Flood Mitigation Project, Part II, Phase I. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Buller, Oswald, Siebert

WATER COMMITTEE MEETING REPORT

Moore gave a report on the Water Committee meeting held November 7, 1994 and reviewed the committee report as distributed.

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

TENTATIVE APPROVALS

Moore made the motion (Motion #12) to give tentative approval to three AQWACAP applications with a total estimated cost-share of \$670. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
ABSENT: Buller, Oswald, Siebert

FINAL PAYMENTS

Moore made the motion (Motion #16) to make final payment for three AQWACAP applications with a total actual cost-share of \$300. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
ABSENT: Buller, Oswald, Siebert

SPECIAL PROTECTION AREA -- MANAGEMENT ZONE BOUNDARIES

Moore made the motion (Motion #14) to adopt the Special Protection Area Management Zones as amended in Committee. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
ABSENT: Buller, Oswald, Siebert

PITLESS IRRIGATION REUSE SYSTEM

Moore made the motion (Motion #15) to authorize the construction of the pitless irrigation system contingent on Brad Rathje's agreement with the terms of the project. Seconded by Anderson.

Moore amended the motion (Motion #16) that Brad Rathje pay \$650, which is 10 percent of the cost, and conditional upon the contribution from Fish and Wildlife Service. Seconded by Anderson. Question called on the amendment. Amendment carried.

AYE: Anderson, Austin, Burke, Dickinson, Houdersheldt, Jackson, Moore, Regier, Hansen
NAY: Ediger, Ehlers, Jacobsen, Schulz, Volkmer
ABSENT: Buller, Oswald, Siebert

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Jackson, Moore, Regier, Hansen, Volkmer
NAY: Ediger, Ehlers, Houdersheldt, Jacobsen, Schulz,
ABSENT: Buller, Oswald, Siebert

EXECUTIVE COMMITTEE MEETING REPORT

Austin gave a report on the Executive Committee meeting held July 12, 1994 and reviewed the committee report as distributed.

NARD VOTING DELEGATE AND ALTERNATE

Austin made the motion (Motion #17) to designate Bob Ehlers as the voting delegate and Doug Dickinson as the voting alternate for 1995. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen,
Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
PASS: Dickinson, Ehlers
ABSENT: Buller, Oswald, Siebert

WATER TREATMENT PLANT - SALE OF SURPLUS PROPERTY

Austin made the motion (Motion #18) to accept the offer of \$7,500 for the surplus water treatment plant equipment from J. R. Sheldon & Co., of Dallas, Texas. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
ABSENT: Buller, Oswald, Siebert

EDUCATION COMMITTEE MEETING REPORT

Dickinson gave a report on the Education and Parks Committee meeting held November 10, 1994 and reviewed the committee report as distributed.

PIONEER TRAILS RECREATION AREA - ISTE A GRANT

Dickinson made the motion (Motion #19) that the Upper Big Blue NRD decline the \$33,760 Transportation Enhancement Program Grant from the Nebraska Department of Roads for construction of a hiking/biking trail at Pioneer Trails Recreation Area. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
ABSENT: Buller, Oswald, Siebert

PIONEER TRAILS RECREATION AREA - TRAIL

Dickinson made the motion (Motion #20) that the Upper Big Blue NRD proceed with trail improvements at Pioneer Trails by constructing a crossing over the drainage ditch between the parking area and the picnic area and construct the first phase of the crushed rock trail not to exceed \$8,440. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
ABSENT: Buller, Oswald, Siebert

NOVEMBER WILDLIFE HABITAT PAYMENTS

Dickinson made the motion (Motion #21) that the Upper Big Blue NRD make payment of \$4,509 to the cooperators of the Wildlife Habitat Improvement Program for the month of November.

Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Ediger, Houdersheldt, Jackson, Jacobsen, Moore, Regier,
Schulz, Volkmer, Hansen

NAY: Dickinson, Ehlers

ABSENT: Buller, Oswald, Siebert

NEW WILDLIFE HABITAT CONTRACT - MATERIALS ONLY

Dickinson made the motion (Motion #22) that the Upper Big Blue NRD accept the new Wildlife Habitat Contract for Gerald Hillmann for materials only. No annual payment is made. (Spring planting 575 trees and shrubs - materials only) (Game & Parks share \$172.50, NRD share \$57.50, Landowners share \$155.25). Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Regier, Schulz Volkmer, Hansen

NAY: None

ABSENT: Buller, Oswald, Siebert

BUDGET COMMITTEE MEETING REPORT

Ehlers gave a report on the Budget, Planning & Legislative Committee meeting held November 10, 1994 and reviewed the committee report as distributed.

NATURAL RESOURCES ENHANCEMENT FUND - LB 961 - FERTILIZER TAX

Ehlers made the motion (Motion #23) to approve participation in the Papio-Missouri NRD study of options for the Natural Resources Enhancement Fund in the amount of \$945.69. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Buller, Oswald, Siebert

FINANCIAL STATEMENT

Burke made the motion (Motion #24) to approve the financial statement and budget report as of October 31, 1994; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers Houdersheldt, Jackson,
Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Buller, Oswald, Siebert

Meeting adjourned at 3:37 p.m.

James K. Jackson, Secretary

:lsh

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
OCTOBER 20, 1994

CALL TO ORDER

A regular Board of Directors meeting was called to order by chairman Wayne Hansen at 8:00 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman
Jim Jackson, Secretary
Bruce Anderson, Director
Doug Dickinson, Director
Bob Ehlers, Director
Luke Jacobsen, Director
Buzz Oswald, Director
Roland Schulz, Director
Merlin Volkmer, Director
Nancy Schneider, Staff
Rod DeBuhr, Staff
Jay Bitner, Staff

Yvonne Austin, Vice Chairman
Steve Buller, Treasurer
Ray Burke, Director
Ed Ediger, Director
Roger Houdersheldt, Director
Larry Moore, Director
Kenneth Regier, Director
Roger Siebert, Director
John Turnbull, Manager
Prudence Sadler, Staff
Ken Feather, Staff
Dennis Schroeder, SCS

ROLL CALL

Fourteen directors were present during quorum call. Anderson, Jacobsen and Schulz arrived late.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published October 7, 1994 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ADOPTION OF AGENDA

Burke made the motion (Motion #1) to approve the agenda for the Board of Directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Anderson, Jacobsen, Schulz

APPROVAL OF MINUTES OF THE SEPTEMBER 22, 1994 BOARD MEETING

Ediger made the motion (Motion #2) to approve the minutes of the September 22, 1994 Board of Directors meeting as presented. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Schulz

WATER COMMITTEE REPORT

Moore gave a report on the Water Committee meeting held October 11, 1994 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE PROJECT

Mixing Zone and Operations Plans

Jay explained the Mixing Zone Management Plan and corresponding revision in the Operations Plan to the Water Committee. The plan includes the schedule for water sampling monitoring wells and domestic wells. It also includes contingency provisions for alternative water supplies for domestic wells and operation of recovery wells. If approved and implemented this will result in a finding of no significant impact (FONSI) to beneficial uses of water and groundwater quality by the Bureau of Reclamation.

Moore made the motion (Motion #3) to adopt the York Groundwater Recharge Project Mixing Zone Plan and revised Operations Plan. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Hansen
NAY: Volkmer
ABSENT: None

Recovery Well R3 and R4

In accordance with the Mixing Zone Management Plan installation of recovery wells R3 and R4 are needed to prevent further migration of Atrazine, which has been detected above the MCL in boundary monitoring well E4.

Moore made the motion (Motion #4) to advertise for bids for the construction and installation of recovery wells R3 and R4 and the pipeline needed to return the recovered water to Recharge Lake. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

Midwest Laboratories Bill for Water Analysis

The district has been invoiced by Midwest Laboratories for pesticide analysis of 15 water samples taken from recovery well RI and monitoring wells M4 and W4 and supplies for the month of September.

Moore made the motion (Motion #5) to pay Midwest Laboratories \$1,517.25 for 15 pesticide analyses of water samples taken from recovery well R1 and monitoring wells M4 and W4 and shipping of supplies for the month of September. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None
ABSENT: None

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
TENTATIVE APPROVALS

Moore made the motion (Motion #6) to give tentative approval to three Aquifer Quality Well Abandonment Cost-share Assistance Program applications with a total estimated cost-share of \$300. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
FINAL PAYMENTS

Moore made the motion (Motion #7) to make final payment for eight Aquifer Quality Well Abandonment Cost-share Assistance Program applications with a total actual cost-share of \$1,255.06. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

SPECIAL PROTECTION AREA RULES AND REGULATIONS

The Water Committee reviewed the draft regulations for the Special Protection Area (Rule 9). The requirements are taken directly from the Action Plan. The Water Committee also reviewed Rule 4; the enforcement regulations for all of the district's groundwater related regulations. Draft copies of proposed Rule 9 and revised Rule 4 were distributed to all board members.

Moore made the motion (Motion #8) to adopt the draft Rule 9 and revised draft Rule 4 for the purpose of holding a public hearing prior to the Board of Directors meeting on November 17, 1994. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen
NAY: None
PASS: Regier, Volkmer
ABSENT: None

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held October 11, 1994 and reviewed the committee report as distributed.

DIRECTORS' THIRD QUARTER PER DIEM AND EXPENSES

Austin made the motion (Motion #9) to approve the third quarter per them of \$8,025 and expenses of \$2,113.41 for the directors. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

ATTORNEY'S FEES

Austin made the motion (Motion #10) to approve payment of \$124.19 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's legal work through September 20, 1994. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

COUNTY TREASURER RESOLUTION

Last month the board approved resolutions to Adams, Butler, Clay, Fillmore, Hamilton and Seward County Treasurers directing them to issue checks to the district each month for NRD tax collections. The checks replace the need for warrants to be issued by the district to collect these funds.

The Polk County Treasurer has agreed to use the same method and the Office Manager has asked that the attached resolution be adopted.

Austin made the motion (Motion #11) to adopt the resolution directing the Polk County Treasurer to mail checks to the Upper Big Blue NRD each month for all funds collected on behalf of the NRD. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

REVISION OF PERSONNEL POLICY #10

Turnbull recommended changes to Personnel Policy #10: Workweek, Office Hours, Overtime. The following positions need to be classified as exempt or nonexempt and listed in Personnel Policy #10.

EXEMPT (exempt from overtime pay)
Office Manager
Construction Engineer

NONEXEMPT (subject to overtime pay)
Public Information Specialist
Water Resources Technicians
Maintenance Worker

Turnbull is also recommending that the District no longer offer the option of compensatory time in lieu of overtime pay for nonexempt positions.

Austin made the motion (Motion #12) that the revised Personnel Policy #10: Workweek, Office Hours, Overtime be approved as presented. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

A copy of the approved policy is attached to these minutes.

WASHINGTON, D.C. LOBBYING TRIP

Airline and hotel reservations must be made for the March 25-30, 1995 Washington, D.C. trip. The NARD requires a deposit of \$325 per person to secure the airline tickets.

Austin made the motion (Motion #13) to approve out-of-state travel and make the necessary deposit of \$325 each for two directors and Turnbull for attendance at the March 25-30, 1995 NARD Washington, D.C. trip. Seconded by Burke.

Moore amended the motion to make the motion (Motion #14) to send Roland Schulz and Roger Houdersheldt, and designate Luke Jacobsen as an alternate. Seconded by Oswald. Question called on the amendment. Amendment carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Siebert, Volkmer, Hansen
NAY: None
PASS: Houdersheldt, Schulz
ABSENT: None

Question called on the original motion as amended. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Siebert, Volkmer, Hansen
NAY: None
PASS: Schulz
ABSENT: None

HAIL STORM DAMAGE

A hail storm on August 25, 1994 resulted in \$13,508.86 damage to five district vehicles, \$600 damage to the job trailer and \$1,649.59 damage to buildings.

Of the five vehicles damaged, only the 1985 Ford LTD station wagon was totaled. The district will keep the 1985 Ford and repair the other four vehicles. The total settlement, after deductibles were met, was \$14,658.45. The district has received \$12,156.97 from the insurance company to-date. The remainder of the settlement will be paid when the vehicles have been repaired.

Austin made the motion (Motion #15) that the general manager be authorized to have the hail damage repaired on the 1987 Chevrolet pickup (estimate of \$2,247.59), the 1989 Ford pickup

(estimate of \$1,133.20), the 1993 Ford pickup (estimate of \$4,393.08), and the 1994 Ford Taurus station wagon (estimate of \$3,884.99) at auto body repair shops that can accomplish the work prior to December 31, 1994. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

EDUCATION & PARKS COMMITTEE REPORT

Volkmer gave a report on the Education and Parks committee meeting held October 13, 1994 and reviewed the committee report as distributed.

FY 95 TREE PROGRAM

The Education & Parks Committee made the following cost recommendation for the FY95 Tree Program:

trees 40 cents
planting 27 cents
spraying 6 cents

District spraying is for plantings two years of age or older.

Volkmer made the motion (Motion #16) to adopt costs set for the FY 95 Tree Program, as presented. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

SEEDING AND FENCING CONTRACT

Bids for seeding and fencing were requested for Projects 2-7-5W (Sutton Dam) and 20-9-4W (Salman Dam).

Van Kirk Construction, as a part of their bid to construct Project 2-7-5W, bid the seeding and mulching at a unit price of \$750 per acre. B.A.B., Inc. submitted a bid for the seeding and mulching of Project 2-7-5W at a unit price of \$1,275.50 per acre. The seeding and mulching for Project 2-7-5W will remain a part of the contract with Van Kirk Construction.

The seeding, mulching and fencing bid for Project 20-9-4W, submitted by B.A.B., Inc. was \$4,719.

seed & mulch (\$1,275.00/ac)	\$2,932.50
550, fence	1,061.50
8 corner posts	540.00
2 gates	<u>185.00</u>
Total bid	\$4,719.00

Volkmer made the motion (Motion #17) to accept the bid of \$4,719 from B.A.B., Inc. of Adams, Nebraska for seeding, mulching and fencing of Project 20-9-4W (Salman Dam). Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held October 13, 1994 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #18) that three new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Regier made the motion (Motion #19) that payment of NRD land treatment funds be made in the amount of \$863.40 for one application, reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #20) that eleven new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Regier made the motion (Motion #21) that payment of NSWCP land treatment funds be made in the amount of \$1,799.17 for one application reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None
ABSENT: None

SUTTON FLOOD MITIGATION PROJECT - PROGRESS PAYMENT

The City of Sutton submitted a claim for \$17,160 on phase one channel clearing and levee construction. FEMA'S share is \$8,580, the State Civil Defense share is \$4,290, the city share is \$2,145 and the NRD share is \$2,145 in accordance with previous agreements.

Regier made the motion (Motion #22) that the district reimburse the City of Sutton \$12,870 in state and federal funds when they are received, and \$2,145 in NRD intergovernment cost-share funds for work completed on the Sutton Flood Mitigation Project. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

HARVARD FLOOD MITIGATION PROJECT - PROGRESS PAYMENT

The City of Harvard submitted a claim for \$35,203.75 on channel and basin construction. FEMA'S share is \$17,601.88, the State Civil Defense share is \$8,800.94, the city share is \$4,400.46 and the NRD share is \$4,400.47 in accordance with previous agreement.

Regier made the motion (Motion #23) that the district reimburse the City of Harvard \$26,402.82 in state and federal funds when they are received, and \$4,400.47 in NRD intergovernment cost-share funds for work completed on the Harvard Flood Mitigation Project. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

SUTTON FLOOD CONTROL DAM 2-7-5W - PROGRESS PAYMENT

Regier made the motion (Motion #24) that Van Kirk Brothers Contracting be paid \$7,395.98, \$739.60 of which is to be held as retainage, for work completed in September on the Sutton flood control dam 2-7-5W. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

BRAINARD FLOOD CONTROL DAM - PROJECT 18-14-4E

The Lower Platte South NRD, as project sponsor, has terminated activity on project 18-14-4E. The Upper Big Blue NRD staff recommends that the district suspend project 18-14-4E from the active projects list.

Regier made the motion (Motion #25) that the Brainard dam project 1814-4E be suspended. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

PLUM CREEK FLOOD MITIGATION PROJECT

The State Civil Defense Agency and Governor's Task Force have recommended that the City of Seward apply for hazard mitigation grants from FEMA and Department of Economic Development to assist in constructing flood mitigation works along Plum Creek at Seward. The City of Seward has asked that the district update its proposal for completing option two of the Olsson & Associates engineering study dated December 1990.

In March of 1991 the Upper Big Blue NRD Board passed a motion offering to pay 25% of the local share of option two. Project cost for option two is estimated to be \$2,104,520 in the Olsson study. If a 75% grant is obtained, the local share would be \$526,130 and the NRD share would be \$131,533.

Regier made the motion (Motion #26) that the district prepare applications for grants to construct option two, presented in the December 1990 engineering study by Olsson & Associates, and that the district limit its financial obligation to 25% of the local share of project cost, not to exceed \$150,000, and that the City of Seward be required to make a financial commitment of 75% of the local share of project cost, not to exceed \$450,000, and that the city accept the district offer no later than December 31, 1994. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Siebert gave a report on the Budget, Planning & Legislative Committee meeting held October 18, 1994 and reviewed the committee report as distributed.

FY 94 AUDIT

Steve Wiemer of Romans, Wiemer & Associates, presented the FY94 audit to the Budget, Planning & Legislative Committee on October 18, 1994. He reviewed the notes to the audit and the findings.

Siebert made the motion (Motion #27) that the Board of Directors accept the FY94 audit as presented by Steve Wiemer of Romans, Wiemer & Associates. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Ediger

NACD DUES RESTRUCTURING

The district received a letter from the NARD President requesting input on a proposal to the NACD from the New Mexico districts. That proposal would base NACD dues on the gross income of a district. Our dues are currently \$550 a year per district. Under the proposal from the New Mexico districts our dues would increase to \$2,050. Other proposals may be presented at the national convention.

Siebert made the motion (Motion #28) that the Board of Directors direct Bob Ehlers to negotiate with the NARD for the best deal possible concerning NACD dues to be paid by NRDs. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Siebert, Volkmer, Hansen

NAY: Moore

PASS: Schulz

ABSENT: None

FINANCIAL STATEMENT

Regier made the motion (Motion #29) to approve the financial statement and budget report as of September 30, 1994; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

Meeting adjourned at 9:50 p.m.

James K. Jackson, Secretary

:nds

Attachments (2)

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
SEPTEMBER 22, 1994

CALL TO ORDER

A regular Board of Directors meeting was called to order by chairman Wayne Hansen at 8:00 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman	Yvonne Austin, Vice Chairman
Jim Jackson, Secretary	Steve Buller, Treasurer
Bruce Anderson, Director	Ray Burke, Director
Doug Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Roger Houdersheldt, Director
Luke Jacobsen, Director	Larry Moore, Director
Buzz Oswald, Director	Roland Schulz, Director
Roger Siebert, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Prudence Sadler, Staff	Rod DeBuhr, Staff
Ken Feather, Staff	Jay Bitner, Staff
Lisa Willis, KAWL/KTMX	Donna Rhoades, YNT
Dave Bankson, Hordville	Christine Bankson, Hordville
Alfred L'Heureux, Polk	Jeremy L'Heureux, Polk
Cindy Klein, York SCS	Edna Anderson, Stromsburg
Kent Norquest, Geneva SCS	

ROLL CALL

16 directors were present during quorum call.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published September 12, 1994 in the York News Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ADOPTION OF AGENDA

Burke made the motion (Motion #1) to approve the agenda for the Board of Directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Regier

APPROVAL OF MINUTES OF THE FY 95 BUDGET HEARING

Austin made the motion (Motion #2) to approve the minutes of the August 18, 1994 FY95 Budget Hearing, as distributed. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen
NAY: None
PASS: Volkmer
ABSENT: Regier

APPROVAL OF MINUTES OF THE AUGUST 18, 1994 WELL SPACING VARIANCE HEARING

Dickinson made the motion (Motion #3) to approve the minutes of the August 18, 1994 well spacing variance hearing, as distributed. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: Regier

APPROVAL OF MINUTES OF THE AUGUST 18, 1994 BOARD MEETING

Ediger made the motion (Motion #4) to approve the minutes of the August 18, 1994 Board of Directors meeting, as distributed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: Regier

WATER COMMITTEE REPORT

Moore gave a report on the Water Committee meeting held September 13, 1994 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE PROJECT

UNL WATER CENTER RESEARCH AGREEMENT

Moore made the motion (Motion #5) to renew the cooperative agreement with the University of Nebraska for research activities at the York Groundwater Recharge Project for the period of one year, beginning June 1, 1994. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: Regier

RECHARGE LAKE 319 GRANT CONTRACT

NDEQ has finally sent the contract for funding the Recharge Lake 319 Grant. These funds, which

total \$70,000, will be used to provide technical assistance to farmers in the watershed for implementation of BMPS to reduce Atrazine runoff. The grant will be used to fund an agreement with SCS to provide supplemental assistance. ASCS is providing \$199,000 in incentive funds directly to the producers in the watershed. Moore made the motion (Motion #6) to approve the Recharge Lake 319 Grant contract. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Regier

SCS TECHNICAL ASSISTANCE AGREEMENT

This is a companion agreement to the Recharge Lake 319 Grant Contract. The SCS will conduct critical area identification and provide technical assistance to producers in Recharge Lake Watershed. The contract is for \$23,333 and is renewable annually for three years. The contract is subject to the district receiving funds from the EPA 319 grant.

Moore made the motion (Motion #7) to approve the technical assistance agreement. Seconded by called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Regier

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM TENTATIVE AND FINAL APPROVALS

Moore made the motion (Motion #8) to give tentative approval to four Aquifer Quality Well Abandonment Cost-share Assistance Program applications with a total estimated cost-share of \$1,190 and to make final payment of four Aquifer Quality Well Abandonment Cost-share Assistance Program applications with a total actual cost-share of \$616.50. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

PASS: Buller

ABSENT: Regier

EXECUTIVE COMMITTEE REPORTS

Austin gave a report on the Executive Committee meetings held September 13, and September 22, 1994 and reviewed the committee reports as distributed.

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Austin made the motion (Motion 49) that two new applications for NRD land treatment funds,

reviewed by the committee, be approved as eligible for cost-share. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Regier

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Austin made the motion (Motion #10) that payment of NRD land treatment fund be made in the amount of \$2,133.45 for three applications reviewed by the committee. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Regier

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Austin made the motion (Motion #11) that six new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Regier

GEOTECHNICAL SERVICES, INC. SOILS TESTING FOR SUTTON FLOOD CONTROL DAM

Drilling and testing are completed for the Sutton Flood Control Dam. The original estimate was for \$3,660. The final cost was \$3,467.

Austin made the motion (Motion #12) to approve payment of \$3,467 to Geotechnical Services, Inc. of Grand Island for soils drilling and testing of the Sutton Dam. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Regier

NRD BUILDING ADDITION

One bid was received for the NRD office building project. The amount of the bid, submitted by Jensen Lumber Company of York, was \$288,780. The engineer's cost estimate was \$237,350. The staff requested additional time to review the bid with the contractor.

The Executive Committee met again at 7:30 p.m., Thursday, September 22, 1994, prior to the regular board meeting to reconsider the bid.

Turnbull advised the board that when JLC, Inc. submitted their initial bid they neglected to allow for the salvage of the copper sheeting from the existing second story that will be reused on the addition. This oversight caused the initial bid to be higher than necessary. In addition, the heating and electrical subcontractors' prices are considerably higher than the engineer's estimate. Following is a summary of the revised bid and engineer's estimate.

	<u>JLC, Inc. Bid</u>	<u>Engineer's Estimate</u>
1. New Addition	\$251,410	\$207,000
2. Drive-up window & stairs	6,540	5,250
3. Pavement	8,850	10,100
4. Remove second story	<u>0</u>	<u>15,000</u>
	\$266,800	\$237,350

Austin made the motion (Motion #13) to approve the JLC, Inc. bid of \$266,800, as modified for salvage, for the construction, as specified on the board room addition to the NRD office building at 105 Lincoln Avenue, York, Nebraska. Seconded by Burke.

Ehlers amended the motion to make the motion (Motion #14) to eliminate the pavement bid (\$8,850) for the south parking area. Seconded by Austin. Question called on the amendment. Amendment failed.

AYE: Ehlers, Schulz, Siebert, Hansen

NAY: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Moore, Oswald

PASS: Volkmer

ABSENT: Regier

Question called on the original motion. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Jackson, Jacobsen, Moore, Oswald, Siebert

NAY: Ediger, Houdersheldt, Schulz, Volkmer, Hansen

ABSENT: Regier

COUNTY TREASURERS' RESOLUTIONS

Eight of the nine county treasurers require the district to issue warrants to draw funds from the county treasurers. Adams County has been mailing a check prior to the 15th of each month.

The Office Manager requested that resolutions be adopted by the board directing Adams, Butler, Clay, Fillmore, Hamilton and Seward Counties to mail funds collected to the NRD instead of requiring warrants.

Austin made the motion (Motion #15) that the attached resolutions be adopted. Seconded by Buller. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Regier

EDUCATION & PARKS COMMITTEE REPORT

Dickinson gave a report on the Education and Parks Committee meeting held September 15, 1994 and reviewed the committee report as distributed.

TRAILBLAZER RC&D AREA APPLICATION

The Trailblazer RC&D, which covers Clay, Fillmore, Harlan, Franklin, Webster, Nuckolls and Thayer Counties, is applying to the U.S. Department of Agriculture for authorization and funding. Since the Upper Big Blue NRD is one of the sponsors for this RC&D, we are being asked to confirm the application with a board motion.

The motion that came out of committee was that the Upper Big Blue NRD Board of Directors consider confirming the application of the Trailblazer RC&D.

Volkmer offered a substitute motion. Chairman Hansen ruled that it would be allowed.

Volkmer made the motion (Motion #16) that the Upper Big Blue NRD, as one of the sponsors of the Trailblazer RC&D, support the application of the RC&D to the U.S. Department of Agriculture for authorization and funding. Seconded by Jackson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Siebert, Volkmer, Hansen

NAY: Dickinson, Ediger

ABSENT: Regier, Schulz

MODEL AQUIFER COST-SHARE PAYMENT

Henderson Community School has completed the paperwork for the cost-share application that was authorized last spring. The total model and carrying case cost is \$350. The district's cost-share rate is 50 percent, making our share \$175.

Dickinson made the motion (Motion #17) that payment of model aquifer cost-share funds be made in the amount of \$175 to Henderson Community School. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Regier, Schultz

COMMUNITY TREE RESOURCES PROGRAM - CITY OF STROMSBURG

Dickinson made the motion (Motion #18) that the Upper Big Blue NRD fund the City of Stromsburg in an amount not to exceed \$1,000 for trees to be planted in the City of Stromsburg Arboretum and Buckley Park during FY95. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Regier, Schulz

SMITH CREEK RECREATION AREA - HANDICAPPED RESTROOMS

The Seward High School industrial art's class is willing to provide labor for a vault-type handicapped accessible restroom at Smith Creek Recreation Area if the district will provide the materials and design. A preliminary estimate for materials and installation is \$6,000.

Dickinson made the motion (Motion #19) that the Upper Big Blue NRD request a cost estimate from the Seward High School industrial arts class for construction of a vault-type handicapped restroom for Smith Creek Recreation Area. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Regier, Schulz

FINANCIAL STATEMENT

Burke made the motion (Motion #20) to approve the financial statement and budget report as of August 31, 1994; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Regier, Schulz

Meeting adjourned at 10:20 p.m.

James K. Jackson, Secretary

:nds

Attachments (6)

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
Board of Directors MEETING
AUGUST 18, 1994

CALL TO ORDER

A regular Board of Directors meeting was called to order by chairman Wayne Hansen at 8:55 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman	Yvonne Austin, Vice Chairman
Jim Jackson, Secretary	Steve Buller, Treasurer
Bruce Anderson, Director	Ray Burke, Director
Doug Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Roger Houdersheldt, Director
Luke Jacobsen, Director	Larry Moore, Director
Buzz Oswald, Director	Roland Schulz, Director
Roger Siebert, Director	John Turnbull, Manager
Nancy Schneider, Staff	Prudence Sadler, Staff
Rod DeBuhr, Staff	Ken Feather, Staff
Jay Bitner, Staff	Lori Hoemann, Staff
Cynthia Heine, Staff	Lisa Willis, KAWL/KTMX
Donna Rhoades, YNT	Bill Gilliam, York SCS
Steve Moran, RWBJV, Grand Island	

ROLL CALL

Fifteen directors were present during quorum call.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published August 8, 1994 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

CONSIDERATION OF DIRECTORS' ABSENCES

Ehlers made the motion (Motion #1) to grant Merlin Volkmer and Ken Regier an excused absence, as requested. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen

NAY: None

ABSENT: Regier, Volkmer

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the agenda for the Board of Directors meeting as

presented. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen

NAY: None

EXCUSED: Regier, Volkmer

APPROVAL OF MINUTES OF THE JULY 21, 1994 BOARD MEETING

Anderson made the motion (Motion #3) to approve the minutes of the July 21, 1994 Board of Directors meeting as distributed. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen

NAY: None

EXCUSED: Regier, Volkmer

ADOPTION OF FY 95 BUDGET

Burke made the motion (Motion #4) to adopt the FY95 budget, as presented, and to authorize the secretary to set the final levy when the final property tax valuations are received. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen

NAY: None

EXCUSED: Regier, Volkmer

WELL SPACING VARIANCE - YORK GROUND WATER RECHARGE PROJECT RECOVERY WELLS

Anderson made the motion (motion #5) to adopt the following resolution approving the well spacing variance for the York Ground Water Recharge Demonstration Project Recovery wells.

Upper Big Blue Natural Resources District
Ground Water Control Area

Resolution for the Variance of Well Spacing for
the Construction of Recovery Wells at the
York Ground Water Recharge Project

WHEREAS, the pollution of ground water has occurred as a result of ground water recharge from Recharge Lake and

WHEREAS, the construction of recovery wells is necessary to prevent spread of said pollution and

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WHEREAS, failure to prevent the spread of pollution may result in the contamination of nearby domestic water supplies and

WHEREAS, in order to effectively capture the contaminated ground water some of the recovery wells must be located less than one thousand feet from irrigation wells G039965 (NE ¼) and G065499 (SE ¼) in Section 2-T10N-R3W, York County, and

WHEREAS, the net ground water withdrawal in relation to ground water recharge is estimated to be less than six percent and

WHEREAS, the recovery wells will not withdraw water from the lower aquifer which is being utilized by the irrigation wells,

NOW THEREFORE BE IT RESOLVED, that in accordance with Rule 5, Chapter 7, Paragraph 03, a variance to Rule 5, Chapter 9, Paragraph 01, is hereby granted for the installation of four recovery wells at the York Ground Water Recharge Project as per the attached map.

Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Siebert, Hansen

NAY: None

PASS: Schulz

EXCUSED: Regier, Volkmer

WATER COMMITTEE REPORT

Jackson gave a report on the Water Committee meeting held August 9, 1994 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE PROJECT - MIDWEST LABS WATER ANALYSIS

Jackson made the motion (Motion #6) to make payment of \$1,382.50 to the Midwest Laboratories for water analysis conducted in July. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen

NAY: None

EXCUSED: Regier, Volkmer

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM TENTATIVE APPROVALS

Jackson made the motion (Motion #7) to give tentative approval for four AQWACAP applications with a total estimated cost-share of \$1,048.50. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,

Jacobsen, Oswald, Schulz, Siebert, Hansen

NAY: None

PASS: Moore

EXCUSED: Regier, Volkmer

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
FINAL PAYMENTS

Jackson made the motion (Motion #8) to make final payment for two AQWACAP applications with a total actual cost-share of \$540.79. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen

NAY: None

EXCUSED: Regier, Volkmer

AFTER-THE-FACT AQWACAP REQUEST

A well driller has requested that the district consider after-the-fact cost-share in situations where emergency replacement wells were drilled. The following program changes would allow after-the-fact cost-share in certain circumstances.

06 The procedures established for all other NRD cost-share programs will be followed.

06.01 Paragraph 46-602 of Nebraska Statutes require that registered wells be decommissioned -prior to commencing construction of a replacement well. In emergency situations, it may be necessary to decommission a well prior to making application for cost-share. The district will accept after the-fact applications under the following circumstances.

06.01a. A domestic, livestock or commercial well that must be replaced because it cannot provide adequate water for its intended purpose and provided that no other source was available.

06.01b. An irrigation well that must be replaced during the growing season to irrigate a growing crop.

06.02. An after-the-fact application must be received by the district office within 30 days after the actual decommissioning.

07 Cost-share payment shall be made upon approval of the completed work by the Board of Directors. The district may refuse payment if it is believed that the completed work does not meet -program requirements.

Jackson made the motion (Motion #9) to approve changes to the Aquifer Quality Well Abandonment Cost-share Assistance Program which allow for the approval of after-the-fact cost-share applications. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert
NAY: Moore
PASS: Hansen
EXCUSED: Regier, Volkmer

PITLESS IRRIGATION REUSE SYSTEM

Quotes were requested from Osceola Drilling, Volzke Corporation and Northern Pump. Northern Pump was the only company willing to quote the job. Their total quote was \$8,905. There may also be a minor amount of grading necessary to complete the project.

Jackson made the motion (Motion #10) that the district accept the quotation from Northern Pump and Irrigation Company and proceed with the pitless irrigation reuse system research project. Seconded by Burke.

DeBuhr advised the board that he had learned from Steve Moran, Rain Water Basin Joint Venture Coordinator, prior to the board meeting that there may be grant funds available for this type of research and he would like to further investigate that avenue.

Ehlers made the motion (Motion #11) to refer the matter back to the Water Committee. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen
NAY: None
EXCUSED: Regier, Volkmer

EDUCATION & PARKS COMMITTEE REPORT

Dickinson gave a report on the Education and Parks Committee meeting held August 11, 1994 and reviewed the committee report as distributed.

GRANT APPLICATION FOR INFORMATION STATIONS AT PIONEER TRAILS

This is the first year that the Nebraska Environmental Trust is accepting applications for grants, focusing on critical habitats, surface water and groundwater quality and recycling and waste reduction. Emphasis is placed on projects that create a public/private partnership.

Prudence suggests that the district apply for a grant for \$4,000 for materials to construct three information stations at Pioneer Trails Recreation Area. Volunteer labor would be used to build the stations. The district will fund \$500, over an unspecified period of time, to develop and install the displays.

Dickinson made the motion (Motion #12) that the Upper Big Blue NRD apply to the Nebraska Environmental Trust for a grant for \$4,000 for materials to construct three information stations to be placed along the hiking/biking trail at Pioneer Trails Recreation Area. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Jacobsen, Oswald,

NAY: Houdersheldt, Jackson, Moore

PASS: Ehlers, Hansen

EXCUSED: Regier, Volkmer

ABSENT: Schulz, Siebert

SEEDING AND FENCING CONTRACT FOR PROJECTS 2-7-5W & 20-9-4W

Dickinson made the motion (Motion #13) that the Upper Big Blue Natural Resources District advertise for bids for the seeding and fencing that needs to be done on Project 2-7-5W (Sutton Flood Control Dam) and Project 20-9-5W (Salmen Flood Control Dam) Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Hansen

NAY: None

EXCUSED: Regier, Volkmer

ABSENT: Schulz, Siebert

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Ehlers gave a report on the Budget, Planning & Legislative Committee meeting held August 11, 1994 and reviewed the committee report as distributed.

NARD RESOLUTIONS

Ehlers made the motion (Motion #14) that the district support the following NARD Resolutions: 94-1 Conservation Reserve Program Lands; 94-2 Adverse Possession Claims; 94-3 1995 Farm Bill - Crop Rotations; 94-4 Well Registration Fees; and 94-5 NARD monitoring of and Improvement in the Development of State Mandates and Regulations. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen

NAY: None

EXCUSED: Regier, Volkmer

Ehlers made the motion (Motion #15) that the district oppose the resolution titled Enabling Legislation for NRD's to Hire Law Enforcement for Recreation Areas. Seconded by Siebert. Question called. Motion failed.

AYE: Austin, Buller, Ehlers, Schulz, Siebert

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NAY: Anderson, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Moore,
Oswald, Hansen
EXCUSED: Regier, Volkmer

Dickinson made the motion (Motion #16) to direct the NARD delegate to allow the resolution to be introduced; hear discussion, and then caucus. Seconded by Jackson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen
NAY: None
EXCUSED: Regier, Volkmer

PROJECTS COMMITTEE REPORT

Houdersheldt gave a report on the Projects Committee meeting held August 15, 1994 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Houdersheldt made the motion (Motion #17) that payment of NSWCP land treatment fund be made in the amount of \$7,185.20 for two applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen
NAY: None
PASS: Burke
EXCUSED: Regier, Volkmer

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #18) that ten new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen
NAY: None
EXCUSED: Regier, Volkmer

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Houdersheldt made the motion (Motion #19) that payment of NRD land treatment funds be made in the amount of \$2,525.53 for three applications reviewed by the committee. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen
NAY: None

PASS: Burke
EXCUSED: Regier, Volkmer

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #20) that four new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen
NAY: None
ABSENT: Ehlers
EXCUSED: Regier, Volkmer

SUTTON FLOOD CONTROL DAM

Staff recommends that the district enter into an agreement with the City of Sutton in order to specify the terms and conditions for construction, operation and maintenance of dam site 2-7-5W. Terms and conditions of the agreement are similar to those of the Small Dams Program, with Sutton acting as the owner of the dam.

Houdersheldt made the motion (Motion #21) that the district enter into an agreement with the City of Sutton in order to specify the terms and conditions for construction, operation and maintenance of the flood control dam to be built in the SE ¼ of Section 2, Township 7 North, Range 5 West. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Hansen
NAY: None
ABSENT: Ehlers, Moore
EXCUSED: Regier, Volkmer

Bids for construction of the flood control dam 2-7-5W were opened August 15. The engineer's estimate and bids were as follows:

Engineer's estimate	\$37,354.60
VanKirk Construction Co.	\$33,856.30
Huebert Land Leveling	\$67,522.03

Houdersheldt made the motion (Motion #22) that VanKirk Construction Company be awarded the contract for constructing flood control dam 27-5W in accordance with their bid of \$33,856.30. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Hansen

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NAY: None
ABSENT: Ehlers, Moore
EXCUSED: Regier, Volkmer

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held August 15, 1994 and reviewed the committee report as distributed.

SALE OF DISTRICT ACREAGE

The district owns 3.5 acres of undeveloped land on the south side of York that was originally purchased as the site for a new district office building. Since the decision has been made to remodel and expand the existing facility the land is no longer needed. It has been suggested that the land be sold and the proceeds used to offset the expense of building the addition.

Austin made the motion (Motion #23) to authorize the general manager to solicit offers for the district acreage located on the south side of York and further, to authorize the general manager to list the property with a realtor if necessary. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Hansen
NAY: None
ABSENT: Ehlers, Moore
EXCUSED: Regier, Volkmer

LOWER PLATTE NORTH NRD AND LITTLE BLUE NRD SALARY REIMBURSEMENT

Austin made the motion (Motion #24) to approve payments of \$3,005.85 to the Lower Platte North NRD for the Butler County field office clerk payroll costs from January 1 to June 30; \$11,490.62 to the Little Blue NRD for clerks and technicians in Adams County (clerk \$2,234.70, technician \$227.01) and Clay County (clerk \$7,634.37, technician \$1,394.34) Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Jackson, Jacobsen, Oswald, Schulz, Siebert, Hansen
NAY: None
PASS: Houdersheldt
ABSENT: Ehlers, Moore
EXCUSED: Regier, Volkmer

WATER RESOURCES TECHNICIAN

The need for a water resources technician was discussed. This position has been budgeted for in the FY95 budget. An increase in current workload, as well as the additional duties required by the enactment of the Special Protection Area, were cited as the reasons for this request.

Board of Directors
August 18, 1994

Austin made the motion (Motion #25) to authorize the position of water resources technician as a full-time employee with a job classification of grade 6 (\$15,060 - \$24,096) and further, to authorize the general manager to fill the position. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Oswald, Hansen
NAY: Schulz, Siebert
PASS: Anderson
ABSENT: Ehlers, Moore
EXCUSED: Regier, Volkmer

FINANCIAL STATEMENT

Burke made the motion (Motion #26) to approve the financial statement and budget report as of July 31, 1994; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Oswald, Siebert, Hansen
NAY: None
ABSENT: Ehlers, Moore, Schulz
EXCUSED: Regier, Volkmer

Meeting adjourned at 10:47 p.m.

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JULY 21, 1994

CALL TO ORDER

A regular Board of Directors meeting was called to order by chairman Wayne Hansen at 8:00 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman
Jim Jackson, Secretary
Bruce Anderson, Director
Doug Dickinson, Director
Bob Ehlers, Director
Luke Jacobsen, Director
Louis Oswald, Director
Merlin Volkmer, Director
Nancy Schneider, Staff
Jay Bitner, Staff
Ken Feather, Staff
Lisa Willis, KAWL/KTMX

Yvonne Austin, Vice Chairman
Steve Buller, Director
Ray Burke, Director
Ed Ediger, Director
Roger Houdersheldt, Director
Larry Moore, Director
Kenneth Regier, Director
John Turnbull, Manager
Prudence Sadler, Staff
Rod DeBuhr, Staff
Bill Gilliam, York SCS

ROLL CALL

Twelve directors were present during quorum call. Anderson, Jackson and Jacobsen arrived late.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published July 11, 1994 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ADOPTION OF AGENDA

Burke made the motion (Motion #1) to approve the agenda for the Board of Directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

ABSENT: Anderson, Jacobsen, Schulz, Siebert

APPROVAL OF MINUTES OF THE JUNE 16, 1994 BOARD MEETING

Volkmer made the motion (Motion #2) to approve the minutes of the June 16, 1994 Board of Directors meeting as distributed. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,

Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
PASS: Anderson
ABSENT: Schulz, Siebert

PROJECT COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held July 11, 1994 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUNDS NEW APPLICATIONS

Regier made the motion (Motion #3) that six new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
ABSENT: Schulz, Siebert

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Regier made the motion (Motion #4) that payment of NSWCP land treatment funds be made in the amount of \$9,818.29 for five applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
ABSENT: Schulz, Siebert

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #5) that two new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
ABSENT: Schulz, Siebert

LAND TREATMENT PROGRAM - NRD FUNDS PAYMENTS

Regier made the motion (Motion #6) that payment of NRD land treatment funds be made in the amount of \$4,347.59 for five applications reviewed by the committee. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

Board of Directors
July 21, 1994

NAY: None
ABSENT: Schulz, Siebert

LAND TREATMENT PROGRAM - COST-SHARE POLICY REVISIONS

Regier made the motion (Motion #7) that District Land Treatment Program Policies be changed such that NSWCP funds not be used for surge valves, that an Irrigation Water Management Plan not be a requirement for cost-share on surge valves, that NRD funds be used for cost-share on surge valves and the cost-share rate be 65 percent, that applicants be allowed one surge valve per fiscal year and that the policy of using State and Federal funds before using NRD funds be waived for the surge valve practice. Seconded by Oswald.

After further discussion on the motion, Volkmer made the motion (Motion #8) to refer to committee. Seconded by Buller. Question called. Motion failed.

AYE: Buller, Ediger, Volkmer
NAY: Anderson, Austin, Burke, Dickinson, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier
PASS: Hansen
ABSENT: Schulz, Siebert

Question was called on the original motion. Motion carried.

AYE: Austin, Burke, Ehlers, Jackson, Jacobsen, Oswald, Regier, Hansen
NAY: Anderson, Buller, Dickinson, Ediger, Houdersheldt, Moore, Volkmer
ABSENT: Schulz, Siebert

Regier made the motion (Motion #9) that District Land Treatment Program Policies be changed such that the cost-share rate on reuse pits and return lines remain 65%, that applications for State cost-share on reuse pits and return lines receive 50% funding from NSWCP funds and 15% from NRD funds and that applications for District cost-share on reuse pits and return lines receive 65% funding from NRD funds. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Jackson, Jacobsen, Oswald, Regier, Volkmer, Hansen
NAY: Dickinson, Houdersheldt, Moore
ABSENT: Schulz, Siebert

SUTTON FLOOD CONTROL DAM - CONSTRUCTION BIDS

Regier made the motion (Motion #10) that the District advertise for bids on the Sutton Flood Control Dam to be located in the Southwest Quarter of Section 2, Township 7 North, Range 5 West. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None

ABSENT: Schulz, Siebert

SUTTON FLOOD CONTROL DAM - GEOTECHNICAL SERVICES, INC.

Regier made the motion (Motion #11) that Geotechnical Services, Inc. be hired to perform drilling and testing in accordance with their proposal for \$3,660 on the Sutton Flood Control Dam to be located in the Southwest Quarter of Section 2, Township 7 North, Range 5 West. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

ABSENT: Schulz, Siebert

SMALL DAMS PROGRAM - SALMEN DAM FINAL PAYMENT

Regier made the motion (Motion #12) the Huebert Land Leveling Co. be paid \$18,990.43, \$1,193.41 of which is retainage previously withheld, as final payment for construction of the Salmen Dam. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

ABSENT: Schulz, Siebert

WATER COMMITTEE MEETING REPORT

Moore gave a report on the Water Committee meeting held July 12, 1994 and reviewed the committee report as distributed.

LATE WELL PERMIT - DR. RAY METZNER

Moore made the motion (Motion #13) to approve a late permit for a well, owned by Dr. Ray Metzner, in the NE ¼ of Section 33, Township 14 North, Range 1 West, Polk County. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

ABSENT: Schulz, Siebert

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT RECOVERY WELL R1 PIPELINE

Moore made the motion (Motion #14) to make payment of \$3,739.31 to Northern Pump and Irrigation Company for the installation of the recovery well R1 pipeline. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

ABSENT: Schulz, Siebert

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
TENTATIVE APPROVALS

Moore made the motion (Motion #15) to give tentative approval to four AQWACAP applications with a total estimated cost-share of \$600. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
PASS: Buller
ABSENT: Schulz, Siebert

FINAL PAYMENTS

Moore made the motion (Motion #16) to make final payment for two AQWACAP applications with a total actual cost of \$354.07. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
ABSENT: Schulz, Siebert

US GEOLOGICAL SURVEY RECORDER WELLS

Moore made the motion (Motion #17) that the district provide cooperative funding of \$1,078, plus or minus \$200, to the US Geological Survey for four recorder wells in the district for FY95. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
ABSENT: Schulz, Siebert

EXECUTIVE COMMITTEE MEETING REPORT

Austin gave a report on the Executive Committee meeting held July 12, 1994 and reviewed the committee report as distributed.

SECOND QUARTER PER DIEM AND EXPENSES

Austin made the motion (Motion #18) to approve payment of second quarter directors' per them and expenses of \$8,050 and \$2,060.83. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
ABSENT: Schulz, Siebert

PAYMENT TO GEOTECHNICAL SERVICES, INC. - OBSERVATION WELL

Austin made the motion (Motion #19) to approve payment of \$2, 140 to Geotechnical Services, Inc. for the installation of the observation well at 105 Lincoln Avenue in York. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
ABSENT: Schulz, Siebert

NARD FY95 DUES

Austin made the motion (Motion #20) to approve payment of \$11,613 to the Nebraska Association of Resources Districts for FY95 dues. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Hansen
NAY: Austin, Volkmer
ABSENT: Schulz, Siebert

LOWER BIG BLUE NRD SALARIES REIMBURSEMENT

Austin made the motion (Motion #21) to approve payment of \$3,282.83 to the Lower Big Blue NRD for SCS office salaries for FY 94 (July 1, 1993 through June 30, 1994). Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: Ehlers
ABSENT: Schulz, Siebert

EDUCATION COMMITTEE MEETING REPORT

Dickinson gave a report on the Education and Parks Committee meeting held July 14, 1994 and reviewed the committee report as distributed.

COMMUNITY TREE RESOURCES - STROMSBURG

Dickinson made the motion (Motion #22) that the Upper Big Blue NRD make payment of \$690.50 to the City of Stromsburg for the payment for the trees purchased for the City of Stromsburg Arboretum. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Hansen
NAY: None
ABSENT: Schulz, Siebert, Volkmer

PAYMENT TO LITTLE BLUE NRD FOR 1994 SNEES

Dickinson made the motion (Motion #23) that payment of \$1,793.71 be made to the Little Blue NRD for the 1994 SNEES. Seconded by Houdersheldt. Question called. Motion carried.

Board of Directors
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AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
ABSENT: Schulz, Siebert

PARTICIPATION IN THE 1995 SNEES

Dickinson made the motion (Motion #24) that the Upper Big Blue NRD support and participate in the 1995 Southeast Nebraska Environmental Education Seminar provided that at least 12 participants have registered for the seminar by April 20, 1995. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
ABSENT: Schulz, Siebert

BUDGET COMMITTEE MEETING REPORT

Oswald gave a report on the Budget, Planning & Legislative Committee meeting held July 19, 1994 and reviewed the committee report as distributed.

FY 95 BUDGET

Oswald made the motion (Motion #25) to approve the FY 95 Budget for the purpose of Public Hearing, and to set the hearing for 8:00 p.m., Thursday, August 18, 1994, just prior to the monthly board meeting. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Hansen
NAY: Volkmer
ABSENT: Schulz, Siebert

FINANCIAL STATEMENT

Volkmer made the motion (Motion #26) to approve the financial statement and budget report as of June 30, 1994; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
PASS: Ehlers
ABSENT: Schulz, Siebert

Meeting adjourned at 10:06 p.m.

Board of Directors
July 21, 1994

James K. Jackson, Secretary

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MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JUNE 16, 1994

CALL TO ORDER

A regular Board of Directors meeting was called to order by chairman Wayne Hansen at 8:00 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman
Jim Jackson, Secretary
Bruce Anderson, Director
Doug Dickinson, Director
Bob Ehlers, Director
Luke Jacobsen, Director
Buzz Oswald, Director
Roland Schulz, Director
Merlin Volkmer, Director
Nancy Schneider, Staff
Rod DeBuhr, Staff
Ken Feather, Staff
Donna Rhoades, YNT

Yvonne Austin, Vice Chairman
Steve Buller, Treasurer
Ray Burke, Director
Ed Ediger, Director
Roger Houdersheldt, Director
Larry Moore, Director
Kenneth Regier, Director
Roger Siebert, Director
John Turnbull, Manager
Prudence Sadler, Staff
Jay Bitner, Staff
Lisa Willis, KAWL/KTMX
Bill Gilliam, York SCS

QUORUM CALL

Sixteen directors were present during quorum call. Regier arrived following the approval of the minutes.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published June 7, 1994 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ADOPTION OF AGENDA

Austin made the motion (Motion #1) to approve the agenda for the Board of Directors meeting as presented. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Regier

APPROVAL OF MINUTES OF THE MAY 19, 1994 BOARD MEETING

Burke made the motion (Motion #2) to approve the minutes of the May 19, 1994 Board of Directors

meeting as distributed. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held June 6, 1994 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Regier made the motion (Motion #3) that payment of NRD land treatment funds be made in the amount of \$3,264.52 for three applications reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Regier made the motion (Motion #4) that payment of NSWCP land treatment funds be made in the amount of \$35,521.59 for 16 applications reviewed by the Committee. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #5) that 11 new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - APPLICATION CANCELLATION

An application for a reuse pit was submitted by SCS on behalf of Bruce Meyer in April 1994. In the process of certifying irrigated acres it was discovered that Bruce Meyer does not own a well on land he intends to irrigate; he obtains water from an adjacent landowner's well. This arrangement does

not guarantee Meyer a reliable source of water into the future. Since the district's reuse pit cost-share program applies to gravity irrigated land, for which an adequate supply of water is available and on which irrigation will be continued, the staff recommends cancelling the application.

If Bruce Meyer can obtain an agreement allowing him an adequate and reliable water supply from the adjacent landowner's well, the committee will consider approving his application for a reuse pit.

Regier made the motion (Motion #6) that Bruce Meyer's application for cost-share on a reuse pit in the South Half of the Southwest Quarter of Section 22, Township 11 North, Range 5 West, dated April 11, 1994, be cancelled due to lack of adequate water supply. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Ediger, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Hansen
NAY: Burke, Dickinson, Ehlers, Moore, Schulz, Volkmer
PASS: Siebert
ABSENT: None

SMALL DAMS PROGRAM - SALMEN DAM PROGRESS PAYMENT

Work on the Salmen Dam located south of Henderson is 42 percent complete. Total bid on the project is \$28,434.29.

Regier made the motion (Motion #7) that Huebert Land Leveling Co. be paid \$11,934.07, \$1,193.41 of which is to be held as retainage, for work completed in May 1994 on the Salmen Dam. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

EDUCATION & PARKS COMMITTEE REPORT

Dickinson gave a report on the Education and Parks Committee meeting held June 8, 1994 and reviewed the committee report as distributed.

COMMUNITY TREE RESOURCES PROGRAM - VILLAGE OF McCOOL JUNCTION

Dickinson made the motion (Motion #8) that the Upper Big Blue NRD make payment of \$355.96 to the Village of McCool Junction for, the trees planted in McCool Junction Park and the area around Village Hall. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

COMMUNITY TREE RESOURCES PROGRAM - CITY OF HENDERSON

Dickinson made the motion (Motion #9) that the Upper Big Blue NRD make payment of \$1,000 to the City of Henderson for the trees planted at the Henderson municipal Golf Course. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

JUNE WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS

Dickinson made the motion (Motion #10) that the Upper Big Blue NRD make payment of \$1,450.00 to the cooperators in the Wildlife Habitat Improvement Program for the month of June. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: Dickinson, Ehlers
ABSENT: None

PAYMENT TO UNIVERSITY OF NEBRASKA

Dickinson made the motion (Motion #11) that the Upper Big Blue NRD make payment of \$17,610.66 to the University of Nebraska for the purchase of 53,450 trees through the Clark McNary tree program. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

PAYMENT TO LINCOLN-OAKES NURSERIES

Dickinson made the motion (Motion #12) that the Upper Big Blue NRD make payment of \$477.35 to Lincoln-Oakes Nurseries for the purchase of 1,475 trees and shrubs. Seconded by Anderson. Question called. motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

PAYMENT TO LITTLE BLUE NRD

Dickinson made the motion (Motion #13) that the Upper Big Blue NRD make payment of \$184.25 to the Little Blue NRD for the purchase of 550 trees and shrubs. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

Board of Directors
June 16, 1994

NAY: None
ABSENT: None

PAYMENT TO YORK COLD STORAGE

Dickinson made the motion (Motion #14) that the Upper Big Blue NRD make payment of \$300.00 to York Cold Storage for the use of the cold storage facilities to store the trees through the month of May. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held June 8, 1994 and reviewed the committee report as distributed.

BUILDING ADDITION

The building addition plans include three phases. Building the new board room, restrooms and entry, remodeling the existing building and rebuilding the south parking lot. Staff recommended that all three phases be let as one contract; that advertisement of bids take place in July, and contract be awarded at the August board meeting.

Austin made the motion (Motion #15) to approve the building, remodeling and parking lot plans; to budget \$237,000 for the building project and to authorize the request for bids from general contractors. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Hansen
NAY: Volkmer
ABSENT: None

BUILDING FOUNDATION SOIL ANALYSIS

Austin made the motion (Motion #16) to approve a progress payment of \$840.00 to Geotechnical Services Inc. of Grand Island for drilling and testing of foundation soils for the district building addition. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

WASHINGTON, D.C. TRIP EXPENSES

Austin made the motion (Motion #17) to approve payment of \$64.62 to Roger Siebert for his

expenses on the NARD Washington, D.C. trip. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Volkmer, Hansen
NAY: None
PASS: Siebert
ABSENT: None

RETIREMENT PLAN

The NARD Retirement Committee has recommended plan changes to be considered at the June 28, 1994 NARD board meeting. One proposed change would increase the monthly retirement benefit by changing the factor used when multiplying the average pay by years, of service. Another would allow employees to retire at age 62, rather than age 65, and receive full retirement benefits. However, the longer an employee works the greater the monthly retirement benefit.

Austin made the motion (Motion #18) that the Upper Big Blue NRD support the NARD Retirement Committee's proposal to increase the retirement benefits for NRD employees and resulting increase in costs for both the district and employees. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

FY 95 SALARIES

Austin made the motion (Motion #19) to increase the base district pay scale by 2% for cost of living changes since 1992; to adjust, the annual salaries of the district staff, with the exception of the General Manager, by an amount not to exceed \$14,828.00, resulting in a 3.84% increase over current salaries and to authorize the General Manager to determine and make salary and wage adjustments. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Hansen
NAY: Volkmer
ABSENT: None

Austin made the motion (Motion #20) to increase the General Manager's salary by \$1,353.00 (2.5%) from \$54,102 to \$55,455. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Hansen
NAY: Volkmer
ABSENT: None

FY 95 INSURANCE PACKAGE

Turnbull reviewed the proposal from INSPRO Insurance for the FY 95 district insurance package. Burke made the motion (Motion #21) to make payment of \$27,155.00 to INSPRO Insurance for the FY 95 insurance package, as reviewed. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

WATER COMMITTEE REPORT

Moore gave a report on the Water Committee meeting held June 9, 1994 and reviewed the committee report as distributed.

LATE WELL PERMIT

A well was drilled for Tom Pribyl, by Williams Drilling Company, Inc. in April of 1994. Apparently there was some confusion over the need to obtain a permit because of the recent dissolution of the Little Blue NRD Control Area. Williams Drilling has paid the late permit fee.

Moore made the motion (Motion #22) to approve a late well permit for a well owned by Tom Pribyl in the East Half of the Northwest Quarter of Section 1, Township 6 North, Range 2 West, Fillmore County. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Volkmer, Hansen
NAY: None
ABSENT: Siebert

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
RECOVERY WELL PLAN

Bitner reviewed the operation of recovery well R1. Nebraska Department of Environmental Quality has granted a one year provisional variance for the operation of the well with the provision that the district apply for a variance within 30 days.

Moore made the motion (Motion #23) to authorize the operation of recovery well R1 according to the provisional variance granted by the Nebraska Department of Environmental Quality, dated June 6, 1994. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: Schulz
PASS: Siebert
ABSENT: None

CONSTRUCTION OF RECOVERY WELL R1 PIPELINE

The district received two bids for construction of the pipeline.

Northern Pump & Irrigation	\$3,943.12
Andersen Farms	\$5,113.50

Moore made the motion (Motion #24) to authorize construction of the pipeline from recovery well R1 to the lake and accept Northern Pump and Irrigation Company's low bid of \$3, 943.12. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Siebert, Volkmer, Hansen

NAY: Schulz

ABSENT: None

PRIVATE WELL FOR RECOVERY WELL WATER ANALYSIS

Neither the UNL Water Sciences Laboratory nor the Department of Health Laboratory are able to meet the seven to ten day turnaround time required for recovery well sampling. Therefore, the staff contacted private laboratories to see if faster service was available. Midwest Laboratories of Omaha gave us a quote of \$98.75 per sample and has guaranteed a seven to ten day turnaround time.

Moore made the motion (Motion #25) to authorize the use of Midwest Laboratories, Inc. for the Atrazine analysis water samples related to the York Groundwater Recharge Demonstration Project recovery well operations. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

APPLICATION FOR TITLE 117 VARIANCE

The district and U.S. Bureau of Reclamation will need a variance to the Nebraska Surface Water Quality Standards in order to implement the proposed recovery well plan. The provisional variance for the operation of recovery well R1 carried the provision that variance for the entire recovery well plan be applied for within 30 days.

Moore made the motion (Motion #26) that the district make application for a variance to Title 117, chapter 7, paragraph 004 of the Nebraska Surface Water Quality Standards, for the implementation of the York Groundwater Recharge Demonstration Project Recovery Well Plan. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

WELL SPACING

Three of the recovery wells will need to be less than 1,000 feet from existing irrigation wells in order to effectively recover any contaminant that could leave the site.

Moore made the motion (Motion #27) that the board approve the following procedure for determining the need for the issuance of a well spacing variance. 1. Hold a meeting with landowners of irrigation and domestic wells surrounding the site to explain the recovery well plan and give them the opportunity to raise any concerns they may have; 2. Hold a public hearing preceding the August board meeting to take public comments on the proposed variance; 3. Consider variance at the August board meeting. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

PAYMENT TO UNL WATER SCIENCE LABORATORY

Moore made the motion (Motion #28) to authorize payment of \$69,000.00 to the University of Nebraska-Lincoln for service provided by the Water Science Laboratory during FY 94. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Hansen

NAY: Volkmer

ABSENT: None

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM TENTATIVE APPROVALS

Moore made the motion (Motion #29) to give tentative approval to two AQWACAP applications with a total estimated cost-share of \$599.00. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

PASS: Buller

ABSENT: None

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS

Moore made the motion (Motion #30) to make final payment for seven AQWACAP applications with a total actual cost of \$1,838.42. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Hansen

NAY: None

PASS: Buller, Regier

Board of Directors
June 16, 1994

ABSENT: None

LB 981 PROGRAM CHANGES

LB 981, which passed last session, provides for partial funding of NRD well plugging programs. To be eligible for state funds the NRD's program must meet certain minimum requirements. DeBuhr reviewed the necessary changes to bring the district's well abandonment program into compliance with state funding requirements.

Moore made the motion (Motion #31) that the board approve the modifications to the AQWACAP program. Seconded by Austin. Question called. Motion failed.

AYE: Ediger, Jacobsen

NAY: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt, Jackson, Moore,
Oswald, Siebert, Volkmer

PASS: Regier, Schulz, Hansen

ABSENT: None

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Siebert gave a report on the Budget, Planning & Legislative Committee meeting held June 9, 1994 and reviewed the committee report as distributed.

FINANCIAL STATEMENT

Regier made the motion (Motion #32) to approve the financial statement and budget report as of May 31, 1994; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

Meeting adjourned at 10:01 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MAY 19, 1994

CALL TO ORDER

A regular Board of Directors meeting was called to order by chairman Wayne Hansen at 8:00 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman
Jim Jackson, Secretary
Bruce Anderson, Director
Doug Dickinson, Director
Bob Ehlers, Director
Luke Jacobsen, Director
Buzz Oswald, Director
Roland Schulz, Director
Merlin Volkmer, Director
Nancy Schneider, Staff
Rod DeBuhr, Staff
Ken Feather, Staff
Brad Barrows, York
Larry Meister, Osceola
Loydeen Stengel, Shickley
Rich Kleinschmidt, Shickley
Paul Mau, Geneva
Dennis Kimbrough, Geneva
Bill Kleinschmidt, Geneva
Judy Watt, York
Patricia Opfer Bradshaw

Yvonne Austin, Vice Chairman
Steve Buller, Treasurer
Ray Burke, Director
Ed Ediger, Director
Roger Houdersheldt, Director
Larry Moore, Director
Kenneth Regier, Director
Roger Siebert, Director
John Turnbull, Manager
Prudence Sadler, Staff
Jay Bitner, Staff
Jeffrey Robb, York News-Times
Elaine Stuhr, Bradshaw
Paul J. O'Connor, Fairmont
Rosalie Kleinschmidt, Shickley
Gerald Stengel, Shickley
Lewis Kamler, Shickley
Larry Biester, Geneva
Bruce Nedrow Geneva
Cindy Thomsen, Exeter
Lamar Newton, Bradshaw

QUORUM CALL

Sixteen directors were present during quorum call. Jacobsen arrived following the NNRC report.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published May 9, 1994 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ADOPTION OF AGENDA

Dickinson made the motion (Motion #1) to approve the agenda for the Board of Directors meeting as presented. Seconded by Austin. Question called. Motion carried.

Board of Directors
May 19, 1994

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: Jacobsen

APPROVAL OF MINUTES OF THE APRIL 18, 1994 PUBLIC HEARING

Ehlers made the motion (Motion #2) to approve the minutes of the April 18, 1994 Special Protection Area public hearing, as distributed. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: Jacobsen

APPROVAL OF MINUTES OF THE APRIL 21, 1994 BOARD MEETING

Burke made the motion (Motion #3) to approve the minutes of the April 21, 1994 Board of Directors meeting as distributed. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: Jacobsen

PROJECTS COMMITTEE REPORT

Houdersheldt gave a report on the Projects Committee meeting held May 9, 1994 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP VARIANCE REQUEST

An NSWCP application for cost-share on a diversion was received from Milar Farms, Inc. in Polk County. Due to a misunderstanding on the part of SCS and the landowner, the practice was staked and construction was allowed to proceed prior to review by the board.

Larry Meister, representing Milar Farms, Inc., attended the Projects Committee meeting to request that their application be approved as eligible for cost-share, even though construction proceeded prior to board approval.

Houdersheldt made the motion (Motion #4) that the application for cost-share from Milar Farms, Inc. be approved as eligible for cost-share. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Siebert, Volkmer, Hansen
NAY: None
ABSENT: Siebert

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #5) that five new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Siebert, Volkmer, Hansen
NAY: None
ABSENT: Siebert

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Houdersheldt made the motion (Motion #6) that payment of NSWCP land treatment funds be made in the amount of \$15,398.22 for six applications reviewed by the committee. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Houdersheldt made the motion (Motion #7) that payment of NRD land treatment funds be made in the amount of \$1,668.39 for two applications reviewed by the committee. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

BRAINARD DAM PROJECT 18-14-04E

The Lower Platte South NRD has requested that Upper Big Blue NRD cooperate with them to construct a flood control dam near Brainard. In preliminary discussions with LPSNRD it was suggested that the UBBNRD could provide design and construction inspection as its share of project cost. LPSNRD proposes that they would obtain land rights and pay a portion of construction costs and they will request some cost-share from Butler County.

Staff recommended that the Brainard Dam, to be called Project 18-14-04E, be placed on the district's priority list with other new projects, and that the project's priority be set at a later date.

Houdersheldt made the motion (Motion #8) that Project 18-14-04E, Brainard Dam, be placed on the district's priority list and that the district agree to furnish engineering and construction inspection. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

Board of Directors
May 19, 1994

NAY: None
ABSENT: None

WATER COMMITTEE REPORT

Moore gave a report on the Water Committee meeting held May 10, 1994 and reviewed the committee report as distributed.

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM TENTATIVE APPROVALS

Moore made the motion (Motion #9) to give tentative approval to five AQWACAP applications with a total estimated cost of \$900. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS

Moore made the motion (Motion #10) to make final payment for 32 AQWACAP applications with a total actual cost of \$6,405.42. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

PASS: Buller

ABSENT: None

SPECIAL PROTECTION AREA - ADOPTION OF ACTION PLAN

Volkmer made the motion (Motion #11) that we not have an SPA in the Upper Big Blue NRD district. Seconded by Oswald.

Moore called a point of order. Moore contended the motion was out of order because the decision to designate the UBBNRD as a Special Protection Area was made by the Director of the Department of Environmental Quality on September 23, 1993 and the 30-day appeal period following the designation has passed and the decision is final.

Chairman Hansen ruled that he would allow the motion so that those present would have an opportunity to discuss the matter. Following a lengthy discussion Anderson called for the question. Question called. Motion failed.

AYE: Volkmer

NAY: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Hansen

ABSENT: None

Board of Directors
May 19, 1994

The Water Committee passed five amendments to the March 17, 1994 draft action plan. The May 10, 1994 draft that was distributed included all of those changes. Moore and DeBuhr reviewed the changes again for the board and members of the public who were present.

Moore made the motion (Motion #12) to adopt the amended action plan and submit the plan to the Department of Environmental Quality for the Director's review. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Hansen
NAY: Volkmer
ABSENT: None

319 GRANT APPLICATION FOR SPA ACTIVITIES

The deadline for 319 application for the federal fiscal year beginning on October 1, 1994 is June 1, 1994. The staff has prepared a funding request for a five-year project to correspond with the first five years of the SPA phase I activities. These activities include the information and education items, USGS monitoring study and monitoring plan preparation, as outlined in the action plan. The estimated cost is \$447,375. The 319 funds requested total \$247,875.

Moore made the motion (Motion #13) to submit the SPA 319 grant request to the Nebraska Department of Environmental Quality. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Siebert, Hansen
NAY: Volkmer
PASS: Schulz
ABSENT: None

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held May 9, 1994 and reviewed the committee report as distributed.

EDUCATION & PARKS COMMITTEE REPORT

Dickinson gave a report on the Education and Parks Committee meeting held May 12, 1994 and reviewed the committee report as distributed.

HAMPTON HIGH SCHOOL REQUEST FOR FINANCIAL ASSISTANCE

Dickinson made the motion (Motion #14) that the Upper Big Blue NRD provide \$75.00 for the Hampton High School Envirothon teams registration at the 1994 State Envirothon Contest. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Siebert, Volkmer, Hansen

Board of Directors
May 19, 1994

NAY: None
ABSENT: Moore, Schulz

AMENDMENT OF ISTE A GRANT APPLICATION FOR PIONEER TRAILS RECREATION AREA

The district received tentative authorization from the Nebraska Department of Roads for the ISTE A/Transportation Enhancement Program grant application to build a hiking/biking trail around the lake at Pioneer Trails Recreation Area. The construction requirements for building the trail have recently been received from DOR and after considerable negotiations between the NRD staff and DOR, the trail design has been completed. The initial application, submitted in October of 1993, was for \$31,100.00 and was to be funded by DOR at a rate of 80 percent. The NRD's share would have been \$6,220.00. After changes required by DOR, the total project cost is \$42,200.00, funded at a rate of 80 percent. The NRD's share would be \$8,440.00.

Dickinson made the motion (Motion #15) that the Upper Big Blue NRD amend its grant application to the Nebraska Department of Roads Transportation Enhancement Program for the construction of a hiking/biking trail at Pioneer Trails Recreation Area. The total project cost would be \$42,200.00 and at a rate of 80/20 percent, the DOR's share would be \$33,760.00 and the NRD's share would be \$8,440.00. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Jackson, Jacobsen, Oswald, Regier, Hansen
NAY: Buller, Ehlers, Houdersheldt, Siebert
PASS: Volkmer
ABSENT: Moore, Schulz

Dickinson made the motion (Motion #16) that the Upper Big Blue NRD authorize construction of three trail-side information stations at Pioneer Trails Recreation Area at a cost (materials only) of \$4,000.00. Seconded by Burke.

Houdersheldt amended the motion to make the motion (Motion #17) to construct one trail-side information station at Pioneer Trails Recreation Area at a cost of \$1,333.34. Seconded by Volkmer. Question called on the amendment. Amendment failed.

AYE: Austin, Ehlers, Houdersheldt, Jacobsen, Hansen
NAY: Buller, Burke, Dickinson, Ediger, Jackson, Oswald, Regier, Siebert, Volkmer
PASS: Anderson
ABSENT: Moore, Schulz

Regier amended the motion to make the motion (Motion #18) to construct two trail-side information stations at a cost of \$2,666.68. Seconded by Austin. Question called on the amendment. Amendment failed.

AYE: Anderson, Austin, Jackson, Jacobsen, Oswald, Regier, Hansen

Board of Directors
May 19, 1994

NAY: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Siebert, Volkmer
ABSENT: Moore, Schulz

Question called on the original motion. Motion failed.

AYE: Anderson, Burke, Ediger, Oswald
NAY: Austin, Buller, Dickinson, Ehlers, Houdersheldt, Jackson, Regier, Siebert, Volkmer,
Hansen
PASS: Jacobsen
ABSENT: Moore, Schulz

Austin made the motion (Motion #19) to direct the staff to seek outside funding for our information stations at Pioneer Trails Recreation Area. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Oswald, Regier, Volkmer, Hansen
NAY: Siebert
ABSENT: Moore, Schulz

PAYMENT TO LOWER LOUP NRD

Dickinson made the motion (Motion #20) that the Upper Big Blue NRD make payment of \$1,331.00 to the Lower Loup NRD for 3,800 Colorado Blue Spruce purchased through Colorado State Forestry Service. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Oswald, Regier, Siebert, Volkmer, Hansen
NAY: None
ABSENT: Moore, Schulz

COMMUNITY TREE RESOURCES PROGRAM - VILLAGE OF HAMPTON

Dickinson made the motion (Motion #21) that the Upper Big Blue NRD make payment of \$432.00 to the Village of Hampton for the trees planted in the Hampton Park. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Oswald, Regier, Siebert, Volkmer, Hansen
NAY: None
ABSENT: Moore, Schulz

COMMUNITY TREE RESOURCES PROGRAM - CITY OF AURORA

Dickinson made the motion (Motion #22) that the Upper Big Blue NRD make payment of \$485.95 to the City of Aurora for the trees planted in the Optimist Ballfield and Cole Park. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Jacobsen, Oswald, Regier, Siebert, Volkmer, Hansen
NAY: None

Board of Directors
May 19, 1994

ABSENT: Moore, Schulz

COMMUNITY TREE RESOURCES PROGRAM - VILLAGE OF WACO

Dickinson made the motion (Motion #23) that the Upper Big Blue NRD make payment of \$211.00 to the Village of Waco for the trees planted in the village park, tennis court, and treatment plant area. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore, Schulz

PAYMENT TO YORK COLD STORAGE

Dickinson made the motion (Motion #24) that the Upper Big Blue NRD make payment of \$300.00 to the York Cold Storage for the use of the cold storage facilities to store the trees through April 30, 1994. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore, Schulz

FINANCIAL STATEMENT

Volkmer made the motion (Motion #25) to approve the financial statement and budget report as of April 30, 1994; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore, Schulz

Meeting adjourned at 10:45 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
APRIL 21, 1994

CALL TO ORDER

A regular Board of Directors meeting was called to order by chairman Wayne Hansen at 8:00 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman
Jim Jackson, Secretary
Bruce Anderson, Director
Doug Dickinson, Director
Bob Ehlers, Director
Luke Jacobsen, Director
Kenneth Regier, Director
Merlin Volkmer, Director
Nancy Schneider, Staff
Rod DeBuhr, Staff
Ken Feather, Staff
Bill Gilliam, York SCS
Bill Whitney, Aurora
Gordon Kissel, NARD

Yvonne Austin, Vice Chairman
Steve Buller, Treasurer
Ray Burke, Director
Ed Ediger, Director
Roger Houdersheldt, Director
Larry Moore, Director
Roland Schulz, Director
John Turnbull, Manager
Prudence Sadler, Staff
Jay Bitner, Staff
Donna Rhoades, YNT
Amy Wilson, Aurora
Gary Troester Hampton

QUORUM CALL

Thirteen directors were present during quorum call. Jacobsen and Regier arrived following the reading of the public meeting notice.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published April 11, 1994 in the York News-Times. The agenda is kept continually current and is readily available: for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

REQUEST FOR EXCUSED ABSENCE

Ehlers made the motion (Motion #1) to excuse the absence of Siebert and Oswald. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Schulz, Volkmer, Hansen
NAY: None
PASS: Regier
ABSENT: Oswald, Siebert

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the agenda for the Board of Directors meeting as presented. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Siebert, Hansen
NAY: Volkmer
EXCUSED: Oswald, Siebert

APPROVAL OF MINUTES OF THE MARCH BOARD MEETING

Dickinson made the motion (Motion #3) to approve the minutes of the March 17, 1994 Board of Directors meeting as distributed. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Oswald, Siebert

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held April 11, 1994 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Regier made the motion (Motion #4) that payment of NSWCP land treatment funds be made in the amount of \$2,538.80 for two applications reviewed by the committee. Seconded by Houdersheldt.

Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert

LAND TREATMENT PROGRAM - NRD FUNDS NEW APPLICATIONS

Regier made the motion (Motion #5) that seven new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #6) that one new application for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Regier made the motion (Motion #7) that payment of NRD land treatment funds be made in the amount of \$1,726.80 for two applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert

SMALL DAMS PROGRAM - SALMEN DAM BIDS

Bids were received from VanKirk Brothers Contracting (\$33,786.50) and Huebert Land Leveling (\$28,434.29) for construction of the Salmen Dam. The engineer's estimate is \$23,989.50. Staff recommended that Huebert Land Leveling be awarded the contract to construct the Salmen Dam. Regier made the motion (Motion #8) that Huebert Land Leveling be awarded a contract to construct the Salmen Dam based on their bid of \$28,434.29. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

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NAY: None
EXCUSED: Oswald, Siebert

SUTTON FLOOD MITIGATION PROJECT - PROGRESS PAYMENT

The City of Sutton submitted expenses of \$80,861.60 for work completed on their flood mitigation project. The grant eligible portion of these expenses is \$79,210.00. The federal, state, NRD and city cost-shares are as follows:

Federal	\$39,605.00
State	19,802.50
City	10,726.90
NRD	<u>10,726.90</u>
Total	\$80,861.30

Regier made the motion (Motion #9) that the district reimburse the City of Sutton \$59,407.50 in state and federal funds when they are received, and \$10,726.90 in NRD intergovernment cost-share funds for work completed on the Sutton Flood mitigation Project. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Oswald, Siebert

WATER COMMITTEE REPORT

Jackson gave a report on the Water Committee meeting held April 12, 1994 and reviewed the committee report as distributed.

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM TENTATIVE APPROVALS

Jackson made the motion (Motion #10) to give tentative approval to 16 AQWACAP applications with a total estimated cost of \$2,867.50. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Schulz, Volkmer, Hansen
NAY: None
ABSTAIN: Regier
PASS: Buller
EXCUSED: Oswald, Siebert

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS

Jackson made the motion (Motion #11) to make final payment for two AQWACAP applications with a total actual cost of \$579.50. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,

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Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
PASS: Buller
EXCUSED: Oswald, Siebert

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held April 12, 1994 and reviewed the committee report as distributed.

DIRECTORS' FIRST QUARTER PER DIEM AND EXPENSES

The committee reviewed the directors, per them and expenses. The committee discussed how to compute directors' mileage to district meetings. At issue was whether or not mileage should be computed from the actual departure point to the point of destination, or from the director's residence to the meeting.

Austin made the motion (Motion #12) to approve first quarter per them of \$7,025.00 and amended expenses of \$2,113.41 for the directors. Further, that directors, paid mileage only reflect actual mileage from each director's residence to the district office and back. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Oswald, Siebert

VEHICLE PURCHASE - STATION WAGON

The district accepted the low bid of \$15,157.60, plus sales tax, for a 1994 Ford Taurus station wagon from Trowbridge of Columbus at the last board meeting. The vehicle is expected to be delivered in the near future. Turnbull recommended that the board authorize him to issue a check to Trowbridge, upon receipt of the vehicle.

Austin made the motion (Motion #13) that payment of \$15,157.60 to Trowbridge of Columbus be authorized for the 1994 Ford Taurus wagon, as specified, upon delivery of the vehicle. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Regier, Schulz, Volkmer, Hansen
NAY: None
PASS: Moore
EXCUSED: Oswald, Siebert

REVIEW OF BUILDING PLANS

Before the final plans and cost estimate can be done, some foundation soils testing needs to be done. The staff is recommending that this drilling and testing be authorized in order for the work to be

done in the next month. The building design includes an operating observation well in the new lobby. The purpose of the well is to demonstrate to the public the changes in groundwater levels, as well as how an observation well works.

The following quotes were received:

<u>HWS Consulting Group, Inc.</u>	
soil borings & testing	\$1,426.50
monitoring well	<u>5,590.00</u>
	\$7,016.50

<u>Geotechnical Services, Inc.</u>	
soil borings & testing	\$ 840.00
monitoring well	<u>2,140.00</u>
	\$2,980.00

Austin made the motion (Motion #14) to authorize Geotechnical Services, Inc. to proceed with the building foundation soils drilling & testing and drilling of the building observation well for an estimated total cost of \$2,980.00. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Volkmer, Hansen

NAY: Schulz

EXCUSED: Oswald, Siebert

EDUCATION & PARKS COMMITTEE REPORT

Dickinson gave a report on the Education and Parks Committee meeting held April 14, 1994 and reviewed the committee report as distributed.

PRAIRIE PLAINS RESOURCE INSTITUTE'S SUMMER ORIENTATION ABOUT RIVERS (SOAR) FUNDING REQUEST

Each summer the Prairie Plains Resource Institute presents two weakling environmental education sessions for third through sixth graders in Aurora. 120 elementary students and 24 junior high students (who serve as assistants) participate each year. The SOAR program is requesting \$1,500 in funding from the NRD as part of the \$8,725 needed from grant funding from local sources.

Dickinson made the motion (Motion #15) that the Upper Big Blue NRD provide funding of \$1,500 to the Prairie Plains Resource Institute's SOAR program for 1994. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert

UPPER BIG BLUE NRD's FARM CONSERVATION AWARD

The nomination process is being revamped so no Farm Conservation Award winner will be selected this year. This means that the 1994 award will be presented this summer but no award will be presented in 1995. The committee hopes to be able to select a winner for the 1996 award next spring.

SPECIAL AWARD REQUEST

The family of Gerald Rolfsmeyer of rural Milford has requested recognition of his conservation efforts as part of his 80th birthday celebration. He was one of the first farmers in Seward County, working with the SCS in 1938, to use contouring and terracing. He has had a long history of conservation farming.

Dickinson made the motion (Motion #16) that the Upper Big Blue NRD award Gerald Rolfsmeyer with a certificate of recognition for his long-standing conservation efforts in farming. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert

HENDERSON COMMUNITY SCHOOL REQUEST FOR COST-SHARE ASSISTANCE FOR MODEL AQUIFER

Henderson Community School has requested assistance under the district's cost-share program to purchase a model aquifer. The University of Nebraska is selling the model and carrying case for \$350. The district's cost-share program provides assistance at the rate of 50 percent of the actual cost of the model with a limit of \$200 for the district's share (\$400 total cost). Dickinson made the motion (Motion #17) that the Upper Big Blue NRD pay 50 percent of the actual cost of a model aquifer and carrying case, not to exceed \$175, for Henderson Community School under the district's Model Aquifer for Schools assistance program. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert

COMMUNITY TREE RESOURCES - CITY OF AURORA

Dickinson made the motion (Motion #18) that the Upper Big Blue NRD fund the City of Aurora in the amount not to exceed \$550 for trees to be planted on city property located in the Optimist Ballfield and Cole Park in FY 94. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,

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Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Oswald, Siebert

SEEDING & FENCING - B.A.B., INC.

The seeding, mulching and fencing has been completed on Project 17(Tom Alberts Dam) and Project 4-13-2E (Stara Dam).

Dickinson made the motion (Motion #19) that the Upper Big Blue NRD make final payment of \$4,564.06 for work completed on Project 17-7(Tom Alberts Dam) and Project 4-13-2E (Stara Dam) Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Oswald, Siebert

FINANCIAL STATEMENT

Burke made the motion (Motion #20) to approve the financial statement and budget report as of March 31, 1994; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Oswald, Siebert

Meeting adjourned at 9:50 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MARCH 17, 1994

CALL TO ORDER

A regular Board of Directors meeting was called to order by chairman Wayne Hansen at 1:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman	Yvonne Austin, Vice Chairman
Jim Jackson, Secretary	Steve Buller, Treasurer
Bruce Anderson, Director	Ray Burke, Director
Doug Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Roger Houdersheldt, Director
Luke Jacobsen, Director	Larry Moore, Director
Buzz Oswald, Director	Kenneth Regier, Director
Roland Schulz, Director	Roger Siebert, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Prudence Sadler, Staff
Rod DeBuhr, Staff	Jay Bitner, Staff
Ken Feather, Staff	Steve Swanberg, Staff
Jeff Ball, Staff	Virgil Ulmer, Mayor of-Sutton
Mac Tubers, City of Sutton	Donna Rhoades, YNT
Craig Derickson, State SCS	Bill Gilliam, York SCS
Tom Schleif, SCS	Kristi Schleif, Polk SCS
Marcia Goff, Seward Co. Independent	

QUORUM CALL

Sixteen directors were present during quorum call. Siebert arrived following the adoption of the agenda.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published March 7, 1994 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ADOPTION OF AGENDA

Dickinson made the motion (Motion #1) to approve the agenda for the Board of Directors meeting as presented. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

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ABSENT: Siebert

APPROVAL OF MINUTES OF THE FEBRUARY PUBLIC HEARING

Ehlers made the motion (Motion #2) to approve the minutes of the February 17, 1994 public hearing as distributed. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

APPROVAL OF MINUTES OF THE FEBRUARY BOARD MEETING

Ehlers made the motion (Motion #3) to approve the minutes of the February 17, 1994 Board of Directors meeting as distributed. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

PROJECTS COMMITTEE REPORT

Houdersheldt gave a report on the Projects Committee meeting held March 7, 1994 and reviewed the committee report as distributed.

SUTTON FLOOD MITIGATION PROJECT

The Sutton City Council has requested that the district assist with construction of three dams at Sutton. Dams located in the SE 1/4 and SW 1/4 of Section 2 would control flood water entering the city from the south. The dam located in Section 34 would control flood water entering the city from the north. These dams are located on tributaries to School Creek that flow through Sutton. Due to the location of the dams, the structures would be designed for high hazard requirements. The City of Sutton would own, operate and maintain the dams and would obtain all landrights. The district would design and construct the dams and obtain permits.

Houdersheldt made the motion (Motion #4) that the district design and construct flood control dams in the SE 1/4 and SW 1/4 of Section 2, Township 7 North, Range 5 West as requested by the City of Sutton and that the projects be treated as special projects using guidelines of the district's small dams program. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

Houdersheldt made the motion (Motion #5) that the flood control dam proposed by the City of Sutton, to be located in the NE 1/4 of Section 34, Township 8 North, Range 5 West, be added to the

district's list of prioritized projects. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

LITTLE SANDY CREEK WATERSHED PROJECT - LITTLE BLUE NRD

The Little Blue NRD has requested that the district construct a flood control dam in Section 36, Township 6 North, Range I West, located four miles south and one-half mile east of Milligan. Approximately thirty dam sites have been identified in the Little Sandy Creek watershed and Project 36-6-IW is the only one in the Upper Big Blue NRD.

Turnbull advised the board that since the Projects Committee meeting he had met with Mike Onnen, Manager of the Little Blue NRD, Ron Fleece, Manager of Lower Big Blue NRD, and the SCS state watershed planning group. The Little Sandy Creek project is part of a proposed PL 566 watershed that includes approximately 30 structures in the Little Sandy Creek area. It is currently in the preauthorization stage. Turnbull feels that if the watershed project is determined to be feasible, construction is at least five to ten years down the road. Turnbull advised the board that he has asked the planning staff to consider recreation on this site because it is so near the town of Milligan and Milligan has approached the district several times to request the development of water-based recreation in their area.

It was suggested by Fleece and Turnbull that Mike Onnen take the lead in working with the SCS on this watershed plan, landowner meetings, land rights, etc., and the Upper Big Blue NRD and Lower Big Blue NRD work with the Little Blue NRD through an inter-local agreement.

Houdersheldt made the motion (Motion #6) that the district support Little Sandy Creek Project 36-6-1W. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

LAND TREATMENT PROGRAM - NRD FUNDS NEW APPLICATIONS

Houdersheldt made the motion (Motion #7) that two new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #8) that five new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Houdersheldt made the motion (Motion #9) that payment of NSWCP land treatment funds be made in the amount of \$1,400.91 for one application reviewed by the committee. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

WATER COMMITTEE REPORT

Moore gave a report on the Water Committee meetings held February 28 and March 7, 1994 and reviewed the committee reports as distributed.

SPECIAL PROTECTION AREA

The Water Committee reviewed the second draft of the SPA Action Plan following the February 28, 1994 special meeting and recommended that the board adopt the plan for the purpose of public hearing.

Moore made the motion (Motion #10) that the board adopt the proposed SPA Action Plan for the purpose of public hearing and that said hearing be held on April 18, 1994 at 7:30 p.m. at the York City Auditorium in the USO room. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
TENTATIVE APPROVALS

Moore made the motion (Motion #11) to give tentative approval to eleven Aquifer Quality Well Abandonment Cost-share Assistance Program applications with a total estimated cost of \$2,103.00. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

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NAY: None
ABSENT: None

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held March 7, 1994 and reviewed the committee report as distributed.

ATTORNEY FEES

Austin made the motion (Motion #12) to approve payment of \$44.00 to Crosby, Guenzel, Davis, Kessner & Kuester for legal work through February 20, 1994. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

VEHICLE BIDS

The district advertised for bids for a 1994 mid-size station wagon, with and without trade-in of the 1985 Ford LTD station wagon, which has 123,645 miles on it. The following bids were received.

AUTO DEALER	VEHICLE MAKE	1994 MID-SIZE STATION WAGON WITHOUT TRADE	1994 MID-SIZE STATION WAGON WITH TRADE
John Kohl, York	Oldsmobile Cutlass	\$ 17,032.00	\$ 16,532.00
Moses Motor - York	Ford Taurus - more equip. than specs.	\$ 15,855.00	\$ 15,155.00
Moses Motor - York	Ford Taurus	\$ 15,583.00	\$ 14,883.00
Geneva Motors - Geneva	Ford Taurus	\$ 15,513.60	\$ 15,000.00
Trowbridge - Columbus	Ford Taurus	\$15,157.60	no bid

The low bid of \$14,883.00 with trade is \$274.60 lower than the low bid without trade. Staff recommends that the district keep the 1985 Ford LTD station wagon and purchase an additional car, as specified, from the low bidder.

Austin made the motion (Motion #13) that the district accept the low bid of \$15,157.60, plus sales tax, for a 1994 Ford Taurus station wagon from Trowbridge of Columbus and that the district keep

the 1985 Ford LTD station wagon. Seconded by Ediger.

There was some sentiment expressed that the district should not accept bids from outside district boundaries.

Burke amended the motion to make the motion (Motion #14) to accept the bid of \$15,513.60, plus sales tax, for a 1994 Ford Taurus station wagon from Geneva Motors, Geneva, Nebraska and that the district keep the 1985 Ford LTD station wagon. Seconded by Anderson. Question called on the amendment. Amendment failed.

AYE: Anderson, Burke, Ehlers, Moore, Oswald, Schulz, Volkmer

NAY: Austin, Buller, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Regier, Siebert, Hansen

ABSENT: None

Question called on the original motion. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Siebert, Volkmer, Hansen

NAY: Moore, Schulz

ABSENT: None

EDUCATION & PARKS COMMITTEE REPORT

Dickinson gave a report on the Education and Parks Committee meeting held March 10, 1994 and reviewed the committee report as distributed.

MARCH WILDLIFE HABITAT IMPROVEMENT PROGRAM

Dickinson made the motion (Motion #15) that the Upper Big Blue NRD Board of Directors approve payment of \$4,340.00 to the cooperators in the Wildlife Habitat Improvement Program for the month of March, as reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: Dickinson, Ehlers, Moore

ABSENT: None

COMMUNITY TREE RESOURCES PROGRAM - CITY OF STROMSBURG

Dickinson made the motion (Motion #16) that the Upper Big Blue NRD fund the City of Stromsburg in an amount not to exceed \$1,000.00 for trees to be planted in the City of Stromsburg arboretum during FY 94. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

COMMUNITY TREE RESOURCES PROGRAM - VILLAGE OF HAMPTON

Dickinson made the motion (Motion #17) that the Upper Big Blue NRD fund the Village of Hampton in an amount not to exceed \$432.00 for trees to be planted in the Hampton park during FY94. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

COMMUNITY TREE RESOURCES PROGRAM - VILLAGE OF McCOOL JUNCTION

Dickinson made the motion (Motion #18) that the Upper Big Blue NRD fund the village of McCool Junction in an amount not to exceed \$410.00 for trees to be planted in the McCool Junction park and area surrounding the village hall. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

COMMUNITY TREE RESOURCES PROGRAM - VILLAGE OF WACO

Dickinson made the motion (Motion #19) that the Upper Big Blue NRD fund the Village of Waco in an amount not to exceed \$210 for trees to be planted in the village park, tennis court, and treatment plant area. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: None

HABITAT PROGRAM - MATERIALS ONLY

Dickinson made the motion (Motion #20) that the Upper Big Blue NRD adopt the habitat program practice IVB "materials only" into the Wildlife Habitat Improvement Program approved by the Upper Big Blue Natural Resources District. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Hansen

NAY: Anderson, Ehlers, Moore, Regier, Volkmer

ABSENT: None

FINANCIAL STATEMENT

Burke made the motion (Motion #21) to approve the financial statement and budget report as of February 28, 1994; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,

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Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

Meeting adjourned at 3:10 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
FEBRUARY 17, 1994

CALL TO ORDER

A regular Board of Directors meeting was called to order by chairman Wayne Hansen at 1:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman

Jim Jackson, Secretary

Ed Ediger, Director

Roger Houdersheldt, Director

Larry Moore, Director

Roland Schulz, Director

Merlin Volkmer, Director

Nancy Schneider, Staff

Ken Feather, Staff

Prudence Sadler, Staff

Virlyn Bolte, Staff

Wm. Gilliam, LDC, York SCS

Tom Schleif, SCS

Donna Rhoades, York News-Times

Yvonne Austin, Vice Chairman

Doug Dickinson, Director

Bob Ehlers, Director

Luke Jacobsen, Director

Buzz Oswald, Director

Roger Siebert, Director

John Turnbull, Manager

Jay Bitner, Staff

Rod DeBuhr, Staff

Lynn M. Griffis, Staff

Delores Gray, Seward SCS

Kristi Schleif, Osceola SCS

Dick Hayes, Clay Center SCS

Eric Hadenfeldt, York SCS

QUORUM CALL

Twelve directors were present during quorum call. Jacobsen arrived at 1:45 p.m.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published February 7, 1994 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

EXCUSED ABSENCES

Chairman Hansen reported that Steve Buller and Ken Regier had contacted the office and requested to be excused from the board meeting.

Ehlers made the motion (Motion #1) to approve the absences as requested. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Burke

ABSENT: Buller, Jacobsen, Regier

PUBLIC HEARING ON DISTRICT RULES AND REGULATIONS

Chairman Hansen opened the public hearing on the district's rules and regulations at 1:35 p.m. The public hearing was left open to run concurrently with the regular Board of Directors meeting until 1:58 p.m. at which time the hearing was officially closed.

ADOPTION OF AGENDA

Dickinson brought it to the attention of the board that the date of the meeting was stated incorrectly in the agenda notice. The agenda read "February 17, 1993" and should have read "February' 17, 1994". He asked that for the record the typographical error be corrected.

Dickinson made the motion (Motion #2) to approve the agenda for the Board of Directors meeting as corrected. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Burke, Regier

ABSENT: Jacobsen

APPROVAL OF MINUTES OF THE JANUARY BOARD MEETING

Ediger made the motion (Motion #3) to approve the minutes of the January 20, 1994 Board of Directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Burke, Regier

ABSENT: Jacobsen

PROJECTS COMMITTEE REPORT

Houdersheldt gave a report on the Projects Committee meeting held February 7, 1994 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #4) that one new application for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Burke, Regier

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Houdersheldt made the motion (Motion #5) that payment of NSWCP land treatment funds be made in the amount of \$6,586.33 for two applications reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Burke, Regier

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #6) that nine new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Burke, Regier

SMALL DAMS PROGRAM - ADVERTISEMENT FOR BIDS

Final design is completed and water right permits have been obtained for the Salmen Dam, located three miles south of Henderson. The 404 permit is pending review by the Corps of Engineers. Staff has recommended that the district proceed with advertisement for bids and that award of contract be conditional on Corps approval of the 404 permit.

The proposed schedule calls for bid advertisement in March, award of contract in April and construction in May and June. Funds are available in the FY94 budget for construction.

Houdersheldt made the motion (Motion #7) that the district advertise for bids on Project 20-09-04W, Salmen Dam. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Burke, Regier

SUTTON FLOOD MITIGATION PROJECT - PROGRESS PAYMENT

The City of Sutton submitted expenses of \$29,140.59 for work completed between April 1993 and January 1994 on their flood mitigation project. The expenses submitted are not eligible for state or federal cost-share, but are eligible for 50% NRD cost-share in accordance with our intergovernment cost-share agreement. The district's commitment on this project is \$191,250. District funds expended to-date total \$17,169.04.

Houdersheldt made the motion (Motion #8) that the district reimburse the City of Sutton \$14,570.29,

fifty percent of the January 25, 1994 claim, in accordance with the cost-share agreement between the City and District. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Burke, Regier

WATER COMMITTEE REPORT

Jackson gave a report on the Water Committee meeting held February 7, 1994 and reviewed the committee report as distributed.

SPECIAL PROTECTION AREA - ADVISORY COMMITTEE

Jackson made the motion (Motion #9) that the Board of Directors commend the SPA Advisory Committee for their work in preparing their recommendations and express their appreciation for the time and effort put forth by each member of the committee. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Burke, Regier

PITLESS IRRIGATION REUSE SYSTEM FOR FARMED WETLANDS

Rod DeBuhr has been working with representatives of several state and federal agencies to come up with an irrigation reuse system. This system would meet Section 404 and Swamp buster rules so that producers with farmed wetlands would have a way to stop irrigation runoff and improve irrigation efficiency to reduce leaching.

Steve Moran, SCS Engineer, and DeLynn Hay, Extension Irrigation Specialist, are working together to design such a system.

Two farmers within the district are willing to consider installation of a pilot system. The estimated cost of the system is \$6,430. This includes the sump, earthwork, above ground pipe, pump and motor. The cost estimate for a system with buried pipeline is \$8,730.00.

Rod explained to the Board that since this is an experimental project there is some risk that the system may not work right the first time, and possibly not at all. In light of the experimental nature of this project Rod is recommending that the district offer the producers the following incentives to allow the use of their property and labor for this work.

The producer and NRD agree to the following:

- A. The NRD will pay for all materials and labor for installation of the system with above ground pipe.

- B. The producer must provide electricity to the site at his/her cost.
- C. Here will be a trial operation period not to exceed three years.
- D. At the end of the trial operation, the producer may:
 - 2. Request that the NRD remove the system, at which time the NRD will salvage the equipment for sale or use on other district projects; or 2. He may purchase the system for 50 percent of the original cost of the pump and motor, including electrical and installation cost. (This purchase does not include the above ground pipe.)
- E. The producer may purchase the above ground pipe at a price to be agreed upon at the end of the trial period.
- F. If the producer wishes to have underground pipe at the end of the trial period, he may apply for cost-share assistance through the regular NRD programs.

Jackson made the motion (Motion #10) to authorize the staff to proceed with negotiations with the producers to secure a site for the trial pitless irrigation reuse system. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Dickinson, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: Ediger, Moore

EXCUSED: Anderson, Buller, Burke, Regier

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
TENTATIVE APPROVALS

Jackson made the motion (Motion #11) to give tentative approval to two AQWACAP applications with a total estimated cost-share of \$200. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Burke, Regier

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
FINAL PAYMENT

Jackson made the motion (Motion #12) to approve final payment for one well abandonment for \$281.94. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Burke, Regier

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held February 7, 1994 and reviewed the committee report as distributed.

DISTRICT RULES AND REGULATIONS

Rod DeBuhr and Prudence Sadler have completed the work on standardizing the format of the District's Rules and Regulations. In some cases the wording has been clarified and in others, spelling and grammar has been corrected. These rules and regulations will be printed in one publication to make it easier for all concerned to refer to. Rule 5, the Control Area Rules, have not been changed and therefore were not considered for change or review at the public hearing. The rules and regulations should be readopted as presented to the board during the public hearing.

Austin made the motion (Motion #13) to adopt the following District Rules and Regulations as amended: Rule 1 - Public participation at official meetings of the District; Rule 2 - Conduct of Informal, Non-Adjudicatory Public Hearing; Rule 3 - Conduct of Formal Adjudicatory Hearings before the District; Rule 4 - Rules and Regulations for the Enforcement of the Groundwater Management and Protection Act; Rule 6 - NRD Park Regulations; Rule 7 Chemigation Rules and Regulations Supplemental to Title 195 of the Department of Environmental Quality; and Rule 8 - Rules and Regulations for Implementing the Nebraska Erosion and Sediment Control Act. Seconded by Schulz. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Burke, Regier

ATTORNEY'S FEES - UNEMPLOYMENT COMPENSATION

Austin made the motion (Motion #14) to approve payment of \$90 to Crosby, Guenzel, Davis, Kessner & Kuester for legal work through January 20, 1994. Seconded by Moore. Question called. Motion carried.

AYE: Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: None

PASS: Austin

EXCUSED: Anderson, Buller, Burke, Regier

FAMILY AND MEDICAL LEAVE

The federal Family and Medical Leave Act of 1993 requires employers of 50 or more employees and government entities to grant up to 12 weeks of leave for specific family and personal reasons. This family and medical leave does not have to be paid leave but the employer must guarantee the employee the same job and status upon return from the leave. Turnbull reviewed a draft policy which meets the federal requirements.

Austin made the motion (Motion #15) to amend Personnel Policy No. 22 by striking all of the language, including the title, and replacing the same with the Family and Medical Leave policy as presented. Seconded by Jackson. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,

Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Burke, Regier

BUTLER COUNTY SCS CLERK'S SALARY REIMBURSEMENT

A statement has been received from the Lower Platte North NRD for this districts share of the Butler County field office clerk's wages for the first six months of the year.

Austin made the motion (Motion #16) to approve payment of \$3,000.50 to the Lower Platte North NRD for the Butler County field office clerk's salary from July 1 to December 31, 1993. Seconded by Jackson. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen

NAY: Ehlers

EXCUSED: Anderson, Buller, Burke, Regier

COMPUTER PURCHASE

Jay Bitner has requested that the district purchase an additional computer for the Projects Department to be dedicated to computer aided drafting. All of the drafting is now being done on computer instead of manually, which speeds up the work for the staff. However, this has created heavy demand for computer time. The computer now in use is best suited for word processing and mathematical computer models. A dedicated drafting computer needs more internal capacity to handle large and complicated blueprint type drawings, such as surveys, topographic maps, and construction drawings.

Two quotes for a computer with the necessary specifications were received. The quotes were as follows:

Gateway 2000	\$2,950.00
Computer Spectrum	\$3,500.00

Austin made the motion (Motion #17) to approve the purchase of a 486-DX66 computer, as specified, from Gateway 2000 for a cost not to exceed \$2,950.00 plus tax. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Siebert, Hansen

NAY: Volkmer

PASS: Moore, Schulz

EXCUSED: Anderson, Buller, Burke, Regier

EDUCATION AND PARKS COMMITTEE REPORT

Dickinson gave a report on the Education and Parks Committee meeting held February 15, 1994 and reviewed the committee report as distributed.

MODEL AQUIFER COST-SHARE APPLICATION

Polk-Hordville High School has requested assistance under the district's cost-share program to purchase a model aquifer. The University of Nebraska is selling the model and carrying case for \$350.00. The district's cost-share program provides assistance at the rate of 50 percent of the actual cost of the model with a limit of \$200.00 for the district's share (\$400.00 total cost).

Dickinson made the motion (Motion #18) that the Upper Big Blue NRD pay 50 percent of the actual cost of a model aquifer and carrying case, not to exceed \$175.00, for Polk-Hordville High School under the district's Model Aquifer for Schools Assistance Program. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Buller, Burke, Regier

FEBRUARY WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS

Dickinson made the motion (Motion #19) that the Upper Big Blue NRD Board of Directors approve payment of \$7,105 to the cooperators of the Wildlife Habitat Improvement Program for the month of February as submitted and reviewed. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Ediger, Houdersheldt, Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer, Hansen
NAY: Dickinson, Ehlers
PASS: Moore
EXCUSED: Anderson, Buller, Burke, Regier

COMMUNITY FORESTRY - CITY OF HENDERSON

Dickinson made the motion (Motion #20) that the Upper Big Blue NRD fund the City of Henderson in an amount not to exceed \$1,000 for trees to be planted on the Henderson Municipal Golf Course during FY94. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Buller, Burke, Regier

COMMUNITY FORESTRY - CITY OF YORK

Dickinson made the motion (Motion #21) that the Upper Big Blue NRD make payment of \$3,178.40 to the City of York for the trees planted along Highway 81 - South Lincoln Avenue. Seconded by Ehlers. Question called. Motion carried.

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AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Burke, Regier

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Oswald gave a report on the Budget, Planning & Legislative Committee meeting held February 16, 1994 and reviewed the committee report as distributed.

FINANCIAL STATEMENT

Volkmer made the motion (Motion #22) to approve the financial statement and budget report as of January 31, 1994; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Burke, Regier

Meeting adjourned at 2:58 p.m.

James K. Jackson
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 20, 1994

CALL TO ORDER

A regular Board of Directors meeting was called to order by chairman Larry Moore at 1:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Larry Moore, Chairman	Buzz Oswald, Vice Chairman
Jim Jackson, Secretary	Kenneth Regier, Treasurer
Yvonne Austin, Director	Steve Buller, Director
Doug Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Wayne Hansen, Director
Roger Houdersheldt, Director	Luke Jacobsen, Director
Roland Schulz, Director	Roger Siebert, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Rod DeBuhr, Staff
Prudence Sadler, Staff	Ken Feather, Staff
Jay Bitner, Staff	Kent Kopetzky, KAWL
Donna Rhoades, York News-Times	William Gilliam, LDC, York SCS
Merle Illian, Red Cloud SCS	Andy Christiansen, Extension
Dennis Schroeder, Aurora SCS	Ingrid Verstraeten, USGS
Dan Fitzpatrick, USGS	Grant Linder, RC, Aurora SCS

QUORUM CALL

Fifteen directors were present during quorum call.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each member as notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published January 10, 1994 in the York News-Times. The agenda is kept continually current and is readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

EXCUSED ABSENCES

Moore advised the board that requests for excused absences had been received from Bruce Anderson for January, February and March and Ray Burke for January and February.

Ehlers made the motion (Motion #1) to excuse the absences of Bruce Anderson from the January, February and March board meetings and the absences of Ray Burke from the January and February board meetings. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

Board of Directors
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NAY: None
ABSENT: Anderson, Burke

ADOPTION OF AGENDA

Volkmer made the motion (Motion #2) to approve the agenda for the Board of Directors meeting as presented. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None
EXCUSED: Anderson, Burke

APPROVAL OF MINUTES OF THE DECEMBER BOARD MEETING

Hansen made the motion (Motion #3) to approve the minutes of the December 16, 1993 Board of Directors meeting as distributed. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None
EXCUSED: Anderson, Burke

PROJECTS COMMITTEE REPORT

Oswald gave a report on the Projects Committee meeting held January 10, 1994 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Oswald made the motion (Motion #4) that payment of NSWCP land treatment funds be made in the amount of \$21,225.41 for 10 applications reviewed by the committee. Seconded by Jackson. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None
EXCUSED: Anderson, Burke

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Oswald made the motion (Motion #5) that five new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None
EXCUSED: Anderson, Burke

HARVARD FLOOD MITIGATION PROJECT - PROGRESS PAYMENT

The City of Harvard submitted expenses of \$14,850.00 for work completed on their flood mitigation project. \$12,993.75 of these expenses are eligible for reimbursement in accordance with our intergovernment cost-share agreement. The federal, state and district shares are as follows:

Federal	\$ 7,425.00
State	3,712.50
District	<u>1,856.25</u>
	\$12,993.75

Oswald made the motion (Motion #6) that the District reimburse the City of Harvard \$11,137.50 in state and federal funds when they are received, and \$1,856.25 in NRD intergovernment cost-share funds for work completed on the Harvard Flood Mitigation Project. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Burke

WATER COMMITTEE REPORT

Hansen gave a report on the Water Committee meeting held January 10, 1994 and reviewed the committee report as distributed.

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM TENTATIVE APPROVALS

Hansen made the motion (Motion #7) to give tentative approval to ten Aquifer Quality Well Abandonment Cost-share Assistance Program applications with a total estimated cost-share of \$1,976.25, as reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

PASS: Buller

EXCUSED: Anderson, Burke

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENT

Hansen made the motion (Motion #8) to approve final payment for twenty well abandonments reviewed by the committee totaling \$4,858.48. Seconded by Schulz. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

PASS: Buller

EXCUSED: Anderson, Burke

SPECIAL PROTECTION AREA NON-POINT SOURCE MONITORING PROGRAM

DeBuhr reviewed the revised USGS proposal for the monitoring program study for the Special Protection Area. The number of existing wells to be identified as monitoring sites has been increased from 100 to 200. DeBuhr indicated that when meeting with USGS and NDEQ it was discussed that part of the funding for the second through fifth years might be available through EPA 319 funds.

Ingrid Verstraeten and Dan Fitzpatrick of USGS were present at the board meeting to answer questions regarding the proposal.

Hansen made the motion (Motion #9) that the Board enter into an agreement with the U.S. Geological Survey for the first year of the saturated and unsaturated zone non-point source monitoring program at a 50/50 cost-share rate; the District's cost not to exceed \$32,850. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Moore

NAY: Volkmer

EXCUSED: Anderson, Burke

PILOT STUDY TO IMPROVE SPA AND GWMA EDUCATION PROGRAMS

The University of Nebraska Cooperative Extension is considering a program to evaluate groundwater education activities and would like to discuss using the Upper Big Blue SPA as the pilot area. Richard Ferguson, Associate Professor of Agronomy at Clay Center, has asked the district to choose a representative from the SPA Advisory Committee and the board to meet and discuss this idea.

The Water Committee authorized the staff to proceed with setting up the meeting.

MID-NEBRASKA DEMONSTRATION PROJECT

IRRIGATION EFFICIENCY EVALUATION USING POLYSONICS FLOW METER

Rod advised the Water Committee that Andy Christiansen had contacted him to discuss why the Board did not approve the purchase of the Polysonics flow meter in December.

Rod told the committee that the Board knows how the staff feels about the need for a water meter. In his opinion, if the issue is to be discussed further, it should be raised by a board member or other non-staff person.

Andy Christiansen and Dennis Schroeder were present at the Board meeting to discuss their proposal for use of the Polysonics flow meter.

Hansen made the motion (Motion #10) to purchase a Polysonics ISTT ultrasonic meter and Stresstel ultrasonic wall thickness gauge for \$8,494.50. Seconded by Jacobsen. Question called. Motion

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failed.

AYE: Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier
NAY: Austin, Buller Dickinson, Ediger, Ehlers, Schulz, Siebert, Volkmer, Moore
EXCUSED: Anderson, Burke

SPECIAL WATER COMMITTEE REPORT

Hansen gave a report on the Special Water Committee meeting held January 20, 1994.

NSWCP IRRIGATION WATER CONSERVATION PRACTICE

The Natural Resources Commission will consider the adoption of a new cost-share practice for water quantity and water quality as part of the NSWCP program at their January 25 and 26 meeting. The Commission has asked NRDs to comment on the proposed program.

Such a program could provide state-funded assistance in implementing several best management practices that the district has been promoting in an effort to conserve groundwater and reduce non-point source groundwater contamination. The proposal that was sent out was somewhat sketchy, but seemed to propose some changes to NSWCP that might not be in the best interest of this district.

Hansen made the motion (Motion #11) that the district oppose the concepts of the proposed NSWCP irrigation water conservation practice. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Burke

WATER RELATED LEGISLATION

On January 18 the office received notice of several public hearings on bills relating to NRD water issues the district, is involved with. Due to the short notice staff decided to ask the Water Committee to make recommendations to the Board regarding the district's position on these bills and whether or not to testify.

LB 940: Ground Water ' Management Plans /Endangered Species Act; introduced by Bromm and Others. Hearing January 21st.

This bill would exempt the NRDs management plans from the Endangered Species Act.

Recommendation: to support LB 940.

LB 963: Transfer of Ground Water for Agricultural Purposes; Introduced by McKenzie and others. No hearing set.

This bill proposes criteria to allow transfers of groundwater away from overlying land. If an

affected party objects to a proposed transfer, the NRD must do an investigation. If the NRD has reason to believe that there may be cause to deny an application DWR can hold a public hearing to deny the transfer.

This bill would undermine our control area regulations which now prohibit new transfers.

Recommendation: to oppose LB 963, or seek amendments that would exempt control areas and management areas that already have transfer regulations.

LB 981: Cost-sharing for abandoned wells; introduced by Beutler. Hearing is January 20th.

This bill requires NRDs to have an abandoned well cost-share program. It sets cost-share limits and requires NRDs to abandon at least 30 wells per year or lose NSWCP and Resource Development Funds.

Recommendation: To oppose LB 981 and provide written objection to the state senators.

LB 1017: SPAs/Water Management Plan; Introduced by McKenzie and Moore. Hearing January 21st.

This is our bill to exempt us from writing a groundwater management plan.

Recommendation: To support LB 1017 and testify.

LB 1030e: Amend Chemigation Act; introduced by Beutler. Hearing is January 19th.

Requires NRDs to inspect sites every two years. Includes inspection of chemigation related storage tanks. Raises fees to \$35 for renewals and \$55 for new permits. Fees are currently \$10 and \$30. Contains emergency clause so it would go into effect this growing season.

Recommendation: Oppose LB 1030e and send written comments to senators.

LB 1084: Penalties for not having an approved ground water management Plan; Introduced by Beutler. Hearing January 21st.

This bill would make NSWCP funds, Resource Development Funds, federal funds and property tax relief unavailable to an NRD that did not have an approved ground water management plan by March 1, 1995.

Recommendation: To oppose LB 1084 and testify.

Hansen made the motion (Motion #12) to adopt staff recommendations on LB 940, LB 963, LB 981,

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LB 1017, LB 1030e and LB 1084. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Burke

EDUCATION AND PARKS COMMITTEE REPORT

Dickinson gave a report on the Education and Parks Committee meeting held January 12, 1994 and reviewed the committee report as distributed.

TRAILBLAZER RC&D

The Trailblazer RC&D is asking the Upper Big Blue NRD to send a member and alternate to the Trailblazer RC&D Council and to provide \$100.00 for the RC&D for 1994.

Dickinson made the motion (Motion #13) that the Upper Big Blue NRD pay \$50 to the Trailblazer RC&D for 1994. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald,
Schulz, Siebert

NAY: Dickinson, Moore

PASS: Regier, Volkmer

EXCUSED: Anderson, Burke

Dickinson made the motion (Motion #14) that the Upper Big Blue NRD authorize Hugh C. Wilkins of Geneva to serve as the District's representative and Merlin Volkmer as alternate on the Trailblazer RC&D Council. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Schulz, Siebert, Moore

NAY: None

PASS: Regier, Volkmer

EXCUSED: Anderson, Burke

MASTER CONSERVATIONIST AWARD NOMINEE SELECTION

The Omaha World-Herald presents the Master Conservationist Award to five farm or ranch families in Nebraska each year. The recipients are recognized for long-standing use of soil and water conservation methods in their operations. The Upper Big Blue NRD frequently sends a nominee, usually a previous NRD Farm Conservation Award winner. Dickinson made the motion (Motion #15) that the Upper Big Blue NRD nominate Allen Klute and family for the Omaha World-Herald's Master Conservationist Award. Seconded by Hansen. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Burke

AURORA AREA TRAIL DEVELOPMENT

The district has encouraged the City of Aurora, Hamilton County, and the Prairie/Plains Resources Institute to coordinate on grant applications to continue development of a hiking trail system that will connect Streeter Parks with Pioneer Trails Recreation Area. The Nebraska Department of Roads has grant money available for this sort of project under the ISTEA program. The City of Aurora is applying for an ISTEA grant to develop a trail in Streeter Park and in the portion of Lincoln Creek Parkway within the city limits. The city has requested a resolution of support from the NRD.

Dickinson made the motion (Motion #16) that the Upper Big Blue NRD adopt a resolution in support of the City of Aurora's proposed hiking trail development in Streeter Park and the Lincoln Creek Parkway. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Burke

SOIL AND WATER STEWARDSHIP WEEK

This year's Soil and Water Stewardship Week will be observed April 24 - May 1. The theme is Partners in Stewardship.

Dickinson made the motion (Motion #17) that the Upper Big Blue NRD supply bulletin covers or inserts to interested churches within the district, as it has in the past. In addition, that the NRD supply reference books to aid in sermon or program preparation to each church that orders bulletin covers or inserts. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Siebert, Volkmer, Moore

NAY: None

PASS: Schulz

EXCUSED: Anderson, Burke

NEW WILDLIFE HABITAT CONTRACT

Dickinson made the motion (Motion #18) that the Upper Big Blue NRD accept Ed Ohlschwager's wildlife contract, which was reviewed by the committee, into the Wildlife Habitat Improvement Program for the amount of \$315. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer, Moore

NAY: Dickinson, Ehlers, Siebert

EXCUSED: Anderson, Burke

SEEDING AND FENCING - B.A.B., INC.

The seeding and mulching has been completed on Projects 17-7-5W (Tom Alberts Dam) and Project 4-13-2E (Stara Dam). The fencing has been started but not completed on Project 4-13-2E (Stara

Dam).

Dickinson made the motion (Motion #19) that the Upper Big Blue NRD make a payment of \$8,267, with \$826.70 to be held as retainage, for the work completed through January 3, 1994 on Project 17-7-5W (Tom Alberts Dam) and Project 4-13-2E (Stara Dam) Seconded by Hansen. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Burke

EXECUTIVE COMMITTEE REPORT

Oswald gave a report on the Executive Committee meeting held January 12, 1994 and reviewed the committee report as distributed.

FOURTH QUARTER DIRECTORS' PER DIEM AND EXPENSES

Oswald made the motion (Motion #20) to approve payment of fourth quarter directors, per them and expenses of \$5,300 and \$1,954.16. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Burke

DISTRICT RULES AND REGULATIONS - REVISIONS AND PUBLICATIONS

Rod DeBuhr and Prudence Sadler have been working on standardizing the format of the district's rules and regulations. In some cases the wording has been clarified. In addition spelling and grammar have been corrected. These rules and regulations will be printed in one publication to make it easier for all concerned to refer to. Because of the changes a public hearing is advised before their readoption Rule 5, Control Area Rules, have not been changed and therefore will not be considered for change or reviewed at the public hearing. The rules and regulations to be included in the publication are: Rule 1: Public participation at official meetings of the District; Rule 2: Conduct of Informal, Non-Adjudicatory Public Hearings; Rule 3: Conduct of Formal Adjudicatory Hearings before the District; Rule 4: Rules and Regulations for the Enforcement of the Groundwater Management and Protection Act; Rule 5: Upper Big Blue Natural Resources District Control Area Rules and Regulations; Rule 6: NRD Park Regulations; Rule 7: Chemigation Rules and Regulations Supplemental to Title 195 of the Department of Environmental Quality; and Rule 8: Rules and Regulations for Implementing the Nebraska Erosion and Sediment Control Act.

Oswald made the motion (Motion #21) to set February 17, 1994 as the public hearing date for the readoption of rules 1,2,3,4,6,7 and 8, and to direct staff to publish the proper legal notice. Seconded by Regier. Question called. Motion carried.

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AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Regier, Schulz, Siebert, Moore
NAY: None
PASS: Volkmer
EXCUSED: Anderson, Burke

NACD DUES

Oswald made the motion (Motion #22) to approve payment of \$550.00 to the National Association of Conservation Districts for 1994 dues. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Regier, Schulz, Siebert, Volkmer, Moore
NAY: None
EXCUSED: Anderson, Burke

NEBRASKA WATER RESOURCES ASSOCIATION

Oswald made the motion (Motion #23) to approve payment of \$1,000 to the Nebraska Water Resources Association for 1994 dues. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Jackson, Jacobsen, Oswald,
Regier, Schulz, Siebert, Volkmer, Moore
NAY: Houdersheldt
EXCUSED: Anderson, Burke

WASHINGTON, D.C. TRIP - REPLACEMENT FOR BUZZ OSWALD

Buzz Oswald is unable to attend the Washington, D.C. trip in March, so the Board needs to select someone to attend in his place.

Oswald made the motion (Motion #24) to approve out-of-state travel for Roger Siebert to attend the federal government contact trip in March in his place. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Regier, Schulz, Volkmer, Moore
NAY: None
PASS: Siebert
EXCUSED: Anderson, Burke

OPERATING POLICIES

The Executive Committee reviewed the draft operating policies, including those suggested by the auditor.

Oswald made the motion (Motion #25) to approve the following operating policies: No. 18: Collection of Funds and Cash; No. 19: Banks and Financial Accounts; No. 20: Obligation of District Funds; No. 21: Actual Expenditures of Funds; No. 23: District Petty Cash; No. 24: District Financial

Records; No. 25: Treasurer's Bond, and Corporate Surety Bonds; No. 26: Procedure for Hiring Consultants; No. 27: Competitive Bidding; and No. 28: Emergency Purchasing Authority. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer, Moore

NAY: None

ABSENT: Siebert

EXCUSED: Anderson, Burke

FINANCIAL STATEMENT

Volkmer made the motion (Motion #26) to approve the financial statement and budget report as of December 31, 1993; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Burke

NOMINATING COMMITTEE REPORT

Houdersheldt reported to the Board on the Nominating Committee's recommendations for board officers. He advised the Board that the committee had come up with two nominees for all positions, except the office of chairman.

Chairman Moore advised the Board that nominations from the floor would be accepted for any of the offices. He appointed Prudence Sadler and Ken Feather to collect and count the ballots.

ELECTION OF CHAIRMAN

The nominating committee submitted the name of Larry Moore for the office of chairman. Ehlers nominated Wayne Hansen.

Jackson made the motion (Motion #27) that nominations for the office of chairman cease and ballots be cast. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Burke

Moore received seven votes and Hansen eight. Hansen will serve as chairman for a term of one year.

ELECTION OF VICE CHAIRMAN

The nominating committee had submitted the names of Wayne Hansen and Yvonne Austin for the

office of vice chairman. Because Hansen was nominated and elected to the office of chairman his name was withdrawn. Ehlers nominated Luke Jacobsen for the office of -vice chairman.

Moore made the motion (Motion #28) that nominations for the office of vice chairman cease and ballots be cast. Seconded by Jackson. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Burke

Jacobsen received five votes and Austin 10. Austin will serve as -vice chairman for a term of one year.

ELECTION OF SECRETARY

The nominating committee submitted the names of Jim Jackson and Merlin Volkmer for the office of secretary.

Ehlers made the motion (Motion #29) that nominations for the office of secretary cease. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Burke

Jackson received nine votes and Volkmer six. Jackson will serve as secretary for a term of one year.

ELECTION OF TREASURER

The nominating committee submitted the names of Ken Regier and Steve Buller for the office of Treasurer.

Moore made the motion (Motion #30) that nominations for the office of treasurer cease and ballots be cast. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Burke

Regier received three votes and Buller 11. Buller will serve as treasurer for a term of one year.

NARD REPRESENTATIVE

The nominating committee submitted the names of Bob Ehlers and Doug Dickinson for NARD

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representative.

Moore made the motion (Motion #31) to vote for the NARD representative for 1994; the winner being the representative and the runner-up serving as the alternate for 1994. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Jacobsen,
Oswald, Regier, Schulz, Siebert, Volkmer, Moore

NAY: None

EXCUSED: Anderson, Burke

Dickinson received seven votes and Ehlers eight. Ehlers will serve as NARD representative and Dickinson will serve as alternate for a term of one year.

Meeting adjourned at 4:05 p.m.

James K. Jackson, Secretary
:nds