

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 19, 1995

CALL TO ORDER

A regular board of directors meeting was called to order by chair-man Wayne Hansen at 1:30 p.m. in the Bremer Community Center, 1604 L Street, Aurora, 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	Luke Jacobsen, Director
Larry Moore, Director	Louis Oswald, Director
Kenneth Regier, Director	Roland Schulz, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Prudence Sadler, Staff
Jay Bitner, Staff	Rod DeBuhr, Staff
Ken Feather, Staff	Steve Moran, RWBTI
Mark Mainielli, Lincoln	Bill Gilliam, York NRCS
Donna Rhoades, YNT	Ray Naber, Seward Co. Comm.
Richard Bristol, Aurora	Barb Friskapp, Kearney
Dana Morse, Blue Beacon	Tim Mapes, Blue Beacon
Devon Liston, Aurora	Hap Fruits, Aurora News-Register
Dennis Schroeder, Aurora NRCS	

ROLL CALL

13 directors were present during quorum call.. Ediger and Schulz 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 January 9, 1995 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

Jacobsen made the motion (Motion #1) to excuse the absence of Roger Siebert and Roger Houdersheldt, as requested. Seconded by Burke. Question called. Motion carried.

A YE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

ABSENT: Ediger, Houdersheldt, Schulz, Siebert

ADOPTION OF AGENDA

Volkmer made the motion (Motion #2) to approve the agenda for the board of directors meeting as presented. Seconded by Burke. Question called. Motion carried.

A YE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: Schulz

APPROVAL OF MINUTES OF THE DECEMBER 15, 1994 BOARD MEETING

Oswald made the motion (Motion #3) to approve the minutes of the December 15, 1994 board of directors meeting as distributed. Seconded by Dickinson. Question called. motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
EXCUSED: Houdersheldt, Siebert
ABSENT: Schulz

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held January 9, 1995 and reviewed the committee report as distributed.

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
NEW APPLICATIONS

Regier made the motion (motion #4) that three new applications for AQWACAP cost-share funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore,
Oswald, Regier, Volkmer, Hansen
NAY: None
PASS: Buller
EXCUSED: Houdersheldt, Siebert
ABSENT: Schulz

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
PAYMENTS

Regier made the motion (motion #5) that payment of AQWACAP costshare funds be made in the amount of \$1,519.76 for nine applications reviewed by the committee. Seconded by Volkmer. Question called. motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore,
Oswald, Regier, Volkmer, Hansen
NAY: None
PASS: Buller
EXCUSED: Houdersheldt, Siebert
ABSENT: Schulz

RAINWATER BASIN JOINT VENTURE PROPOSAL

Steve Moran, Rainwater Basin Joint Venture Coordinator, presented a plan to design wetland habitat into dams and reservoirs built by the district. The plan calls for constructing wetlands as part of a project only if it is agreeable to all parties. Any extra cost associated with constructing a wetland as part of the project would be paid by corporations, agencies or individuals other than the district.

Regier made the motion (motion #6) that the district accept the Rainwater Basin Joint Venture proposal, as presented, for incorporating wetlands into dams and reservoirs built by the district and to incorporate the concept into district dam building programs on a trial basis. Seconded by Oswald.

There was some concern expressed about potential problems that might arise if an artificial wetland were created as a component of a dam or reservoir on private land where the district did not hold title or perpetual easement.

one specific concern was what would happen once the ten year agreement with the landowner had terminated. Would the wetland have to be maintained or could the landowner return the land to its previous use?

Barb Friskapp, of the Corps of Engineers in Kearney, stated that she felt that if the wetland were designed for wetland mitigation there would need to be a perpetual easement. If the wetland were designed for the purpose of wetland enhancement under a special agreement, at the end of the agreement it could be restored to its previous use.

Ehlers amended the motion to make the motion (motion #7) to strike the word "built" and replace with the word "controlled" and add the words "subject to annual review". Seconded by Dickinson. Question called on the amendment. Amendment carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: None

Question called on the original motion as amended to read: "that the District accept the Rainwater Basin Joint Venture proposal, as presented, for incorporating wetlands into dams and reservoirs controlled by the district, and to incorporate the concept into district dam building programs on a trial basis, subject to annual review". Motion carried as amended.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Hansen

NAY: Volkmer

EXCUSED: Houdersheldt, Siebert

ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (motion #8) that six 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, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: None

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #9) 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, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: None

SUTTON FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

The State Civil Defense has determined that an additional \$5,774.00 in federal funds and \$2,887.00 in state funds are available to be claimed from the 1990 disaster declaration. Staff recommends that claim #5, which was submitted in December 1994, be revised to claim the remaining balance of state and federal funds from the 1990 declaration.

Regier made the motion (Motion #10) that claim #5 for \$17,569.32, which was considered for payment at the December 1994 board meeting, be revised to include \$6,750.00 carry-over from claim #4; that the total of claim #5 be revised to \$24,319.32, and that payment to the City of Sutton under this claim be revised to include \$5,774.00 in federal funds, \$2,887.00 in state funds and \$7,829.16 in district funds. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: None

SUTTON FLOOD CONTROL DAM 2-7-5W

VanKirk Construction has filed a claim for extra work required to obtain borrow from the golf course located adjacent to the dam. During the design phase of the project the city assured the district that 5,000 cubic yards of earth fill would be stockpiled during golf course construction for use in construction of the dam. The city, Golf Course Association, and the contractor were aware of this requirement, but decided not to stockpile the needed earth fill. In order to get adequate fill material the contractor had to strip, regrade and reseed part of the constructed golf course and is claiming \$5,886.00 for the extra work required.

A meeting was held December 12, 1994 to negotiate a settlement on this claim. VanKirk Construction to pay \$975.00 for the cost of reseeded. The district offered to pay \$1,800.00 for the diversion if the city would pay \$3,111.00 for removing and replacing the topsoil. The city indicated they would consider this settlement offer.

Regier made the motion (Motion #11) that the district agree to pay \$1,800.00 of VanKirk Construction's claim for extra work to obtain borrow for construction of Project 2-7-5W, if the City of Sutton agrees to pay \$3,111.00 of the claim. Seconded by Volkmer.

Jay told the board that he had been informed that the Sutton City Council had voted to pay the \$3,111.00.

Some of the board members objected to the expenditure of additional funds for this project. Jay informed the board that he was accounting for the \$1,800.00 settlement as a part of the \$191,250.00 limit set forth in the agreement with the City of Sutton for the Sutton Flood Hazard Mitigation Project.

Volkmer amended the motion to make the motion (motion #12) to insert the words "as a part of the 191,250. 00 limit" . Seconded by Austin. Question called on the amendment. Amendment carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: None

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

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: None

HARVARD FLOOD MITIGATION PROJECT - PROGRESS PAYMENT

The City of Harvard filed a claim for \$52,984.24 for work completed through December 1994. The federal share is \$26,492.12, state civil defense share is \$13,246.06, the city's share is \$6,623.03 and the district's share is \$6,623,03 in accordance with previous agreements.

Regier made the motion (motion #13) that the district reimburse the City of Harvard \$39,738.18 in state and federal funds, when they are received, and \$6, 623.03 in district funds for work completed on the Harvard Flood Mitigation Project. Seconded by Anderson. Question called. Motion carried.

- AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Volkmer, Hansen
- NAY: None
- EXCUSED: Houdersheldt, Siebert
- ABSENT: None

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Oswald gave a report on the Budget, Planning & Legislative Committee meeting held January 12, 11995 and reviewed the committee report as distributed.

NARD BY-LAWS

The NARD asked the districts to offer suggestions for improving their by-laws.

Oswald made the motion (motion #14)~ to recommend to the NARD Board of Directors that the following changes be incorporated into the NARD bylaws:

1. Article II, Section 7 (Reinstatement of member) be amended to read "A member whose membership has been terminated for failure to pay dues shall be entitled to reinstatement by the Board of Directors upon payment of all delinquent dues ~~together with a delinquent fee as determined by the Board of Directors.~~
2. Article V, Section 3, (Checks , Drafts, etc.) be amended to prohibit the Executive Director from signing checks issued to him or herself for any purpose.
3. Article VI, Sections 3, 4, 5, and 6, (Legislative and Government Affairs Committee, Budget Committee, Information and Education Committee, and Program and Planning Committee) be amended so that the sections read “.....Committee shall be comprised of ~~one~~ two representatives from each of the six regions.....”.
4. Article VI, Section 11, (Committee appointments) be amended to limit an individual director's consecutive terms on committee to a a certain number of years, except this limitation not apply to the Retirement or Insurance committees.

Seconded by Ediger. Question called. Motion carried.

- AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Volkmer, Hansen
- NAY: None
- EXCUSED: Houdersheldt, Siebert
- ABSENT: None

PROPOSED LEGISLATION

LB 108 - CONJUNCTIVE USE LEGISLATION

Under this bill the existing Control Areas and Special Protection Areas would be incorporated into Management Areas. Although Water Council members have stated that the intent is not to

change existing regulations or to require the writing of Groundwater Management Plans for this District, various sections of the bill do in fact make such requirements. The adoption process of a Management Plan would require the district to reopen discussions on controls and regulations.

Oswald made the motion (Motion #15)

Whereas, the District has an existing Control Area with regulations in effect and a Special Protection Area with an Action Plan and regulations in effect, all of which have been reviewed and approved by the Department of Water Resources and the Department of Environmental Quality respectively;

Therefore, the District ask for amendments in the Conjunctive Water Use Legislation, currently LB 108, to clarify that this District will not be required to rewrite or readopt its existing Control Area Regulations, its SPA Action plan, or SPA Regulations due to the consolidation of statutes dealing with the Groundwater Management Act;

Further, such amendments should clarify that the District not be required to prepare, adopt or amend a Groundwater Management Plan for any area of the District now encompassed by the Control Area or Special Protection Area because of future rule and regulation changes in either the District's Control Area or Special Protection Area rules and regulations.

Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Hansen

NAY: Volkmer

EXCUSED: Houdersheldt, Siebert

ABSENT: None

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held January 12, 1995 and reviewed the Committee report as distributed.

BUILDING PROGRESS PAYMENT

The foundation work is complete and some of the heating and electrical have been installed in the floor area.

Austin made the motion (Motion #16 that JLC, Incorporated be paid \$20,840.00; \$2,084.00 of which is to be held as retainage, for work completed in December 1994 on the office building project. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Bullet ,, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobs n,
Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: Schulz

FOURTH QUARTER DIRECTORS' PER DIEM AND EXPENSES

Austin made the motion (Motion #11) to approve payment of fourth quarter directors' per them of \$4,\$00.00 and expenses of \$1,515.82. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Bullet, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: Schulz

ATTORNEY'S FEES

Austin made the motion (Motion #10) to approve payment of \$495.00 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through December 20, 1994. Seconded by Oswald. Question called. motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: None

ALL TERRAIN VEHICLE PURCHASE

\$7,000.00 was budgeted in FY 95, to purchase two all terrain vehicles for the Water Department for use in chemigation inspection. Four dealers provided quotes.

Austin made the motion (Motion #15) that the district purchase a Kawasaki 300 4-wheel drive ATV and two loading ramps from Doug's Garage and Machine of Geneva at a cost of \$4,335.00, plus tax, and further that the board authorize the four month lease (June September) of a Kawasaki 300 4-wheel drive ATV from the same dealer at a cost of \$950.00. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: None

STUDENT INTERNSHIP

The district has on occasion hired student interns for specific work as a part of the student's school requirements. Several students have approached the district in the past two months regarding an internship.

The Water Department could use help during the summer months and is asking for authorization to hire an Environmental Sciences senior student on a summer internship dealing with water quality.

Austin made the motion (Motion #20) that the manager be authorized to hire a student intern for water quality work in the Water Department for an hourly wage of \$4.47 for a maximum of 400 hours during the months of June through September. Seconded by Burke. Question called. motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Hansen

NAY: Volkmer

EXCUSED: Houdersheldt, Siebert

ABSENT: None

FINANCIAL STATEMENT

Burke made the motion (motion #21) to approve the financial statement and budget report as of December 31, 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, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: None

NOMINATING COMMITTEE REPORT

Ehlers reported to the board on the Nominating Committee's recommendations for board officers.

Chairman Hansen advised the board that nominations from the floor would be accepted for all of the offices. He appointed Rod DeBuhr and Jay Bitner to collect and count the ballots.

ELECTION OF CHAIRMAN

The nominating committee submitted the names of Wayne Hansen and Doug Dickinson for the office of chairman.

Chairman Hansen asked Vice Chairman Austin to chair the meeting during the voting for chairman.

Moore made the motion (Motion #22) that nominations for the office of chairman cease and ballots be cast. Seconded by Jackson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Volkmer

NAY: None

ABSTAIN: Hansen

EXCUSED: Houdersheldt, Siebert

ABSENT: None

Hansen received 13 votes and Dickinson received 2 votes. Hansen will serve as chairman for a term of one year.

ELECTION OF VICE CHAIRMAN

The nominating committee submitted the names of Yvonne Austin and Luke Jacobsen for the office of vice chairman.

Burke made the motion (motion #23) that nominations for the office of vice chairman cease and ballots be cast. Seconded by Moore. Question called. motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: None

Austin received 12 votes and Jacobsen received 3 votes. 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 Roger Houdersheldt for the office of secretary.

Anderson made the motion (motion #24) that nominations for the office of secretary cease and ballots be cast. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jacobsen, Moore,
Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

PASS: Jackson

EXCUSED: Houdersheldt, Siebert

ABSENT: None

Jackson received 11 votes and Houdersheldt received 4 votes. Jackson will serve as secretary for a term of one year.

ELECTION OF TREASURER

The nominating committee submitted the names of Steve Buller and Roger Siebert for the office of treasurer.

Burke made the motion (Motion #25) that nominations for the office of treasurer cease and ballots be cast. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: None

Buller received 13 votes and Siebert received 2 votes. Buller will serve as treasurer for a term of one year.

NARD REPRESENTATIVE

The nominating committee did not submit any names for the NARD representative or alternate. Nominations from the floor were called for. Ehlers and Dickinson were nominated.

Jackson made the motion (Motion #26) to vote for the NARD Representative for 1995; the winner being the Representative and the runner-up serving as the Alternate for 1995. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Houdersheldt, Siebert

ABSENT: None

Dickinson received 8 votes and Ehlers received 7 votes.

Dickinson requested that Ehlers be named as the NARD Representative and that he be allowed to serve as the Alternate for 1995.

Austin made the motion (Motion #27) to accept Doug's request to be made alternate and let Bob be the representative. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Schulz, Volkmer, Hansen

NAY: Regier

EXCUSED: Houdersheldt, Siebert

ABSENT: None

Ehlers will serve as NARD Representative and Dickinson will serve as Alternate for 1995.

Meeting adjourned at 3:30 p.m..

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
FEBRUARY 16, 1995

CALL TO ORDER

A regular board of directors meeting was called to order by chairman Wayne Hansen at 1:30 p.m. in the Seward Civic Center, 616 Bradford, Seward, Nebraska.

PRESENT

Wayne Hansen, Chairman	Yvonne Austin, Vice Chairman
Jim Jackson, Secretary	Steve Buller, Treasurer
Doug Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Roger Houdersheldt, Director
Luke Jacobsen, 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
Ken Feather, Staff	Roger Grunke, Seward
Larry Wentink, Seward	Bob Elwell, Seward
John M. Hughes, Seward	Dan Berlowitz, Seward
Leslie Nelson, Seward	Pat Dickinson, Seward
Sharon Glawatz, Seward	Mel Varner, Seward
Jerry Larson, Seward	Orville Walz, Seward
Ralph N. Toovey, Seward	Don Bauer, Seward
Virginia Peterson, Seward	Don Peterson, Seward
Leo Deremer, Seward	Vernon Curtis, Milford
Leonard E. Schlueter, Seward	Jean Kolterman, Seward
Lori Shriner, Seward County Independent	

ROLL CALL

14 directors were present during quorum call. Houdersheldt arrived prior to 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 February 2, 1995 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 Ray Burke. Seconded by Oswald. Question called. motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Anderson, Burke, Houdersheldt

ADOPTION OF AGENDA

Regier 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: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Burke
ABSENT: Anderson

APPROVAL OF MINUTES OF THE JANUARY 19, 1995 BOARD MEETING

Oswald made the motion (Motion #3) to approve the minutes of the January 19, 1995 board of directors meeting as distributed. Seconded by Volkmer. Question called. motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Burke
ABSENT: Anderson

SEWARD PLUM CREEK FLOOD HAZARD MITIGATION PROJECT

Jay Bitner made a presentation to the board about the Seward Plum Creek Flood Hazard Mitigation Project. The project grant applications have been submitted for funding. A request is going through State Civil Defense for FEMA funds for a property buy out of lands and structures in the flood plain. An application has also been filed with the Department of Roads for ISTEAFunds for trail construction through the acquired lands next to Plum Creek. Several local citizens spoke against the joint NRD-City-County effort. The Seward Chamber of Commerce and the City Administrator spoke in favor of the plan and urged that the project move forward.

PROJECTS COMMITTEE REPORT

Houdersheldt gave a report on the Projects Committee meeting held February 6, 1995 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #4) that ten 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, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Burke
ABSENT: Anderson

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 \$5,708.50 for two applications reviewed by the committee. Seconded by Moore. Question called. motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Burke
ABSENT: Anderson

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #6) that four new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,

Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Burke
ABSENT: Anderson

JOHNSON CREEK WATERSHED - SITE #23

Staff advised the board that discussions with the landowners at Johnson Creek Site #23 indicated they are not in favor of construction of the dam. Staff recommends that this project be suspended. Houdersheldt made the motion (Motion #7) that Project 28-9-IE, Johnson Creek Site #23, be suspended. Seconded by Jacobsen. Question called. motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Burke
ABSENT: Anderson

WATER COMMITTEE REPORT

Moore gave a report on the Water Committee meeting held February 6, 1995 and reviewed the committee report as distributed.

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM TENTATIVE APPROVALS

Moore made the motion (Motion #8) to give tentative approval to seven Aquifer Quality Well Abandonment Cost-share Assistance Program applications with a total estimated cost-share of \$1,768.55. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore,
Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
PASS: Buller
EXCUSED: Burke
ABSENT: Anderson

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS

Moore made the motion (Motion #9) to make final payment for one Aquifer Quality Well Abandonment Cost-share Assistance Program application with a total actual cost-share of \$300.00. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Burke
ABSENT: Anderson

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held February 9, 1995 and reviewed the committee report as distributed.

COMMITTEE ASSIGNMENTS

The Executive Committee has assigned individual board members to standing committees. The assignments, once ratified by the board, are for a two year term.

Austin made the motion (Motion #10) to approve the committee assignments as presented. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Burke
ABSENT: Anderson

BUILDING PROGRESS PAYMENT

JLC, Incorporated has requested payment for work completed in January, which includes the floor slabs, trusses, and rough carpentry.

Austin made the motion (Motion #11) that JLC, Incorporated be paid \$28,520.00, \$2,852.00 of which is to be held as retainage, for work completed in January 1995 on the office building project. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Burke
ABSENT: Anderson

LOWER PLATTE NORTH NRD SALARY REIMBURSEMENT

The district has been billed \$3,455.64 for clerical salaries for the period of July 1 to December 31, 1994 which is our share of Butler County NRCS office staff.

Austin made the motion (Motion #12) to approve payment of \$3,455.64 to the Lower Platte North NRD for the Butler County NRD clerk's salary reimbursement from July 1 to December 31, 1994. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Burke
ABSENT: Anderson

EDUCATION & PARKS COMMITTEE REPORT

Dickinson gave a report on the Education & Parks Committee meeting held February 9, 1995 and reviewed the committee report as distributed.

SOIL AND WATER STEWARDSHIP WEEK

The theme of the 1995 Soil and Water Stewardship Week is "The Living Waters. " In the past years, the district has provided bulletin covers or inserts and clergy resource guides for those area churches that requested them. Assuming a similar number of materials are requested this year as were last year, the total cost would be under \$200, excluding postage.

Dickinson made the motion (Motion #13) that the Upper Big Blue NRD supply soil and water stewardship week bulletin covers or inserts and resource guides to interested churches within the district. Seconded by Oswald. Question called. motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Burke
ABSENT: Anderson

TRAILBLAZER RC&D COUNCIL MEMBER

On January 20, 1994 the district appointed Hugh C. Wilkins of Geneva to serve as the district's representative and Merlin Volkmer as the alternate on the Trailblazer RC&D council. Volkmer requested that the district reverse the appointment, making Wilkins the alternate and Volkmer the representative. Volkmer reports that Wilkins is agreeable to this.

Dickinson made the motion (Motion #14) that the Upper Big Blue NRD appoint Merlin Volkmer to serve as the district's representative and Hugh C. Wilkins as alternate on the Trailblazer RC&D council. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Siebert, Hansen

NAY: None

PASS: Volkmer

EXCUSED: Burke

ABSENT: Anderson

FEBRUARY WILDLIFE PAYMENTS

Dickinson made the motion (motion #15) that the Upper Big Blue NRD make payment of \$7,420.00 to the cooperators in the Wildlife Habitat Improvement Program for the month of February. Seconded by Volkmer. Question called. motion carried.

AYE: Austin, Buller, Ediger, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz,
Volkmer, Hansen

NAY: Dickinson, Ehlers

PASS: Moore, Siebert

EXCUSED: Burke

ABSENT: Anderson

RESTROOMS AT SMITH CREEK RECREATION AREA

Dickinson made the motion (Motion #16) that the Upper Big Blue NRD instruct the Seward High School Industrial Arts Class to proceed with construction of a vault type handicapped accessible restroom. for Smith Creek Recreation Area with an estimated cost of \$6,000.00. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Siebert, Volkmer, Hansen

NAY: None

PASS: Schulz

EXCUSED: Burke

ABSENT: Anderson

HENDERSON TREE PLANTING - MUNICIPAL GOLF COURSE

Dickinson made the motion (Motion #17) that the Upper Big Blue Natural Resources District fund tree planting at the Henderson Municipal Golf Course in the City of Henderson. The amount is not to exceed \$1,000.00. Planting is to take place during fiscal year 95. Seconded by Regier. Question called. motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Burke

ABSENT: Anderson

DISTRICT TREE SPRAYING PROGRAM

Dickinson made the motion (motion #18) that the Upper Big Blue NRD discontinue the spraying of trees for weed control. Seconded by Ediger. Question called. motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Burke
ABSENT: Anderson

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Siebert gave a report on the Budget, Planning & Legislative Committee meeting held February 9, 1995 and reviewed the committee report as distributed.

LB 108 - CONJUNCTIVE WATER USE

Siebert made the motion (Motion #19) that the district support LB 108 with amendment requests as per the January board meeting, and further that the district testify accordingly at public hearings. Seconded by Austin.

Austin amended the motion to make the motion (Motion #20) to strike "that the district testify" and replace with "that John Turnbull testify". Seconded by Houdersheldt. Question called on the amendment. Amendment carried.

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore,
Oswald, Regier, Schulz, Siebert, Hansen
NAY: Buller, Volkmer
EXCUSED: Burke
ABSENT: Anderson

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

AYE: Austin, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore,
Oswald, Regier, Schulz, Siebert, Hansen
NAY: Buller, Volkmer
EXCUSED: Burke
ABSENT: Anderson

FERTILIZER TAX

Siebert made the motion (Motion #21) that the district support the elimination of the sunset provision of the \$1.00 @ ton fertilizer tax provided that the monies collected be returned to the districts for water quality programs as currently outlined in existing statutes. Seconded by Jacobsen.

Following some discussion Dickinson amended the motion to make the motion (motion #22) to strike the words "that the district support the elimination of the sunset provision..." and insert the words "if a proposal is made to eliminate the sunset provision". Seconded by Ehlers. Question called on the amendment. Amendment carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Hansen
NAY: Regier, Schulz, Siebert, Volkmer
EXCUSED: Burke
ABSENT: Anderson

Question called on the original motion as amended to read "If a proposal is made to eliminate the sunset provision of the \$1.00 @ ton fertilizer tax that this district support the effort provided that the monies collected be returned to the districts for water quality programs as currently outlined in existing statutes." Motion carried as amended.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Hansen
NAY: Regier, Schulz, Siebert, Volkmer

EXCUSED: Burke
ABSENT: Anderson

NEBRASKA RESOURCES ENHANCEMENT FUND - MANAGERS AD HOC COMMITTEE REPORT

The Managers Ad Hoc Committee came up with a report concerning the distribution of fertilizer tax funds for NRD water quality programs. The report was presented at the NARD Conference and approved by that body. The report recommends that the fertilizer tax monies be distributed to NRDs as follows:

- 50% based on fertilizer usage in each NRD
- 20% equally divided among the NRDs
- 20% based on management and special protection areas, and clean lake watersheds
- 10% for special projects determined through an application process

Siebert made the motion (motion #23) that the district support the Managers Ad Hoc Committee report and recommendations concerning the Nebraska Resources Enhancement Fund, and urge the Nebraska Natural Resources Commission to use the recommendations as presented. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Siebert, Volkmer, Hansen

NAY: None

PASS: Regier, Schulz

EXCUSED: Burke

ABSENT: Anderson

PLATTE RIVER INSTREAM FLOWS

The Game and Parks Commission Platte River instream flows applications were discussed. Their request for water rights essentially stops all future surface water use in the **Platte, Elkhorn and Loup Basins** in Nebraska. A coalition of NRDs and others opposing the Game and Parks applications has been formed. Major members of the Nebraska Water Conservation Cooperative Coalition are: Upper Elkhorn NRD, Lower Elkhorn NRD, Upper Loup NRD, Lower Loup NRD, Central Platte NRD, TriBasin NRD, North Platte NRD, Central Nebraska Public Power and Irrigation District, Nebraska Corn Growers, Nebraska Public Power District, Nebraska Cattleman's Association, Loup Power District, Nebraska Farm Bureau, and WIFE.

Siebert made the motion (Motion #24) that the district oppose the Game and Parks instream flow applications filed on the Platte River; and further support the Nebraska Water Conservation Cooperative Coalition. Seconded by Volkmer. Question called. motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Siebert, Volkmer, Hansen

NAY: Schulz

EXCUSED: Burke

ABSENT: Anderson

NACD PRESIDENT'S EXPENSES

Jerry Vap from the Middle Republican NRD is now the president of the NACD. Most of the districts have been voluntarily contributing \$522.00 a year to Jerry Vap through the NARD to help of f set his expenses. He spent 90 days on NACD business last year as vice-president.

Siebert made the motion (Motion #25) that this district recommend to the NARD that contributions to the NARD to offset Jerry Vap's expenses remain voluntary; that the NARD annually, by letter, ask districts to contribute to Vap's expense fund; and that the NARD collect such contributions and only use funds from those contributions to pay out to Jerry Vap. Seconded

by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Burke

ABSENT: Anderson

FINANCIAL STATEMENT

Volkmer made the motion (Motion #26) to approve the financial statement and budget report as of January 31, 1995; 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, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Burke

ABSENT: Anderson

Meeting adjourned at 4:13 p.m..

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MARCH 16, 1995

CALL TO ORDER

A regular board of directors meeting was called to order by chairman Wayne Hansen at 1:30 p.m. in the American Legion Club, 103 East Forrest Street, Sutton Nebraska.

PRESENT

Wayne Hansen, Chairman	Yvonne Austin, Vice Chairman
Jim Jackson, Secretary	Steve Buller, Treasurer
Raymond Burke, Director	Doug Dickinson, Director
Ed Ediger, Director	Bob Ehlers, Director
Luke Jacobsen, Director	Larry Moore, 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
Wm. Gilliam, NRCS, York	Curtis Schneider, York
Donley Schall, York	Alan Hieronymus, Game & Parks
S. Scott Luedtke, Game & Parks	Donna Rhoades, York News-Times
Tom Hart, York	Kent Norquest, NRCS, Geneva
Jerry Mathiasen, NARD	

ROLL CALL

13 directors were present during quorum 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 3, 1995 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 Oswald, Houdersheldt and Anderson. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Moore, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Anderson, Houdersheldt, Jacobsen, Oswald

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: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Moore, Regier, Schulz, Siebert, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Jacobsen

APPROVAL OF MINUTES OF THE FEBRUARY 16, 1995 BOARD MEETING

Ehlers made the motion (Motion #3) to approve the minutes of the February 16, 1995 board of directors meeting as presented. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Moore, Regier, Schulz, Siebert, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Jacobsen

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held March 6, 1995 and reviewed the committee report as distributed.

SUTTON FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

The City of Sutton has filed claim #1 in the amount of \$61,907.91 for work completed through February 1995 on part 2 of phase 1 of the Sutton Flood Hazard Mitigation Project. The NRD's share of this claim is \$18,277.94, the City of Sutton's share is \$18,277.94 and the federal share is \$25,352.03.

Regier made the motion (Motion #4) that the district reimburse the City of Sutton \$18,277.94 in district funds and \$25,352.03 in federal funds, when they are received, for work completed on the Sutton Flood Hazard Mitigation Project in accordance with the City's February 1995 claim. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Schulz, Siebert,
Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

The City of Sutton filed claim #6 in the amount of \$5,086.40 for completion of work on part 1, phase 1 of the Sutton Flood Hazard Mitigation Project. The NRD's share of this claim is \$2,543.20 and the City's share is \$2,543.20.

Regier made the motion (Motion #5) that the district reimburse the City of Sutton \$2,543.20 in district funds for completion of part 1, phase 1 of the Sutton Flood Hazard Mitigation Project, in accordance with the City's February 1995 claim. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Schulz, Siebert,
Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

HARVARD FLOOD HAZARD MITIGATION PROJECT

The City of Harvard has filed claim #5 in the amount of \$62,688.48 for work completed through January 1995 on the Harvard Flood Hazard Mitigation Project. The NRD's share of this claim is \$7,836.06, the City of Harvard's share is \$7,836.06, the state's share is \$15,672.12 and the federal share is \$31,344.24.

Regier made the motion (Motion #6) that the district reimburse the City of Harvard \$7,836.06 in district funds, \$15,672.12 in state funds and \$31,344.24 in federal funds, when they are received, for work completed on the Harvard Flood Mitigation Project in accordance with the City's

February 1995 claim. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Schulz, Siebert,
Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #7) that eleven 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: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Schulz, Siebert,
Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #8) that three 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: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Schulz, Siebert,
Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Regier advised the board that two NRD land treatment applications for final payment were received the morning of March 6, 1995 following the Projects Committee meeting. Staff has requested that the board authorized final payment of NRD land treatment funds to include these two applications.

Regier made the motion (Motion #9) that payment of NRD land treatment funds be made in the amount of \$2,391.48 for three applications, as submitted and reviewed. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Schulz, Siebert,
Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held March 8, 1995 and reviewed the committee report as distributed.

SPECIAL PROTECTION AREA MONITORING STUDY UPDATE

Ingrid Verstraten of USGS was present at the Water Committee meeting to discuss the study activities to-date and the plan for the coming year. Installation of twenty monitoring wells at eight sites and sampling of approximately 200 private wells is planned for this year.

Volkmer made the motion (Motion #10) to construct one of the monitoring well clusters near a wetland. Seconded by Austin.

DeBuhr expressed his concern that placement of a set of monitoring wells near a wetland would misrepresent what we are trying to accomplish with this study. Data from these wells would not necessarily show where contaminants, if indeed they are present in the wetland, are coming from.

DeBuhr suggested that prior to the start of the next fiscal year staff put together a proposal to address wetlands as they relate to groundwater quality. He suggested we might cooperate with other agencies such as USGS, Fish and Wildlife, Game and Parks, etc. and look at surface water quality, review current data, soil nitrates and other contaminants in wetlands and whether or not there is movement of these contaminants.

There was much discussion about whether or not the wetland issue should be kept separate from the SPA monitoring study.

Dickinson stated that the motion on the floor was not the motion that came out of the March 8th Water Committee meeting. He said the motion from committee was for eight monitoring wells, plus one additional monitoring well for a total of nine monitoring wells.

Volkmer made the motion (Motion #11) to refer the matter back to the Water Committee. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Schulz, Siebert,
Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

FY 95 JOINT FUNDING AGREEMENT FOR THE SPA MONITORING STUDY

Volkmer made the motion (Motion #12) that the district enter into the FY 95 Joint Funding Agreement for the continuation of the SPA Nitrate Monitoring Study at a cost of \$29,250.00. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Jackson,
Jacobsen, Moore, Hansen

NAY: Ehlers, Regier, Siebert, Volkmer

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

MONITORING WELLS - AUTHORIZATION TO ADVERTISE FOR BIDS

Volkmer made the motion (Motion #13) to authorize the staff to advertise for bids for construction of the SPA monitoring wells. Seconded by Jacobsen.

Turnbull recommended that the district not advertise for bids until the issue surrounding the number of wells has been resolved.

Dickinson made the motion (Motion #14) to refer the matter back to the Water Committee. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Siebert, Volkmer,
Hansen,

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT - RECOVERY WELL CONSTRUCTION BIDS

The district received bids for the construction of two recovery wells at Recharge Lake. Contractors were asked to bid the project with the option of line shaft pumps and surface mounted motors or submersible pumps and motors. The following bids were received:

Layne-Western

Line shaft pumps w/surface mount motors	\$64,078.80
Submersible pumps and motors	54,865.85

Sargent Irrigation

Line shaft pumps w/surface mount motors	\$60,017.60
Submersible pumps and motors	53,572.10

Volkmer made the motion (Motion #15) that submersible turbine pumps and motors be installed at recovery wells 3 and 4 and that Sargent Irrigation Company be awarded the construction contract in accordance with their bid of \$53,572.10. Seconded by Jacobsen.

DEQ surface water quality regulations do not allow the discharge of any water which exceeds one part per billion of atrazine into a lake. When we installed the first recovery well we had to obtain a variance to exceed the 1 parts per billion discharge standard.

Turnbull advised the board that we must once again apply for a variance, or NPDS permit, because of the regulation restricting the discharge of water containing more than one part per billion atrazine back into the lake.

Turnbull recommended that the board award contract for the construction of the recovery wells, but have staff hold the notice to proceed until the NPDS permit issue is resolved.

Buller amended the motion to make the motion (Motion #16) subject to the NPDS permits. Seconded by Dickinson. Question called on the amendment. Amendment carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Jackson, Jacobsen, Moore, Regier, Siebert, Volkmer, Hansen

NAY: None

PASS: Ediger

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

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

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Regier, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM - TENTATIVE APPROVALS

Volkmer made the motion (Motion #17) to grant tentative approval for nine Aquifer Quality Well Abandonment Cost-share Assistance Program applications with an estimated cost-share of \$2,666.34. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Regier, Siebert, Volkmer, Hansen

NAY: None

PASS: Buller
EXCUSED: Anderson, Houdersheldt, Oswald
ABSENT: Schulz

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM - FINAL PAYMENTS

Volkmer made the motion (Motion #18) to approve final payment of one Aquifer Quality Well Abandonment Cost-share Assistance Program application for \$298.19. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Jackson,
Jacobsen, Moore, Regier, Siebert, Volkmer, Hansen

NAY: None

PASS: Buller

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM REVIEW

The Water Committee reviewed the AQWACAP program. It was noted that during fiscal years 93, 94 and 95 the cost-share for 80% of the wells with casing 6 inches or smaller reached the \$100 limit before the 65% rate, and that approximately two thirds of the large wells (12-18 inch casings) also reached the maximum cost-share.

Volkmer made the motion (Motion #19) that effective July 1, 1995 the following changes be made in the Aquifer Quality Well Abandonment Cost-share Assistance Program. The cost-share maximums be as follows: Wells with a casing diameter of less than 12 inches - \$200.00. Wells with a casing diameter of 12 inches or more - \$400.00. To authorize the Water Department Manager to grant tentative approval for applications which meet the program guidelines, provided that board approved funds are not obligated. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jacobsen, Moore, Regier, Siebert, Volkmer, Hansen

NAY: Jackson

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held March 9, 1995 and reviewed the committee report as distributed.

ATTORNEY'S FEES

Austin made the motion (Motion #20) to approve payment of \$36.00 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's legal work through February 20, 1995. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Jackson,
Jacobsen, Moore, Regier, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Ehlers, Schulz

EDUCATION & PARKS COMMITTEE REPORT

Moore gave a report on the Education & Parks Committee meeting held March 9, 1995 and reviewed the committee report as distributed.

1996 FARM CONSERVATION AWARD

For the past several years it has been difficult to find enough nominations to create a pool from which to select a winner for the Farm Conservation Award. It takes quite a bit of time to do the necessary research and fill out the applications and the agencies who have done so in the past have indicated they no longer have the time. Without well researched applications, trying to select a winner is meaningless.

Jacobsen made the motion (Motion #21) that the Upper Big Blue NRD cancel its Farm Conservation Award because we are not receiving enough adequately completed nominations. Seconded by Regier.

Some of the directors felt that before cancelling the farm conservation award we should take another look at the program and the criteria for selecting candidates.

Moore made the motion (Motion #22) to refer the motion back to the Education & Parks Committee and ask that it be held over until the proposed long-range planning sessions have been completed. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Jackson,
Jacobsen, Moore, Regier, Volkmer, Hansen

NAY: Ediger, Siebert

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

PRAIRIE PLAINS RESOURCES INSTITUTE REQUEST FOR FUNDING 1995 SOAR

Last year, the Upper Big Blue Natural Resources District contributed \$1,500 to the SOAR program which is sponsored by the Prairie Plains Resources Institute of Aurora. This is a summer field-oriented day camp primarily for elementary students in Hamilton County. Middle School students serve as aides at the camp. In 1994, 120 elementary students attended the week long camp. Total expenses for the 1994 program were \$16,381. The sponsors are again requesting \$1,500 for the 1995 program.

Jacobsen made the motion (Motion #23) that the Upper Big Blue NRD provide \$1,500 to the 1995 SOAR program, sponsored by the Prairie Plains Resources Institute. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Jackson,
Jacobsen, Moore, Regier, Siebert, Hansen

NAY: Ediger, Volkmer

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

WORLD-HERALD'S MASTER CONSERVATIONIST AWARD

Our last year's nominee for this award, Allen Klute of Hampton, received honorable mention for District Four. Staff is recommending that we resubmit him for the award this year.

Jacobsen made the motion (Motion #24) that the Upper Big Blue NRD submit Allen Klute of Hampton for the 1995 Master Conservationist Award. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Siebert, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

MARCH WILDLIFE PAYMENTS

Jacobsen made the motion (Motion #25) that the Upper Big Blue NRD make March payments in the amount of \$4,340.00 to the cooperators of the Wildlife Habitat Improvement Program. Seconded by Jackson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Siebert, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

NEW WILDLIFE CONTRACTS

Staff recommended that the Upper Big Blue NRD approve the new Wildlife Habitat Improvement Program contracts in the amount of \$1,207.50.

Ehlers made the motion (Motion #26) that the Upper Big Blue NRD approve the new Wildlife Habitat Improvement Program contracts in the amount of \$1,207.50, as submitted and reviewed. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Jackson, Jacobsen,
Moore, Siebert, Volkmer, Hansen

NAY: Dickinson, Ehlers

PASS: Regier

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

Jacobsen made the motion (Motion #27) that the Upper Big Blue NRD approve future contracts subject to the Game & Parks Commission funding all future contract payments, and further that the district continue to provide contract administration. Seconded by Ehlers.

Ehlers stated that if increased funding is required for other programs, a possible source for additional funds could come from the 25% matching funds the district is putting into the Wildlife Habitat Improvement Program.

Ehlers made the motion (Motion #28) to refer the motion back to the Education & Parks Committee and ask that it be held over until the long-range planning committee sessions have been completed. Seconded by Dickinson.

Scott Luedtke, Programs Manager for Game & Parks Commission, requested that he be allowed to address the board regarding the motion to withdraw funding for the WHIP contracts. He stated that the Commission supports keeping the program in its current form and continuing the partnership. The Game & Parks Commission feels that there were initial reasons for the cooperative effort and that the program has considerable merit. He indicated that there are currently three NRD's in the state that do not participate in the program. The cooperator's in these three districts only receive funding at 75 percent. The Game & Parks Commission administers these contracts independently and that would be the case if this district withdrew funding. Mr. Luedtke indicated that he and David Norris will be available to address any questions the sub-committee might have regarding this issue.

Question called on the motion to refer to committee. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Jackson,
Moore, Regier, Siebert, Hansen

NAY: Jacobsen

PASS: Burke, Volkmer

EXCUSED: Anderson, Houdersheldt, Oswald
ABSENT: Schulz

AURORA TREE PLANTING - COMMUNITY TREE PROGRAM

Jacobsen made the motion (Motion #29) that the Upper Big Blue NRD fund the tree planting at the Highway 14 entrance to Streeter Park in the City of Aurora, not to exceed \$2,650.00. Planting is to take place during fiscal year 1995. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Siebert, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

HAMPTON TREE PLANTING - COMMUNITY TREE PROGRAM

Jacobsen made the motion (Motion #30) that the Upper Big Blue NRD fund the tree planting at Hampton Park in an amount not to exceed \$432.00. Planting is to take place in fiscal year 1995. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Siebert, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

HARVARD TREE PLANTING - COMMUNITY TREE PROGRAM

Jacobsen made the motion (Motion #31) that the Upper Big Blue NRD fund the planting at Harvard City Park in an amount not to exceed \$500.00. Planting is to take place in fiscal year 1995. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Siebert, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

ARCHERY RANGE - RECHARGE LAKE

Jacobsen made the motion (Motion #32) that the Upper Big Blue NRD give tentative approval to the Upper Big Blue Archers Club to use the twenty seven acres at Recharge Lake. Tentative approval is given based on a written agreement between the Upper Big Blue NRD and the Upper Big Blue Archers Club. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Siebert, Volkmer, Hansen

NAY: None

PASS: Moore

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Regier, Schulz

BLUE BEACON WETLAND MITIGATION

Jacobsen made the motion (Motion #33) that the Upper Big Blue NRD work with the Blue Beacon Truck Stop in developing a wetland mitigation plan for 4.1 acres of wetland at Recharge Lake located in Sections 2-10-3W, 3-10-3W and 34-11-3W York County, Nebraska. Seconded

by Siebert. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Siebert, Volkmer,
Hansen
NAY: None
EXCUSED: Anderson, Houdersheldt, Oswald
ABSENT: Schulz

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Moore gave a report on the Budget, Planning & Legislative Committee meeting held March 9, 1995 and reviewed the committee report as distributed.

NARD FISCAL YEAR 96 BUDGET

Moore made the motion (Motion #34) that this district recommend to the NARD that the following be considered in the NARD FY 96 budget: that district dues stay about the same as FY 95; that district dues be used to support NARD base programs and activities; that affiliate dues be considered as a way to increase needed revenue; that programs such as the Envirothon, and activities now supported by the NRCS funding, be funded by revenues other than district dues; and further, that the district recommend to the NARD that the accumulated interest in the building fund be retained to add to the necessary cash reserve, and that the principal be returned to the member districts. Seconded by Austin.

Ehlers amended the motion to make the motion (Motion #35) that all or part of the accumulated interest on the building fund be retained. Seconded by Buller. Question called on the amendment. Amendment carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Siebert, Volkmer,
Hansen
NAY: None
EXCUSED: Anderson, Houdersheldt, Oswald
ABSENT: Schulz

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

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Siebert, Volkmer,
Hanse
NAY: None
EXCUSED: Anderson, Houdersheldt, Oswald
ABSENT: Schulz

LB 961 FERTILIZER TAX STUDY

Moore made the motion (Motion #36) that the district authorize payment of \$945.69 to the Papio-Missouri River NRD for this district's share of the LB 961 Fertilizer Tax Study conducted for the NRDs by the NARD Managers' Committee. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Siebert, Volkmer,
Hansen
NAY: None
EXCUSED: Anderson, Houdersheldt, Oswald
ABSENT: Schulz

FINANCIAL STATEMENT

Burke made the motion (Motion #37) to approve the financial statement and budget report as of February 28, 1995; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Jacobsen, Moore, Regier, Siebert, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Houdersheldt, Oswald

ABSENT: Schulz

Meeting adjourned at 3:55 p.m..

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
APRIL 20, 1995

CALL TO ORDER

A regular board of directors meeting was called to order by chairman Wayne Hansen at 8:00 p.m. in the north dining room at the City Auditorium, 612 Nebraska 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
Louis 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	Donna Rhoades, York News-Times
Lisa Willis, KAWL Radio	

ROLL CALL

16 directors were present during quorum call. Schulz 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 April 10, 1995 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 circulated. 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: Schulz

APPROVAL OF MINUTES OF THE MARCH 16, 1995 BOARD MEETING

Volkmer made the motion (Motion #2) to approve the minutes of the March 16, 1995 board of directors meeting as distributed. 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: None

ABSENT: Schulz

WASHINGTON, D.C. TRIP REPORT

Roland Schulz, Roger Houdersheldt and John Turnbull gave reports on their lobbying trip to

Washington, D.C. April 25-30, 1995.

NACD TRIP REPORT

Bruce Anderson gave a report on his trip to the NACD National Convention in New Orleans.

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held April 10, 1995 and reviewed the committee report as distributed.

SMALL DAMS PROGRAM - NEW APPLICATION

Bruce Meyers has requested that the district construct a small dam in Section 22, Township 11 North, Range 5 West. The dam would be located 1 mile north and one half mile east of Hampton, Nebraska. The drainage area is 370 acres and conservation storage is 20 acre feet. The primary purpose of the dam is to store irrigation runoff and storm water runoff to irrigate 40 acres of crop ground. The reservoir would be located in pasture land and the estimated life of the dam exceeds 50 years.

Regier made the motion (Motion #3) that Bruce Meyers' application for a small dam be approved and that staff be authorized to proceed with design. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Houdersheldt,
Jackson, Jacobsen, Oswald, Regier, Volkmer, Hansen
NAY: Buller, Ehlers, Moore, Schulz, Siebert
ABSENT: None

SMALL DAMS PROGRAM - ADVERTISEMENT FOR BIDS ON PROJECT 30-9-6W

Final design has been completed on Project 30-9-6W (Don Wells dam) to be located in Section 30, Township 9 North, Range 6 West of Hamilton County. Don Wells has signed his Small Dams Agreement and staff recommends that the district advertise for bids.

The Wells dam has a drainage area of 868 acres. Conservation storage is 50 acre feet and flood storage is 56 acre feet. Silt storage life exceeds 50 years. The primary purposes of the reservoir are irrigation water storage and flood control.

Regier made the motion (Motion #4) that the district execute the small dams agreement with Don Wells and that staff be authorized to advertise for bids on Project 30-9-6W (Don Wells dam). 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

PLUM CREEK FLOOD HAZARD MITIGATION PROJECT AGREEMENT

An agreement between the district and City of Seward has been drafted and reviewed by both parties. The agreement outlines the terms, conditions and responsibilities of both the district and city in carrying out the Plum Creek Flood Hazard Mitigation Project.

Regier made the motion (Motion #5) that the Plum Creek Flood Hazard Mitigation Project Agreement between the City of Seward and Upper Big Blue Natural Resources District, which was reviewed by the City of Seward and the district's Projects Committee, be executed by the district. 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 - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #6) that thirteen 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 - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #7) that four 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, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

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 \$1,641.87 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, Hnsen
NAY: None
ABSENT: None

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held April 10, 1995 and reviewed the committee report as distributed.

DIRECTORS' FIRST QUARTER PER DIEM AND EXPENSES

Austin made the motion (Motion #9) to approve payment of first quarter directors' per diem of \$8,000.00 and expenses of \$2,673.70. Seconded by Volkmer. 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

ATTORNEY'S FEES

The attorney's fees for the month are \$121.20 for work on the monitoring well easements.

Austin made the motion (Motion #10) to approve payment of \$121.20 to Crosby, Guenzel, Davis, Kessner & Kuester for work completed by Steve Seglin through March 20, 1995. 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

ABSENT: Siebert

BUILDING PROGRESS PAYMENT

Austin made the motion (Motion #11) that JLC, Incorporated be paid \$60,840.00 (\$6,084.00 of which is to be held as retainage) for work completed in March 1995 on the office building project. Seconded by Buller. 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

ALLEY PAVING ASSESSMENT

The City of York has requested payment of \$6,183.48 for the alley paving behind the office and in front of the storage building. The work was completed last fall. The staff recommends that the entire amount be paid now instead of spreading it out over a ten year period at 7% interest.

Austin made the motion (Motion #12) to approve payment of \$6,183.48 to the City of York for alley paving on Lots 4, 5 and 10, Block 96, Original Town, City of York. 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

OFFER TO PURCHASE UNDEVELOPED NRD PROPERTY

On April 7, 1995 an offer of \$18,000 was made by Mark Stastka to purchase the 3.23 acres of property that the district owns south of York. Turnbull took the offer to the Executive Committee for consideration. The Executive Committee instructed the Manager to reject the bid because it was too low. The property is listed for \$25,000 with Ken Kunze Realty.

Stastka made another offer for \$22,000 on April 14, 1995. Stastka stipulated that the offer, if not accepted, would be withdrawn at 5:00 p.m. on April 21st.

Ehlers made the motion (Motion #13) to accept the offer of \$22,000 from Mark Stastka to purchase 3.23 acres of undeveloped district property on the south edge of York. Seconded by Volkmer.

Ken Kunze was present at the April 20th meeting to discuss the offer with the board.

Kunze advised the board that the primary difficulty in marketing this piece of property has been that it is zoned commercial. The inquiries being received are for residential use. In looking at the possibility of rezoning Kunze indicated it had been determined that it would be "spot zoning" to single out this property for residential use, when all the adjoining property is zoned commercial.

Kunze indicated he had contacted Champion Home Builders and John Wochner (adjoining property owners) trying to sell the property on a commercial basis and was unsuccessful. Kunze

also stated that he had asked Wochner if he would consider going along with the rezoning. Wochner is not inclined to support the rezoning for residential use at this time.

Kunze told the board that Stastka had contacted Chuck Kaiser Excavation and received a quote of \$9,000 to fill the hole created at the site when the district had dirt excavated to make a driveway into the property.

The district purchased the property in 1981 for \$42,000. Moore stated that he felt the district should keep the property, rather than sell at such a loss. He pointed out that undeveloped property along Highway 81 is becoming less plentiful, and even though the district's property does not have direct access off of Highway 81, as the available property is sold the remaining property prices will go up, especially with the proposed four-lane highway going in.

Question called on the motion. Motion failed.

AYE: Buller, Ediger, Ehlers, Jackson, Siebert, Volkmer

NAY: Anderson, Austin, Burke, Dickinson, Jacobsen, Moore,
Oswald, Regier, Schulz, Hansen

PASS: Houdersheldt

ABSENT: None

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held April 11, 1995 and reviewed the committee report as distributed.

LATE PERMIT FEE REFUND REQUEST

Coranco, Inc. has requested that the NRD refund the late permit fees paid in 1993 for five monitoring wells drilled at Manning Grain in Burress, Nebraska.

In 1992 and 1993 all wells drilled in a control area, regardless of size or use, were required by state law to have a permit. The following year the law was amended to exempt wells of less than 50 gpm from the requirement.

Section 46-660 of the Nebraska Statute states "... No refund of any application fees shall be made regardless of whether the permit is issued, cancelled, or denied. ..."

Volkmer made the motion (Motion #14) to deny Coranco, Inc. request for refund of monitoring well late permit fees. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Ehlers

SPECIAL PROTECTION AREA

WETLANDS AND GROUNDWATER QUALITY

A motion to construct a SPA monitoring well in a wetland was sent back to committee at the March board meeting. The staff presented a preliminary proposal to study water quality in wetlands under a cooperative agreement with USGS. The preliminary cost estimate was \$65,000. The cost would be shared 50/50 between the NRD and USGS. Other less expensive study options may be available to do a preliminary assessment.

The Water Committee directed the staff to investigate wetland study alternatives and report to the

committee at a later date.

SPA MONITORING WELLS - ADVERTISEMENT FOR BIDS

Volkmer made the motion (Motion #15) to advertise for bids for the construction of the Special Protection Area monitoring wells. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Hansen
NAY: Ehlers, Siebert, Volkmer
PASS: Anderson, Schulz
ABSENT: None

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT

Status of Recovery Well NPDES Permit

Staff reported that NDEQ will issue a temporary variance to allow discharge from the recovery wells to Recharge Lake. NDEQ intends to recommend to the Environmental Control Council that the one part per billion MCL for atrazine in surface water be rescinded. If that occurs a NPDES permit would not be required for the recovery well discharge to the lake.

Contract for Recovery Well Construction

Because NDEQ has issued a variance for recovery well discharge to Recharge Lake the staff recommends that the district award contract for the construction of recovery wells R3 and R4.

The district received bids for the construction of two recovery wells at Recharge Lake. Contractors were asked to bid the project with the option of line shaft pumps and surface mounted motors or submersible pumps and motors. The following bids were received:

Layne-Western

Line shaft pump/surface mount motor	
\$64,078.80	
Submersible pump & motor	54,865.84

Sargent Irrigation

Line shaft pump/surface mount motor	
\$60,017.60	
Submersible pump & motor	53,572.10

Engineer's Estimate

Line shaft pump/surface mount motor	
\$68,300.50	
Submersible pump & motor	61,640.00

Volkmer made the motion (Motion #16) that submersible turbine pumps and motors be installed at recovery wells R3 and R4 and that Sargent Irrigation Company be awarded the construction contract in accordance with their bid of \$53,572.10. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore,
Oswald, Regier, Schulz, Siebert, Hansen
NAY: None
PASS: Volkmer
ABSENT: None

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM - TENTATIVE APPROVALS

Volkmer made the motion (Motion #17) to grant tentative approval for one Aquifer Quality Well Abandonment Cost-share Assistance Program application with an estimated cost-share of \$300.00. 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

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM - FINAL PAYMENTS

Volkmer made the motion (Motion #18) to approve final payment of thirteen Aquifer Quality Well Abandonment Cost-share Assistance Program applications for \$3,762.76. 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

RECHARGE 319 PROJECT - NRCS TECHNICAL ASSISTANCE PAYMENT

NRCS has billed the district for the first and second quarter technical assistance for the Recharge Lake WQIP project. This will be reimbursed to the NRD from EPA 319 funds.

Volkmer made the motion (Motion #19) to pay the Natural Resources Conservation Service \$11,666.50 for the first and second quarter technical assistance for the Recharge Lake Water Quality Improvement Project. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore

EDUCATION & PARKS COMMITTEE REPORT

Moore gave a report on the Education & Parks Committee meeting held April 12, 1995 and reviewed the committee report as distributed.

TRAILBLAZER RC&D REQUEST FOR FUNDING

The Trailblazer RC&D has asked for \$50.00 from the district for 1995.

Jacobsen made the motion (Motion #20) that the Upper Big Blue NRD pay \$50.00 to the Trailblazer RC&D for 1995. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen

NAY: Dickinson, Houdersheldt

ABSENT: Moore

COMMUNITY TREE RESOURCES - CITY OF YORK

Jacobsen made the motion (Motion #21) that the Upper Big Blue NRD fund the City of York for

the planting of trees at East Hill Park, in an amount not to exceed \$569.00. Planting is to take place during fiscal year 95. Seconded by Buller. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore

COMMUNITY TREE RESOURCES - CITY OF OSCEOLA

Jacobsen made the motion (Motion #22) that the Upper Big Blue NRD fund the City of Osceola for the planting of trees in the newly developed arboretum. Funding not to exceed \$879.00. Planting is to take place during fiscal year 95. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore

NEW HABITAT CONTRACT

Jacobsen made the motion (Motion #23) that the Upper Big Blue NRD approve the new Wildlife Habitat Improvement Program contract for Maurice Salmen (materials only). Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore

AGREEMENT - UPPER BIG BLUE ARCHERS CLUB

The staff reviewed the agreement between the Upper Big Blue Archers Club and the Upper Big Blue Natural Resources District.

Jacobsen made the motion (Motion #24) that the Upper Big Blue Natural Resources District approve the agreement between the Upper Big Blue NRD and the Upper Big Blue Archers Club, as reviewed. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Moore, Siebert

PHEASANTS FOREVER PROGRAM

The board discussed the "Corners for Wildlife" pilot program established by the Central Platte NRD, the Pheasants Forever Chapters in the Central Platte NRD and the Environmental Trust.

Pete Bertholsen, who represents Pheasants Forever throughout the state of Nebraska, contacted the Upper Big Blue NRD and asked if the district would be interested in becoming a part of this program.

The practices in the program include the following:

1. Annual winter corner plot \$30.00/Acre
2. Warm season grass mixture \$40.00/Acre

- | | |
|-----------------------------------|--------------|
| 3. Cool season grass & legume mix | \$40.00/Acre |
| 4. Tree & wildlife shrub planting | \$75.00/Acre |

The Pheasants Forever Chapter provides all the materials for these practices. Landowners are responsible for any site preparation. The NRD will make the landowner contacts and design the plantings. Tree plantings consisting of 400 trees or more would be planted by the district at no charge to the landowner. The Environmental Trust funds would pass through the NRD budget.

Three payments will be made on the anniversary date of the planting and establishment of the project. The landowner agrees to maintain the established cover practice for five years.

Jacobsen made the motion (Motion #25) that the Upper Big Blue NRD work with the Pheasants Forever Chapter in promoting the Corners for Wildlife by providing technical assistance to the landowner and when planting over 400 trees and shrubs that the planting costs be provided by the district. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Moore, Siebert

IDENTIFICATION SIGNS FOR DISTRICT VEHICLES

Jacobsen noted that this item had been omitted from the Education & Parks Committee minutes.

There was a committee recommendation to direct the staff to look into options for marking district owed vehicles with identifying agency signs.

FINANCIAL STATEMENT

Regier made the motion (Motion #26) to approve the financial statement and budget report as of March 31, 1995; 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, Jacobsen, Oswald,
Regier, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Moore, Siebert

Meeting adjourned at 10:35 p.m..

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MAY 18, 1995

CALL TO ORDER

A regular board of directors meeting was called to order by chairman Wayne Hansen at 8:00 p.m. in the north dining room at the City Auditorium, 612 Nebraska 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
Kenneth Regier, Director	Roland Schulz, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Prudence Sadler, Staff
Rod DeBuhr, Staff	Jay Bitner, Staff
Ken Feather, Staff	Donna Rhoades, York News-Times
Kristi Schleif, NRCS	William Potter, Butler County
Richard Jiskra, LBBNRD	Garry Ruliffson, Geneva
Corinne Ruliffson, Geneva	Jeff Johnson, Geneva
Richard W. Hughes, Geneva	
Ray Naber, Seward Co. Commissioner	

ROLL CALL

11 directors were present during quorum call. Houdersheldt, Jacobsen, Moore, and Regier 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 May 9, 1995 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

Hansen advised the board that Louis Oswald, Roger Siebert and Roger Houdersheldt requested that their absences be excused so that they could continue field work.

Ehlers made the motion (Motion #1) to excuse the absence of Houdersheldt, Oswald, and Siebert. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Houdersheldt, Jacobsen, Moore, Oswald, Regier, Siebert

ADOPTION OF AGENDA

Burke 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, Dickinson, Ediger,
Ehlers, Jackson, Schulz, Volkmer, Hansen

NAY: None
EXCUSED: Houdersheldt, Oswald, Siebert
ABSENT: Jacobsen, Moore, Regier

APPROVAL OF MINUTES OF THE APRIL 20, 1995 BOARD MEETING

Ediger made the motion (Motion #3) to approve the minutes of the April 20, 1995 board of directors meeting as distributed. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Schulz, Volkmer, Hansen

NAY: None
EXCUSED: Houdersheldt, Oswald, Siebert
ABSENT: Jacobsen, Moore, Regier

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held May 8, 1995 and reviewed the committee report as distributed.

DAVID CITY/BUTLER COUNTY DRAINAGE

Butler County and the Lower Platte North NRD have requested the Upper Big Blue NRD conduct planning and engineering design for drainage improvements in Butler County, northwest of David City. Staff has estimated the total cost of engineering to be \$18,000 as outlined in the scope of work. The Lower Platte North NRD has offered to pay 50% of engineering costs, not to exceed \$9,000. If the district decides to provide engineering assistance, staff recommends that Butler County be responsible for landrights, legal fees, construction, construction costs, operation and maintenance.

Regier made the motion (Motion #4) that the district agree to provide planning and engineering assistance for David City/Butler County drainage improvements to be located in the west half of Sections 18 and 19 of Township 15 North, Range 3 East and the east half of Sections 24 and 25 of Township 15 North, Range 2 East, as requested by Butler County and the Lower Platte North NRD, subject to the following conditions:

Engineering costs not exceed \$18,000
Lower Platte North NRD agrees to pay 50% of engineering costs
Butler County and/or David City agrees to:

1. Be responsible for all permissions of ingress and egress on private property, landrights, legal fees, construction costs.
2. Be responsible for all operation and maintenance costs.
3. Reimburse the district for 50% of engineering costs if construction of the drainage improvements is not completed within two years, or within a time frame set by mutual agreement, after completion of final design.

Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Moore, Regier, Schulz,
Volkmer, Hansen

NAY: None
EXCUSED: Oswald, Siebert

ABSENT: Jacobsen

JOHNSON CREEK WATERSHED - PROJECT SUSPENSIONS

Project 16-8-1E (Johnson Creek Site #19) and Project 8-8-1E (Johnson Creek Site #44) have been reviewed by staff. Site #19 is not feasible since it would conflict with tow line and center pivot operations; staff has recommended that this project be suspended. The landowners at site #44 have recently constructed a dam; therefore, staff recommends that this project also be suspended.

Regier made the motion (Motion #5) that Projects 16-8-1E (Johnson Creek Site #19) and 8-8-1E (Johnson Creek Site #44) be suspended from the active projects list. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Moore, Regier, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert

ABSENT: Jacobsen

STUDY OF LARGE DAMS

At the April meeting the board authorized staff to obtain proposals from consulting firms to conduct reconnaissance level feasibility studies of potential large dams near Stockham (West Branch of the Big Blue River), Cordova (Indian Creek) and Garrison (Little Blue Branch of the Big Blue River). The purpose of the studies is to rank these dams in terms of site feasibility, cost, benefits, impacts and funding potential.

Proposals were received from Olsson Associates for a fee not to exceed \$49,500 and E.A. Engineering for a fee not to exceed \$53,600 based on a scope of work prepared by staff. It was determined that the Olsson Associates proposal was the most acceptable in terms of scope and budget.

Regier made the motion (Motion #6) that the district award a contract to Olsson Associates consulting engineers for a fee, based on time and materials, not to exceed \$49,500, to prepare reconnaissance level feasibility studies for possible dam and reservoir projects, which would be located near Stockham, Cordova and Garrison, in accordance with Olsson Associates proposal dated May 5, 1995. 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

ABSENT: None

HARVARD FLOOD MITIGATION PROJECT

The City of Harvard has filed claim #6 in the amount of \$54,646.78 for work completed through April 1995 on the Harvard Flood Mitigation Project. The NRD's share of this claim is \$5,430.16; the City of Harvard's share is \$17,685.77; the state's share is \$10,860.28 and the federal share is \$20,670.57. These payments will complete the federal, state and NRD commitments on this project under the current agreement. All remaining costs will be Harvard's responsibility, unless the agreement is modified.

Bitner advised the board that the City of Harvard has requested they be put on the agenda for the June Projects Committee meeting to discuss modification of the existing agreement to obtain additional funding for this project.

Regier made the motion (Motion #7) that the district reimburse the City of Harvard \$5,430.16 from district funds, \$10,860.28 from state funds and \$20,670.57 from federal funds, when they are received, for work completed on the Harvard Flood Mitigation Project in accordance with the city's May 1995 claim. 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

ABSENT: None

PROJECT 15-10-2W - TODD DAM

Staff has completed preliminary design and conducted one meeting with landowners at Project 15-10-2W. The dam is technically feasible and it appears that landowners are willing to work out landrights to accommodate the project. Staff is recommending that the district proceed with final design.

Regier made the motion (Motion #8) that staff be authorized to proceed with final design of Project 15-10-2W. 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

ABSENT: None

PROJECT OPERATION & MAINTENANCE

Maintenance is required on seven projects which are owned and operated by the NRD. Staff recommends that Huebert Construction Company be hired to perform the required work in accordance with their bid in the amount of \$12,621.

Regier made the motion (Motion #9) that Huebert Construction Company be hired to perform maintenance work on seven district projects in accordance with their bid of \$12,621. Seconded by Volkmer. 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

ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #10) that eight 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,
Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert

ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Regier made the motion (Motion #11) that payment of NSWCP land treatment funds be made in the amount of \$6,330.77 for three applications reviewed by the committee. 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

ABSENT: None

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #12) that seven new applications 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, Houdersheldt, Jackson, Jacobsen, Moore,
Regier, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert

ABSENT: None

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Regier made the motion (Motion #13) that payment of NRD land treatment funds be made in the amount of \$1,736.70 for two applications reviewed by the committee. 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

ABSENT: None

SEWARD PLUM CREEK PROJECT

Moore made the motion (Motion #14) in response to the Seward City Council's motion of May 16th calling for a joint meeting between the City and Seward County to discuss the Plum Creek Flood Mitigation Project, that the Upper Big Blue NRD Board of Directors invite the Seward City Council and the Seward County Board to York in order to hold a joint meeting between the three governmental bodies; that a suggested date for such meeting be Wednesday, June 14th at 8:00 p.m.; that the meeting be properly noticed to comply with the Open Meetings Law; that the principal agenda item be the sponsorship and funding of the Plum Creek Flood Mitigation Project. 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

ABSENT: None

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meetings held May 8, and May 18, 1995 and reviewed the committee reports as distributed.

BUILDING PROGRESS PAYMENT

Turnbull reviewed the work completed on the office building addition to-date.

Austin made the motion (Motion #15) that JLC, Incorporated by paid \$41,750.00 (\$4,175.00) of which is to be held as retainage) for work completed in April 1995 on the office building project. Seconded by Buller. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Houdersheldt, Jackson, Jacobsen, Moore, Regier,
Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert

ABSENT: Ehlers

WASHINGTON, D.C. TRIP - PER DIEM & EXPENSES

Roger Houdersheldt submitted his per diem and expense voucher for the Washington, D.C. lobbying trip he attended from March 25-30, 1995.

Austin made the motion (Motion #16) to approve payment of \$300.00 per diem and \$30.50 expenses to Roger Houdersheldt for his participation in the Washington, D.C. lobbying trip. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Jacobsen, Moore, Regier, Schulz,
Volkmer, Hansen

NAY: None

PASS: Houdersheldt

EXCUSED: Oswald, Siebert

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held May 9, 1995 and reviewed the committee report as distributed.

RECORDER WELLS COOPERATIVE AGREEMENT

Last year the district agreed to partially fund the operation of four USGS recorder wells. The well sites are near Aurora, Burress, Rising City and Seward. A total of eleven recorder wells were operated by USGS and UNL Conservation and Survey prior to last year. Operation of the other seven wells in the NRD was discontinued. USGS has requested that this cooperative agreement be renewed for another year. The cost breakdown is as follows:

4 wells @ \$890 each	\$3,560
USGS share	\$1,780
UNL contribution	716
NRD share	1,064
	<u>\$3,560</u>

Volkmer made the motion (Motion #17) to approve the USGS Cooperative Agreement for Aurora, Burress, Rising City and Seward recorder wells for another year. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore,
Regier, Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert
ABSENT: Schulz

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
FY 95 CONTRACT WITH UNL WATER SCIENCE LABORATORY

Staff recommended that the district make payment of \$60,000.00 to the University of Nebraska for research completed by the Water Science Laboratory at the York Groundwater Recharge Project in fiscal year 1995. This payment is in accordance with the agreement between the district and UNL.

Volkmer made the motion (Motion #18) to make payment of \$60,000.00 to UNL for research conducted at the York Groundwater Recharge Project for FY 95. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore,
Regier, Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert
ABSENT: Schulz

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
FY 96 CONTRACT WITH UNL WATER SCIENCE LABORATORY

Staff recommended that the district authorize continuation of the UNL - Water Science Laboratory contract in the amount of \$67,000.00 for the third and final year of research at the York Groundwater Recharge Project. It is expected that the final report will be prepared by April 1996. Work to be completed during the final year includes: laboratory analysis of pesticides \$48,615.00; laboratory analysis of nitrates \$2,085.00; graduate student fee \$11,000.00; and hydroxyatrazine study of lake bottom sediments \$5,000.00. Laboratory analysis includes both surface water and ground water samples taken for research purposes, as well as ground water samples taken to comply with NDEQ requirements.

Volkmer made the motion (Motion #19) that the district authorize continuation of the UNL - Water Science Laboratory contract in the amount of \$67,000.00 for the third and final year of research at the York Groundwater Recharge Project. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore,
Regier, Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert
ABSENT: Schulz

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM -
TENTATIVE APPROVALS

Volkmer made the motion (Motion #20) to grant tentative approval for three Aquifer Quality Well Abandonment Cost-share Assistance Program applications with an estimated cost-share of \$800.00. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore,
Regier, Volkmer, Hansen

NAY: None

EXCUSED: Oswald, Siebert
ABSENT: Schulz

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM - FINAL PAYMENTS

Volkmer made the motion (Motion #21) to approve final payment of sixteen Aquifer Quality Well Abandonment Cost-share Assistance Program applications for \$3,986.40. 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

ABSENT: None

EDUCATION & PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education & Parks Committee meeting held May 11, 1995 and reviewed the committee report as distributed.

COMMUNITY TREE RESOURCES PROGRAM - HENDERSON GOLF COURSE

Jacobsen made the motion (Motion #22) that the Upper Big Blue NRD make payment of \$1,000.00 to the City of Henderson for trees planted at the Henderson Municipal Golf Course. Seconded by Regier. 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

ABSENT: None

COMMUNITY TREE RESOURCES PROGRAM - EAST HILL PARK, YORK

Jacobsen made the motion (Motion #23) that the Upper Big Blue NRD make payment of \$569.00 to the City of York for trees planted at East Hill Park. 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

ABSENT: None

PLAYGROUND EQUIPMENT - EAST HILL PARK, YORK

Jacobsen made the motion (Motion #24) that the Upper Big Blue NRD make payment of \$5,750.00 to the City of York for playground equipment installed at East Hill Park. Seconded by Buller. 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

ABSENT: None

COMMUNITY TREE RESOURCES PROGRAM - PHILLIPS

Jacobsen made the motion (Motion #25) to fund the Village of Phillips in an amount not to exceed \$312.00 for planting trees in the village park and ball field. Planting is to take place during FY 95. Seconded by Regier. 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
ABSENT: None

PARK RENOVATION - CITY OF GENEVA

The Education & Parks Committee reviewed the five year park renovation plan with members of the Geneva Park Committee.

Jacobsen made the motion (Motion #26) that the Upper Big Blue NRD fund the City of Geneva at a cost not to exceed \$10,000.00 in FY 96 for the renovation of two tennis courts, two picnic shelters and replacement of their score board as outlined in their five year plan. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer,
Hansen
NAY: Dickinson, Ediger
EXCUSED: Oswald, Siebert
ABSENT: None

PAYMENT TO LOWER LOUP NRD

Jacobsen made the motion (Motion #27) that the Upper Big Blue NRD make payment of \$905.25 to the Lower Loup NRD for 2,550 Colorado Blue Spruce purchased through the Colorado State Forestry Service. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer,
Hansen
NAY: Dickinson, Ediger
EXCUSED: Oswald, Siebert
ABSENT: None

PAYMENT TO LINCOLN-OAKES NURSERY

Jacobsen made the motion (Motion #28) that the Upper Big Blue NRD make payment of \$702.06 to Lincoln-Oakes Nursery for purchase of 2,300 trees and shrubs. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer,
Hansen
NAY: Dickinson, Ediger
EXCUSED: Oswald, Siebert
ABSENT: None

PAYMENT TO YORK COLD STORAGE

Jacobsen made the motion (Motion #29) that the Upper Big Blue NRD make payment of \$450.00 to York Cold Storage for tree storage rental during the month of April. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer,
Hansen
NAY: Dickinson, Ediger
EXCUSED: Oswald, Siebert

ABSENT: None

FINANCIAL STATEMENT

Volkmer made the motion (Motion #30) to approve the financial statement and budget report as of April 30, 1995; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Regier, Schulz, Volkmer,
Hansen

NAY: Dickinson, Ediger

EXCUSED: Oswald, Siebert

ABSENT: None

Meeting adjourned at 9:38 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JUNE 22, 1995

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
Roland Schulz, Director
Merlin Volkmer, Director
Nancy Schneider, Staff
Jay Bitner, Staff
Russ Gierhart, Staff
Donna Rhoades, York News-Times

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
Russell Callan, Staff
Rod DeBuhr, Staff

ROLL CALL

Sixteen directors were present during quorum call. Regier 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 June 12, 1995 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ADOPTION OF AGENDA

Houdersheldt made the motion (Motion #1) to approve the agenda for the board of directors meeting as presented with the exception that the Budget Committee Report be moved ahead on the agenda to item 13, following public comments. 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

APPROVAL OF MINUTES OF THE MAY 18, 1995 BOARD MEETING

Burke made the motion (Motion #2) to approve the minutes of the May 18, 1995 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,
Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: Regier

APPROVAL OF MINUTES OF THE JUNE 14, 1995 JOINT PUBLIC MEETING

Volkmer made the motion (Motion #3) to approve the minutes of the June 14, 1995 joint public meeting of the Upper Big Blue NRD Board of Directors, Seward City Council Members and Seward County Board of Commissioners. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSTAIN: Ehlers
ABSENT: Regier

EMPLOYEE RECOGNITION

Russell Callan, Lead Water Resources Technician, was presented with a paperweight in recognition of five years of service with the district.

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Larry Moore gave a report on the Budget, Planning and Legislative Committee meeting held June 19, 1995 and reviewed the committee report as distributed.

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held June 12, 1995 and reviewed the committee report as distributed.

CONTRACTOR PREQUALIFICATION - CHARLES ERET

Charles Eret Construction Company was present at the June Projects Committee meeting to request reinstatement as a prequalified contractor to perform work for landowners participating in the land treatment program.

Eret Construction Company was disqualified in 1993 due to failure to repair terrace/outlets which washed out. The landowner was subsequently required to repay \$1,200.00 of the cost-share to the district.

The Projects Committee discussed the matter with Charles Eret and recommended to the board that he be reinstated on a conditional basis.

Regier made the motion (Motion #4) that Eret Construction Company be prequalified to perform land treatment work cost-shared by the district and that prequalification be conditional upon satisfactory completion of two projects. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Houdersheldt,
Jackson, Moore, Oswald, Regier, Siebert, Hansen
NAY: Buller, Ehlers, Jacobsen, Schulz, Volkmer
ABSENT: None

CONTRACTOR PREQUALIFICATION - HARTMANN CONSTRUCTION COMPANY

Hartmann Construction Company was present at the Projects Committee meeting to request that their firm be prequalified to perform construction on district projects. The district has withheld prequalification on recent projects due to Hartmann Construction Company's frequent disagreements with district staff. These disagreements have made working together unnecessarily difficult.

The Projects Committee discussed the matter and decided to reinstate Hartmann Construction Company's prequalified status on a conditional basis.

Regier made the motion (Motion #5) that Hartmann Construction Company be prequalified to construct district projects on the condition that disagreements concerning administrative and engineering issues are settled in accordance with the district contract documents. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Moore, Oswald, Regier, Siebert, Hansen
NAY: Anderson, Jackson, Jacobsen, Schulz, Volkmer
ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #6) that three 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 - NSWCP FUND PAYMENTS

Regier made the motion (Motion #7) that payment of NSWCP land treatment funds be made in the amount of \$3,161.69 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 - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #8) 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, 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 #9) that payment of NRD land treatment funds be made in the amount of \$2,845.19 for four 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, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: None

SMALL DAMS PROGRAM - PROJECT 30-9-6W (DON WELLS)

The following bids were received to construct Project 30-9-6W.

Huebert Land Leveling	\$31,765.22
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Shuck Engineering	42,987.40
VanKirk Construction	38,237.19
Engineer's Estimate	33,287.80

Regier made the motion (Motion #10) that Huebert Land Leveling Company be awarded a contract to construct Project 30-9-6W in accordance with their bid of \$31,765.22. 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

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meetings held June 12, and June 19, 1995 and reviewed the committee reports as distributed.

DISTRICT LIABILITY, FIRE AND CASUALTY INSURANCE

The liability, fire and casualty insurance is provided by INSPRO Insurance. Scott Nelson of York Insurance will serve as the local agent for the district during fiscal year 96.

The FY 95 insurance premium was \$27,197.00. The quote for FY 96 is \$27,330.00.

Austin made the motion (Motion #11) to approve the \$27,330 premium payment for liability, fire and casualty insurance to INSPRO of Lincoln for FY 96. 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

BUILDING PROGRESS PAYMENT

Austin made the motion (Motion #12) that JLC, Incorporated be paid \$34,700.00 (\$3,471.00 of which is to be held as retainage) for work completed in May 1995 on the office building project. 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: Schulz

RETIREMENT PLAN

The retirement committee recommended to the NARD Board that participation in the plan become mandatory for all NRD employees hired after July 1, 1995.

Austin made the motion (Motion #13) provided that the NARD Board of Directors approves the retirement plan amendment, which makes the retirement plan mandatory for new hires after July 1, 1995, that the district require all Upper Big Blue NRD full time or part time employees who are hired after July 1, 1995 be required to participate in the district's retirement plan; and further that

Personnel Policy #28 Retirement Plan be amended as follows:

Personnel Policy No. 28: RETIREMENT PLAN

- I. ~~The District provides a retirement plan for employees who are eligible to participate. for full time and part time employees. Participation is voluntary for employees hired on or before June 30, 1995, but is mandatory for employees hired on or after July 1, 1995.~~
- II. Both the District and the participating employee are required to contribute to the plan in accordance with the provisions of the plan. ~~if the employee chooses to participate.~~ Employee contributions are treated as pre-tax income, in accordance with IRS regulations and the Nebraska Association of Resources Districts Employees Governmental Retirement Plan.
- III. A summary of the plan will be provided to all employees who participate in the plan.

Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore,
Oswald, Regier, Siebert, Volkmer, Hansen

NAY: None

ABSTAIN: Schulz

ABSENT: None

FY 96 SALARIES

Austin made the motion (Motion #14) to increase the base district payscale by 2% for cost of living changes since May of 1994, to adjust the annual salaries of the district staff, with the exception of the General Manager, by an amount not to exceed \$16,500.00, resulting in a 3.97% increase over current salaries and to authorize the General Manager to determine and make salary and wage adjustments. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore,
Oswald, Regier, Siebert, Hansen

NAY: Volkmer

ABSENT: Schulz

Austin made the motion (Motion #15) to increase the General Manager's salary by 4.5% from \$55,455 to \$57,950. Seconded by Burke. 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

DIRECTOR'S EXPENSES AND PER DIEM

Bruce Anderson submitted his expenses and per diem of \$786.65 for the NACD Convention in New Orleans that was held February 1995.

Austin made the motion (Motion #16) to approve payment of per diem of \$350.00 and expenses of \$436.65 to Bruce Anderson to attend the February 1995 NACD Convention. Seconded by

Buller. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

PASS: Anderson

ABSENT: None

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held June 13, 1995 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT

RECOVERY WELL CONSTRUCTION PROGRESS PAYMENT

Volkmer made the motion (Motion #17) to authorize a progress payment to Sargent Irrigation in the amount of \$10,692.02 for materials purchased through May 31, 1995 with \$1,069.02 to be held as retainage for a payment of \$9,622.82. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore

RECHARGE 319 NRCS TECHNICAL ASSISTANCE CONTRACT - QUARTERLY PAYMENT

Volkmer made the motion (Motion #18) to pay the USDA Natural Resources Conservation Service \$5,833.25 for technical assistance activities related to the Recharge Lake pesticide management project for the period of April 1, 1995 through June 30, 1995. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore

SPECIAL PROTECTION AREA - MONITORING WELL CONSTRUCTION BIDS

Three bids were received for construction of 20 wells at 8 sites as follows:

Geotechnical Services	\$164,739.59
Layne Western	150,721.95
Sargent Irrigation	149,905.04
Engineer's Estimate	\$124,174.00

Volkmer made the motion (Motion #19) to accept the low bid of \$149,905.04 and award contract to Sargent Irrigation, Inc. for construction of 20 Special Protection Area monitoring wells. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore

SPA MONITORING WELL SITE EASEMENTS

Site No. 1

NW 1/4 Section 1-T10N-R8W, Hamilton County (two wells)
Bill & Gordan Schuster - \$200.00

Site No. 2

NW 1/4 Section 4-T10N-R5W, Hamilton County (two wells)
Ediger Farms, Inc. - \$200.00

Site No. 3

NE 1/4 Section 8-T7N-R6W, Clay County (two wells)
Virgil & Doreen Johnson - NRD purchased culvert
\$450 with installation by Mr. Johnson

Site No. 4

NE 1/4 Section 21-T13N-R4W, Polk County (two wells)
Dennis & Shirley Hendricks - \$200.00

Site No. 5

SE 1/4 Section 15-T11N-R3W, York County (three wells)
Lockridge Farms, Inc. - \$300.00

Site No. 6

NE 1/4 Section 5-T7N-R2W, Fillmore County (two wells)
Nebraska Department of Aeronautics - free

Site No. 7

SW 1/4 Section 24-T13N-R1E, Butler County (four wells)
Ronald Sedlak - \$400.00

Site No. 8

NW 1/4 Section 17-T10N-R3E, Seward County (three wells)
Norman & Naomi Luebbe - \$300.00

Volkmer made the motion (Motion #20) to approve the above described Special Protection Area monitoring well site easements. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ehlers, Houdersheldt,
Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert,
Volkmer, Hansen

NAY: None

ABSTAIN: Ediger

ABSENT: Dickinson, Moore

USGS MONITORING STUDY PAYMENT

Volkmer made the motion (Motion #21) to pay USGS \$14,625.00 for SPA monitoring study activities for the period of October 9, 1994 through March 31, 1995. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore

AUTOMATED WEATHER STATION

Staff discussed the current operation of a year-round weather station at Recharge Lake. Staff explained that operating the weather station is labor intensive and winter operation of some instruments is unreliable. UNL operates a network of automated weather stations and would add an automated station at York if the NRD would sponsor the station. The estimated cost of equipment is \$4,970.49. The NRD would assist with installation at Recharge Lake. Under an agreement with the district, UNL would maintain the weather station and the data and the district would pay UNL \$1,000.

Staff indicated that there might be a possibility of funding the weather station with Ciba Geigy funds not yet allocated for recharge project research.

Volkmer made the motion (Motion #22) to seek Ciba Corporation funds for installation of an automated weather station. Seconded by Burke.

Turnbull informed the board that since the Water Committee meeting more work has been done on the FY 96 Budget and it was discovered that the amount of unobligated Ciba Geigy funds was less than originally thought; therefore funding would not be possible under the Ciba Geigy grant.

Volkmer withdrew his motion with the approval of Burke.

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM - TENTATIVE APPROVALS

Volkmer made the motion (Motion #23) to grant tentative approval for two Aquifer Quality Well Abandonment Cost-share Assistance Program applications with an estimated cost-share of \$398.00. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM - FINAL PAYMENTS

Volkmer made the motion (Motion #24) to approve final payment of one Aquifer Quality Well Abandonment Cost-share Assistance Program application for \$42.11. Seconded by Jackson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore

BLUE RIVER ASSOCIATION OF GWCD's PAYMENT

Volkmer made the motion (Motion #25) to pay the Blue River Association of GWCD's \$478.50 for observation well measurements and \$324.00 for domestic well nitrate testing for a total of \$802.50. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore

EDUCATION & PARKS COMMITTEE REPORT

Volkmer gave a report on the Education & Parks Committee meeting held June 15, 1995 and reviewed the committee report as distributed.

COMMUNITY TREE RESOURCES PROGRAM - VILLAGE OF PHILLIPS

Volkmer made the motion (Motion #26) that the Upper Big Blue NRD make payment of \$186.41 to the Village of Phillips for the trees planted in the village park and the ball field. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore

COMMUNITY TREE RESOURCES - CITY OF HARVARD

Volkmer made the motion (Motion #27) that the Upper Big Blue NRD make payment of \$479.50 to the City of Harvard for the trees planted in the city park. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore

COMMUNITY TREE RESOURCES PROGRAM - CITY OF STROMSBURG

Volkmer made the motion (Motion #28) that the Upper Big Blue NRD make payment of \$797.69 to the City of Stromsburg for the trees planted in the City of Stromsburg Arboretum and Buckley Park. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Moore

PAYMENT TO UNIVERSITY OF NEBRASKA

Volkmer made the motion (Motion #29) that the Upper Big Blue NRD make payment of \$15,424.24 to the University of Nebraska for the purchase of 46,750 trees through the Clarke-McNary tree program. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSTAIN: Ehlers

ABSENT: Moore

PAYMENT TO YORK COLD STORAGE

Volkmer made the motion (Motion #30) that the Upper Big Blue NRD make payment of \$450.00 to the York Cold Storage for tree storage rental for the month of May. Seconded by Oswald. Question called.

Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald,

Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSENT: Moore

FINANCIAL STATEMENT

Regier made the motion (Motion #31) to approve the financial statement and budget report as of May 31, 1995; 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, Oswald,
Regier, Schulz, Siebert, Volkmer, Hansen

NAY: None
ABSENT: Moore

Meeting adjourned at 9:57 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JULY 20, 1995

CALL TO ORDER

A regular board of directors meeting was called to order by Vice Chairman Yvonne Austin at 8:35 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

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	Louis Oswald, Director
Kenneth Regier, Director	Roland Schulz, Director
Roger Siebert, Director	Merlin Volkmer, Director
John Turnbull, Staff	Nancy Schneider, Staff
Jay Bitner, Staff	Prudence Sadler, Staff
Rod DeBuhr, Staff	Ken Feather, Staff
Troy Thompson, Staff	Bill Gilliam, NRCS
Leonard E. Schlueter, Seward	Tony Vrana, Seward Chamber
Donna Rhoades, YNT	Brad Burkey, Seward Chamber
Robert F. Elwell, City of Seward	Roger A Grunke, Seward Chamber
Lori Shriner, Seward County Independent	

ROLL CALL

Sixteen 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 July 10, 1995 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

EXCUSED ABSENCE

Austin advised the board that Hansen had called and requested that he be given an excused absence.

Regier made the motion (Motion #1) to excuse the absence of Wayne Hansen. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None

ABSENT: Hansen

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the revised agenda for the board of directors meeting as presented. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None

EXCUSED: Hansen

APPROVAL OF MINUTES OF THE JUNE 22, 1995 BOARD MEETING

Dickinson made the motion (Motion #3) to approve the minutes of the June 22, 1995 board of directors meeting as distributed. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None

EXCUSED: Hansen

PROJECTS COMMITTEE REPORT

Houdersheldt gave a report on the Projects Committee meeting held July 10, 1995 and reviewed the committee report as distributed.

SUTTON FLOOD MITIGATION PROJECT - PROGRESS PAYMENT

City of Sutton filed claim #2 on phase 1, part 2 of the project. Eligible costs on claim #2 are in the amount of \$128,116.75. The FEMA share of these costs is \$90,817.84, and the Community Development Block Grant share is \$37,298.91. The city and the NRD are not required to pay a local share on phase 1, part 2.

Houdersheldt made the motion (Motion #4) that the district file a claim in the amount of \$90,817.84 for the FEMA share of claim #2, phase 1, part 2, of the Sutton Flood Mitigation Project, and that these funds be paid to the City of Sutton when they are received. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None

EXCUSED: Hansen

STUDY OF LARGE DAMS - PROGRESS PAYMENT

The large dams study being prepared by Olsson and Associates is approximately ten percent completed. An invoice has been submitted for partial payment in the amount of \$5,831.25.

Houdersheldt made the motion (Motion #5) that Olsson and Associates be paid \$5,831.25 for work completed on the large dams study through June 1995. Seconded by Jacobsen. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None

EXCUSED: Hansen

PROJECT O&M PROGRESS PAYMENT

Huebert Land Leveling, Inc. has completed approximately 18% of the maintenance work contract

previously approved. Total amount earned this period is \$2,304.19.

Houdersheldt made the motion (Motion #6) that Huebert Land Leveling Company, Inc. be paid \$2,304.19, \$230.42 of which is to be held as retainage, for work completed in June 1995 on maintenance work for district projects. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None

EXCUSED: Hansen

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #7) that two 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, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None

EXCUSED: Hansen

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Houdersheldt made the motion (Motion #8) that payment of NSWCP land treatment funds be made in the amount of \$16,928.68 for ten applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Volkmer

NAY: Siebert

EXCUSED: Hansen

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Houdersheldt made the motion (Motion #9) that payment of NRD land treatment funds be made in the amount of \$2,492.42 for three applications reviewed by the committee. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None

EXCUSED: Hansen

SPECIAL PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the special projects committee meeting held July 20, 1995 and reviewed the committee report as distributed.

SEWARD FLOOD MITIGATION PROJECT

Mayor Elwell presented a request from the City of Seward that the NRD consider contributing 50% of buy-out and demolition costs. Buy-out is estimated to cost \$1,339,000.00, and demolition is estimated to cost \$75,000.00. Total cost of buy-out and demolition is \$1,414,000.00. FEMA's share is \$1,017,750.00. On this basis the local share would be \$342,250.00 and the NRD share would be \$171,125.00. Seward County would be responsible for bridges. Other grants or contributions would offset both the city and NRD shares equally. Consideration of the trail would be dropped from the interlocal agreement at this time.

Regier made the motion (Motion #10) to increase the NRD contribution on the Seward Flood Mitigation Project to 50% of local share, not to exceed \$171,125.00, and that the NRD not pay more than \$80,000.00 in any fiscal year. Seconded by Moore

Following considerable discussion, Regier amended the motion to make the motion (Motion #11) to hold the matter over until the next regular board meeting. Seconded by Moore. Question called on the amendment. Amendment failed.

AYE: Anderson, Burke, Dickinson, Jackson, Moore, Oswald,
Regier, Schulz
NAY: Buller, Ediger, Ehlers, Houdersheldt, Jacobsen, Siebert,
Volkmer, Austin
EXCUSED: Hansen

In the discussion several board members expressed a concern about how the costs were shared for the Plum Creek Study conducted by Olsson and Associates. It was stated that the NRD paid the full cost of \$33,000.00 for the study, however in a similar project with the City of Sutton, that city paid one half of the study costs. Some board members stated that any increase in financial participation with the city should take the original study cost into account. The following amendment was made in order to adjust the city's request of \$171,125.00 downward to account for a portion of the study costs that the district board felt the city should have paid.

Houdersheldt amended the motion to make the motion (Motion #12) to change the motion to read ".. not to exceed \$160,000,". Seconded by Jacobsen. Question called on the amendment. Amendment carried.

AYE: Anderson, Buller, Burke, Dickinson, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Austin
NAY: Ediger, Ehlers, Schulz, Siebert, Volkmer
EXCUSED: Hansen

Houdersheldt amended the motion to make the motion (Motion #13) with the understanding that if the county or others contribute funds toward the project that both the city and district shares be reduced equally. Seconded by Dickinson. Question called on the amendment. Amendment carried.

AYE: Anderson, Buller, Burke, Dickinson, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Austin
NAY: Ediger, Ehlers, Siebert
PASS: Schulz, Volkmer
EXCUSED: Hansen

Question called on the original motion as amended to read:

To increase the NRD contribution on the Seward Flood Mitigation Project to 50% of local share, not to exceed \$160,000.00, and that the NRD not pay more than \$80,000.00 in any fiscal year, with the understanding that if the county or others contribute funds toward the project that both the city and district shares be reduced equally.

Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Austin
NAY: Ediger, Ehlers, Schulz, Siebert, Volkmer
EXCUSED: Hansen

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held July 11, 1995 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
RECOVERY WELL CONSTRUCTION PROGRESS PAYMENT

Volkmer made the motion (Motion #14) to authorize a progress payment to Sargent Irrigation in the amount of \$21,731.13 for work completed in the month of June 1995, with \$2,173.11 to be held as retainage for a payment of \$19,558.02. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None

EXCUSED: Hansen

SPECIAL PROTECTION AREA - 319 CONTRACT

The 319 funding contract will provide approximately 50% of the estimated cost of SPA operation through September 1999; a total of \$283,040.

Volkmer made the motion (Motion #15) to enter into the SPA 319 Contract with the Nebraska Department of Environmental Quality. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz,
Siebert

NAY: Volkmer

EXCUSED: Hansen

CONTROL AREA - LATE WELL PERMITS

Two Butler County wells were drilled by Sargent Irrigation without permits. The driller discovered the oversight and applied for late permits voluntarily. The well sites are located in the SW 1/4 of Section 5-T14N-R3E (Benes Service, Inc.) and NE 1/4 of Section 21-T14N-R3E (Darell Aerts). All fees have been paid and no other violation of district regulations has occurred.

Volkmer made the motion (Motion #16) to approve late permits for a well in the SW 1/4 of Section 5-T14N-R3E, owned by Benes Service, Inc. and one in the NE 1/4 of Section 21-T14N-R3E, owned by Darell Aerts. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None

EXCUSED: Hansen

PITLESS REUSE SYSTEM

The pitless reuse system is operational. Northern Pump has invoiced the district for \$8,905.00, as previously agreed to.

Volkmer made the motion (Motion #17) to pay Northern Pump and Irrigation \$8,905.00 for construction of the pitless reuse system. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None
EXCUSED: Hansen

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
FINAL PAYMENTS

Volkmer made the motion (Motion #18) to approve final payment of two Aquifer Quality Well Abandonment Cost-share Assistance Program applications for \$448.85. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None
EXCUSED: Hansen

EXECUTIVE COMMITTEE REPORT

Buller gave a report on the Executive Committee meeting held July 11, 1995 and reviewed the committee report as distributed.

SECOND QUARTER DIRECTORS' PER DIEM AND EXPENSES

Buller made the motion (Motion #19) to approve payment of second quarter directors' per diem of \$8,050.00 and expenses of \$2,240.21. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None
EXCUSED: Hansen

HEALTH AND ACCIDENT PLAN INTERLOCAL AGREEMENT

The NARD has recommended that each participating district approve and sign an interlocal agreement to authorize the NARD to administer the employee health insurance plan and manage the premiums and funds of the plan. A copy of the interlocal agreement is attached to these minutes. The committee recommends that a resolution, which approves the agreement, be adopted.

Buller made the motion (Motion #20) to adopt the following resolution:

RESOLUTION FOR PARTICIPANTS
IN THE NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS
ACCIDENT AND HEALTH INSURANCE PLAN

BE IT RESOLVED, that the Upper Big Blue Natural Resources District desires to join in an Interlocal Agreement between the Nebraska Association of Resources Districts and a number of other Natural Resources Districts throughout the State, in order to provide a joint plan to provide accident and health insurance for its employees and their dependents.

BE IT FURTHER RESOLVED that the Upper Big Blue Natural Resources District hereby approves the Interlocal Agreement, a copy of which is attached hereto and incorporated herein by this reference, and authorizes its Chairman to execute and deliver said Agreement on behalf of the Upper Big Blue Natural Resources District, and authorizes its Treasurer to make monthly premium payment required by the Plan to the Nebraska Association of Resources District, and authorizes its chairman to do all other things necessary to implement the Interlocal Agreement.

Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Siebert, Volkmer

NAY: None

PASS: Schulz

EXCUSED: Hansen

PROPERTY TAX COLLECTIONS

Currently seven of the nine county treasurers remit property tax collections by check. The Saline County Treasurer has agreed to remit by check if the board adopts a resolution requesting payment by check. Only York County requires that funds be drawn on a warrant.

Buller made the motion (Motion #21) that the board adopt the following resolution:

RESOLUTION

WHEREAS, the Upper Big Blue NRD Board of Directors hereby direct the Saline County Treasurer to mail to the Upper Big Blue NRD Treasurer, on or before the 15th day of each month, all funds he or she has collected on behalf of the Upper Big Blue NRD, as allowed by law; and

WHEREAS, the Upper Big Blue NRD Board of Directors further direct that the Saline County Treasurer shall also mail, on or before the 15th day of each month, a statement of accounts for the General Fund and the Ground Water Control Fund itemizing all funds collected and/or disbursed.

NOW THEREFORE BE IT RESOLVED that this resolution shall become a part of the minutes of the Upper Big Blue NRD Board of Directors meeting and be maintained as a permanent record and shall remain in effect until changed by a majority vote of the Upper Big Blue NRD Board of Directors.

Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None

EXCUSED: Hansen

NARD DUES

The NARD budget for fiscal year 96 was adopted at the June NARD board meeting. The budget calls for a 10% increase in dues over fiscal year 95. The amount requested is \$12,774.30, compared to last year's dues of \$11,613.00.

Buller made the motion (Motion #22) to approve payment of \$12,774.30 to the Nebraska Association of Resources Districts for FY 96 dues. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Burke, Dickinson, Jackson, Jacobsen, Moore,
Oswald, Regier, Austin

NAY: Buller, Ediger, Ehlers, Houdersheldt, Schulz, Siebert,
Volkmer

EXCUSED: Hansen

EDUCATION & PARKS COMMITTEE REPORT

Ehlers gave a report on the Education & Parks Committee meeting held July 18, 1995 and

reviewed the committee report as distributed.

1996 ALTERNATIVE TO SNEES

The five cooperating NRDs have reviewed the possibilities for changes in the organization of the Southeast Nebraska Environmental Education Seminar. The districts (and cooperating colleges) elected to hold the seminar for one week, June 10-14, 1996 at Camp Jefferson. Participating teachers may receive three hours of college credit. A minimum of 12 participants must be registered at least 10 days before the seminar begins or the seminar will be cancelled. The seminar will have a new name, as yet undetermined.

Ehlers made the motion (Motion #23) that the Upper Big Blue NRD cosponsor the 1996 Environmental Education Seminar which is to be held June 10-14 at Camp Jefferson, provided that a minimum of 12 participants are registered by June 1. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None

EXCUSED: Hansen

COMMUNITY FORESTRY PAYMENTS

Ehlers made the motion (Motion #24) that the Upper Big Blue NRD make payments of \$879.00 to the City of Osceola for trees planted in the newly developed Arboretum and \$432.00 to the Village of Hampton for trees planted in Hampton Park and \$2,576.00 to the City of Aurora for trees planted at the Highway 14 entrance to Streeter Park. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None

EXCUSED: Hansen

MATERIALS FOR RESTROOMS AT SMITH CREEK RECREATION AREA

Ehlers made the motion (Motion #25) that the Upper Big Blue NRD make payment of \$3,672.13 to Seward Lumber for materials purchased by the Seward High School shop class for construction of restrooms to be located at Smith Creek Recreation Area. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Volkmer, Austin

NAY: None

EXCUSED: Hansen

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Moore gave a report on the Budget, Planning and Legislative Committee meeting held July 18, 1995 and reviewed the committee report as distributed.

FY 96 BUDGET

Turnbull reviewed the fiscal year 96 budget proposal.

Moore made the motion (Motion #26) to approve the FY 96 Budget, as amended with a maximum 5% property tax increase, for the purpose of a Public Hearing, and to set the hearing for 8:00 p.m., Thursday, August 24, 1995, just prior to the monthly board meeting. Seconded by

Anderson. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier,
Siebert, Austin

NAY: Volkmer

PASS: Schulz

EXCUSED: Hansen

FINANCIAL STATEMENT

Burke made the motion (Motion #27) to approve the financial statement and budget report as of June 30, 1995; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Schulz,
Siebert, Volkmer, Austin

NAY: None

ABSENT: Anderson

EXCUSED: Hansen

Meeting adjourned at 11:00 p.m.

James K. Jackson, Secretary

:nds

attachments (2)

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
AUGUST 24, 1995

CALL TO ORDER

A regular board of directors meeting was called to order by chairman Wayne Hansen at 8:19 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
Louis Oswald, Director
Roger Siebert, Director
Nancy Schneider, Staff
Ken Feather, Staff
Prudence Sadler, Staff
Jerry Mathiasen, NARD

Yvonne Austin, Vice Chairman
Steve Buller, Treasurer
Ray Burke, Director
Ed Ediger, Director
Larry Moore, Director
Kenneth Regier, Director
John Turnbull, Manager
Jay Bitner, Staff
Rod DeBuhr, Staff
Bill Gilliam, NRCS
Donna Rhoades, YNT

ROLL CALL

Twelve 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 15, 1995 in the York News-Times. The agenda is kept continually current and 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) that Roger Houdersheldt, Roland Schulz, Luke Jacobsen and Merlin Volkmer be excused from the August 24, 1995 board meeting. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Hansen

NAY: None

ABSENT: Houdersheldt, Jacobsen, Schulz, Siebert, Volkmer

ADOPTION OF AGENDA

Regier 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: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Hansen

NAY: None

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

ABSENT: Siebert

APPROVAL OF MINUTES OF THE JULY 20, 1995 BOARD MEETING

Burke made the motion (Motion #3) to approve the minutes of the July 20, 1995 board of directors meeting as distributed. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Hansen
NAY: None
EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer
ABSENT: Siebert

NARD REPORT

Jerry Mathiasen, Executive Director of the NARD, was present. He talked about the role the NARD should play in working with the districts, as well as his priorities and goals for the state association. He answered questions regarding the NARD budget, insurance and retirement programs, and pending legislation.

PUBLIC COMMENTS

Larry Hansen of Utica voiced his concerns about the tax dollars spent on salary increases over the past three to four years.

ADOPTION OF THE FY 96 BUDGET

Moore made the motion (Motion #4) to adopt the FY 96 budget, as presented and to set the levy at .0275. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert, Hansen
NAY: None
EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer
ABSENT: None

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held August 14, 1995 and reviewed the committee report as distributed.

CITY OF BRADSHAW - REQUEST FOR ASSISTANCE WITH DRAINAGE

Kent Cordes, Miller & Associates Engineers attended the Projects Committee meeting to present engineering details for the proposed drainage improvement in Bradshaw. Frank Brumbaugh, representing the city of Bradshaw, was present to request NRD cost-share in the amount of \$40,790.80. This would be 25% of the \$163,163.23 project cost.

The Projects Committee felt that the project was more development oriented than flood protection oriented and that the project would not be a good expenditure of district funds.

Regier made the motion (Motion #5) that the district not cost-share with the city of Bradshaw on the proposed drainage improvements. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier
NAY: Burke
ABSTAIN: Hansen
PASS: Siebert
EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

HARVARD FLOOD MITIGATION PROJECT

Glen Becker, Mayor of Harvard, attended the July 10th Projects Committee meeting to request cost-share assistance on a \$74,709.90 cost overrun for the Harvard Flood Mitigation Project. The district's original agreement was to pay half of the local share of project cost, not to exceed \$31,250.00. The district has met this obligation.

Regier made the motion (Motion #6) that the district not cost-share with the city of Harvard on cost overruns for the Harvard Flood Mitigation Project. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert
NAY: None
ABSTAIN: Hansen
EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

SEWARD FLOOD MITIGATION PROJECT - AGREEMENT

On August 1, 1995 the Seward City Council adopted a resolution to enter into an agreement with the NRD regarding the buyout and demolition portion of the Seward Flood Hazard Mitigation Project. The Projects Committee reviewed the agreement and recommends its adoption.

Regier made the motion (Motion #7) that the Upper Big Blue NRD execute the interlocal agreement between the city of Seward and the district to carry out the buyout and demolition portion of the Seward Flood Hazard Mitigation Project. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Jackson,
Moore, Oswald, Regier, Hansen
NAY: Ediger, Ehlers, Siebert
EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

PROJECT O & M PROGRESS PAYMENT

Huebert Land Leveling has completed approximately 60% of maintenance work currently under contract. The total amount of the contract is \$12,621.00.

Regier made the motion (Motion #8) that Huebert Land Leveling be paid \$5,109.58 (\$510.96 of which is to be held as retainage) for maintenance work completed on district projects in July 1995. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert,
Hansen
NAY: None
EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

SMALL DAMS PROGRAM - PROGRESS PAYMENT

Huebert Land Leveling is approximately 16% completed with construction work on Project 30-9-6W (Don Wells Dam) being built under the small dams program. The total construction cost is \$31,765.22.

Regier made the motion (Motion #9) that Huebert Land Leveling be paid \$5,153.70 (of which \$515.37 is to be held as retainage) for work completed on structure 30-9-6W (Don Wells Dam) in July 1995. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert,
Hansen
NAY: None
EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #10) that four 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, Dickinson, Ediger, Ehlers,
Jackson, Moore, Oswald, Regier, Siebert, Hansen
NAY: None
PASS: Burke
EXCUSED: Houdershelt, Jacobsen, Schulz, Volkmer

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Regier made the motion (Motion #11) that payment of NSWCP land treatment funds be made in the amount of \$8,535.83 for five applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert,
Hansen
NAY: None
EXCUSED: Houdershelt, Jacobsen, Schulz, Volkmer

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Regier made the motion (Motion #12) that payment of NRD land treatment funds be made in the amount of \$1,234.03 for three applications reviewed by the committee. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert,
Hansen
NAY: None
EXCUSED: Houdershelt, Jacobsen, Schulz, Volkmer

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #13) that five new applications for NRD land treatment 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, Jackson, Moore, Oswald, Regier, Siebert,
Hansen
NAY: None
EXCUSED: Houdershelt, Jacobsen, Schulz, Volkmer

REQUEST FOR COST-SHARE ON PIVOT CROSSING

A written request was made by Kenneth Roth for \$3,600.00 cost-share on ten bridges to accommodate pivot crossings on a channel at the Dorchester Watershed Project.

The Projects Committee discussed this request and recommended that the district not cost-share on the pivot bridges since they are not a necessary part of the channel project and are not an eligible practice under the district's cost-share program.

Regier made the motion (Motion #14) that the district not cost-share on pivot crossings, requested in a letter dated August 9, 1995, for Kenneth Roth of Dorchester, Nebraska. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Oswald, Regier
NAY: Austin, Moore, Siebert, Hansen
EXCUSED: Houdershelt, Jacobsen, Schulz, Volkmer

WATER COMMITTEE REPORT

Siebert gave a report on the Water Committee meeting held August 15, 1995 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
RECOVERY WELL CONSTRUCTION PROGRESS PAYMENT

Siebert made the motion (Motion #15) to authorize a progress payment to Sargent Irrigation in the amount of \$10,897.94 for work completed in the month of July 1995 with \$1,089.79 to be held as retainage for a payment of \$9,808.15. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Jackson, Moore, Oswald, Regier, Siebert, Hansen

NAY: None

ABSENT: Ehlers

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
CONTRACT MODIFICATION FOR WELL ABANDONMENT

One of the original monitoring wells has developed a crack in the casing and must be abandoned. Fourteen of the original monitoring wells are no longer needed. There is also an observation well in the treatment plant building that is no longer needed. Sargent Irrigation will abandon these wells for a cost of \$1.10 per foot plus \$100.00 per well for capping. The total estimated cost is \$3,119.90. The cost is 80% reimbursable from the Bureau of Reclamation.

Siebert made the motion (Motion #16) to amend the recovery well contract to include proper decommissioning of the abandoned monitoring wells at Recharge Lake at a cost not to exceed \$1.10 per foot plus \$100.00 per well for capping. Seconded by Austin.

Hansen questioned whether there could be some future use for these monitoring wells. DeBuhr said that there was not. He also explained that there were originally 16 wells and the district is keeping two of them. One is a boundary well required as a part of our mixing zone management plan and the other has been plumbed into the treatment plant building to provide a source of water. He also explained that the submersible pumps from the remaining monitoring wells have been salvaged for use in the monitoring wells required as part of the Special Protection Area plan.

Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Jackson, Moore, Oswald, Regier, Siebert

NAY: Hansen

ABSENT: Ehlers

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
FINAL PAYMENTS

Siebert made the motion (Motion #17) to approve final payment of three AQWACAP applications for \$594.39. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Jackson, Moore, Oswald, Regier, Siebert, Hansen

NAY: None

ABSENT: Ehlers

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held August 15, 1995 and reviewed the committee report as distributed.

SALARY REIMBURSEMENTS

Austin made the motion (Motion #18) to approve payments for salary reimbursements to the Lower Platte North NRD for \$3,468.05, the Lower Big Blue NRD for \$3,097.91, and the Little Blue NRD for \$9,869.46. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Jackson,
Moore, Oswald, Regier, Siebert, Hansen

NAY: Dickinson, Ehlers

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

SURPLUS DISTRICT EQUIPMENT

The district has a number of surplus or obsolete pieces of equipment that need to be disposed of. A request was made for authority to sell or dispose of these items in order to free up storage space at the office and treatment plant building. A list of the surplus equipment is attached to these minutes.

The treatment plant equipment was purchased for \$100,464.00. It has been advertised in municipal trade publications, and offered to the University of Nebraska. Firms in the water treatment industry have also been contacted without results.

Austin made the motion (Motion #19) to authorize the General Manager to sell or dispose of the equipment from the Recharge Treatment Plant. The General Manager is further authorized to dispose of the office equipment on the attached list. Seconded by Buller.

Turnbull explained that he would advertise the items in the local newspaper. Anyone wishing to make an offer on any of the items would be required to do so on a form provided by the district and it would be up to Turnbull to accept or reject the offer.

Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert, Hansen

NAY: None

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

PROPERTY TAX COLLECTIONS

Currently eight of the nine county treasurers remit property tax collections by check. Loretta Heiden, York County Treasurer, has agreed to remit by check if the board adopts a resolution requesting payment by check.

Austin made the motion (Motion #20) that the board adopt the attached resolution to the York County Treasurer requesting that she remit the property tax collections by check. Seconded by Buller. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert, Hansen

NAY: None

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

EDUCATION & PARKS COMMITTEE REPORT

Austin gave a report on the Education & Parks Committee meeting held August 17, 1995 and reviewed the committee report as distributed.

1995 SUMMER ORIENTATION ABOUT RIVERS (SOAR)

The 1995 SOAR was held for two weeks in July. 120 third through sixth graders attended.

Austin made the motion (Motion #21) that the Upper Big Blue NRD make payment of \$1,500.00 to the Prairie Plains Resources Institute for the 1995 SOAR program. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert, Hansen
NAY: None
EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

1996 SNEES REPLACEMENT MEMORANDUM OF UNDERSTANDING

The Little Blue NRD is asking the five cosponsoring NRDs to sign the attached memorandum of understanding covering the 1996 environmental education seminar.

Austin made the motion (Motion #22) to approve the attached memorandum of understanding between the Little Blue, Lower Big Blue, Lower Platte South, Nemaha and Upper Big Blue NRDs concerning the 1996 environmental education seminar. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers,
Jackson, Moore, Oswald, Regier, Siebert
NAY: Ediger
ABSTAIN: Hansen
EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

SCHOOL OUTREACH PROGRAM

In an effort to develop more effective ways to reach schools, teachers and students, the public information department held several focus group meetings with teachers across the district this summer. The result of these meetings are proposed additions to the district's existing school outreach program. The current program includes:

- a. Cosponsoring an environmental education seminar for teachers
- b. Cost-sharing on model aquifers and outdoor classrooms
- c. Operating lending library - books, videos, posters, teaching aids

Proposed additions to the district's program include:

- a. Annual Open House for Teachers:
This will be held at the NRD office once a year, probably early in October. Displays will inform those who attend about district programs for schools and teachers. Other agencies and groups will be invited to attend or set up displays. The open house will be used as an opportunity to find out which teachers would be interested in forming smaller groups focused on specific topics like environmental education for second grade or soils for high schools.
Estimated cost \$250
- b. Discussion Groups Focused on Specific Topics:
The district will serve as a facilitator to help small groups meet, focused on specific

topics. Examples of topics are environmental ed for specific elementary grades, soils for high schools, aquatics, native grasses and so on. The main idea is that teachers will share ideas among themselves.

Estimated cost \$50

c. Newsletter for Teachers:

The district will publish a single sheet (two sides) newsletter, three or four times a year, to be mailed to all teachers in the district. The newsletter will help promote district projects and programs, inform teachers about upcoming workshops and opportunities and profile special programs that individual teachers have developed.

Estimated cost \$500

Austin made the motion (Motion #23) that the Upper Big Blue NRD add an annual open house, small discussion groups and a newsletter for teachers to its School Outreach Program. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Moore, Oswald, Regier, Hansen

NAY: Jackson

PASS: Ehlers, Siebert

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

BLUE BEACON, INC.

Austin made the motion (Motion #24) that the Upper Big Blue NRD submit the license agreement to Blue Beacon, Inc. for their approval and signature. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ehlers, Jackson, Moore,
Oswald, Regier, Siebert, Hansen

NAY: Dickinson

ABSENT: Ediger

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Moore gave a report on the Budget, Planning and Legislative Committee meeting held August 17, 1995 and reviewed the committee report as distributed.

NARD RESOLUTIONS

Resolution #95-1 "Unfunded Mandates"

Austin made the motion (Motion #25) to support Resolution #95-1 Unfunded Mandates. Seconded by Regier. Question called. Motion failed.

AYE: Anderson, Ehlers, Regier

NAY: Austin, Buller, Burke, Dickinson, Ediger, Jackson, Moore,
Oswald, Hansen

ABSENT: Siebert

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

Resolution #95-7 "Payment in Lieu of Taxes"

Moore made the motion (Motion #26) that the district support the introduction of Tri-Basin NRD's late Resolution #95-7 Payment in Lieu of Taxes. Seconded by Jackson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert, Hansen

NAY: None

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

Resolution #95-3 "Chemigation Costs"

Moore made the motion (Motion #27) that the district oppose Resolution #95-3 Chemigation Costs as written. Seconded by Buller. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert

NAY: None

ABSTAIN: Hansen

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

Moore made the motion (Motion #28) that the district offer an amendment to Resolution #95-3 Chemigation Costs as follows:

"NOW, THEREFORE BE IT RESOLVED, that the Nebraska Association of Resources Districts seek and support Legislation to amend Nebraska Statute Section 46-1121 to provide that the ~~initial application fee for a permit or a special permit or the annual fee for renewal of a permit or a special permit shall be determined by the District and that the fee shall not exceed~~ fee for all chemigation permits be thirty dollars and that five dollars of the fee for an initial application of a permit or a special permit and two dollars of the annual fee for renewal of a permit or a special permit shall be paid by the District to the Department of Environmental Quality." Seconded by Burke.

Moore said that during the committee meeting Rod express his concern that if the fee for both new and renewal permits was the same there would be no cash incentive for the operators to apply for renewal permits. This could greatly increase the number of hours required to perform inspections, since every new permit must be inspected, while only one third of the renewals are inspected each year.

Moore amended his motion to make the motion (Motion #29) to amend Resolution #95-3 Chemigation Costs to read as follows:

"NOW, THEREFORE BE IT RESOLVED, that the Nebraska Association of Resources Districts seek and support Legislation to amend Nebraska Statute Section 46-1121 to provide that the initial application fee for a permit or a special permit be changed from thirty dollars to forty dollars and ~~or the annual fee for a renewal permit or a special permit be changed from ten dollars to twenty-five dollars determined by the Distr.~~ ct and that the fee shall not exceed thirty dollars and that five dollars of the fee for initial application of a permit or a special permit and two dollars of the annual fee for renewal of a permit or a special permit shall be paid by the District to the Department of Environmental Quality." Seconded by Austin. Question called on the amendment. Amendment carried.

AYE: Anderson, Buller, Burke, Ehlers, Jackson, Moore,
Oswald, Regier

NAY: Austin, Dickinson, Ediger, Siebert, Hansen

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

Question called on the original motion, as amended. Motion failed.

AYE: Buller, Burke, Moore, Hansen

NAY: Anderson, Austin, Dickinson, Ediger, Ehlers, Jackson,
Oswald, Regier, Siebert

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

Resolution #95-4 "Flood Plain Management Assistance from the Nebraska Natural Resources Commission"

Moore made the motion (Motion #30) that the District support Resolution #95-4 Flood Plain

Management Assistance from the Nebraska Natural Resources Commission. Seconded by Buller. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Siebert, Hansen
NAY: Regier
EXCUSED: Houdershelt, Jacobsen, Schulz, Volkmer

Resolution #95-5 "NARD Strategic Planning"

Moore made the motion (Motion #31) that the district support Resolution #95-5 NARD Strategic Planning. Seconded by Buller.

Ehlers voiced his objection to the last paragraph dealing with the disbursement of the building fund. Ehlers amended the motion to make the motion (Motion #32) that we offer an amendment at the NARD Conference to strike the last paragraph "BE IT FURTHER RESOLVED, that the Association defer any decision on disbursement of the accumulated building fund until this strategic planning is completed." Seconded by Moore. Question called on the amendment. Amendment carried.

AYE: Anderson, Austin, Buller, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert
NAY: Burke
ABSTAIN: Hansen
EXCUSED: Houdershelt, Jacobsen, Schulz, Volkmer

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

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert, Hansen
NAY: None
EXCUSED: Houdershelt, Jacobsen, Schulz, Volkmer

Resolution #95-6 "Require Filling of All Test Holes"

Moore made the motion (Motion #33) that the district support Resolution #95-6 Require Filling of All Test Holes. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert, Hansen
NAY: None
EXCUSED: Houdershelt, Jacobsen, Schulz, Volkmer

Resolution #95-2 "Constitutional Limits on Tax Levies"

Moore made the motion (Motion #34) that the district support Resolution #95-2 Constitutional Limits on Tax Levies. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Jackson, Moore,
Regier, Hansen
NAY: Ediger, Ehlers, Oswald, Siebert
PASS: Anderson
EXCUSED: Houdershelt, Jacobsen, Schulz, Volkmer

Resolution #95-8 "Monitor Wells - Livestock Waste Facilities"

Burke made the motion (Motion #35) to support the introduction of Resolution #95-8 Monitor Wells - Livestock Waste Facilities. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Jackson,
Moore, Oswald
NAY: Ediger, Ehlers, Siebert
ABSTAIN: Hansen

PASS: Regier
EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

Moore made the motion (Motion #36) that if Resolution #95-8 Monitor Wells - Livestock Waste Facilities is introduced that we take a position after it's been discussed on the floor. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Jackson,
Moore, Oswald, Regier, Hansen

NAY: None

PASS: Dickinson, Ehlers, Siebert

EXCUSED: Houdersheldt, Jacobsen, Schulz, Volkmer

FINANCIAL STATEMENT

Moore made the motion (Motion #37) to approve the financial statement and budget report as of July 31, 1995; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Buller. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Moore, Oswald, Regier, Siebert,
Hansen

NAY: None

EXCUSED: Houdersheldt, Jacobsen, Schulz, Hansen

Meeting adjourned at 10:53 p.m.

James K. Jackson, Secretary
:nds
attachments

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
SEPTEMBER 21, 1995

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
Ed Ediger, Director	Bob Ehlers, Director
Roger Houdersheldt, Director	Luke Jacobsen, Director
Louis Oswald, Director	Kenneth Regier, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Jay Bitner, Staff
Ken Feather, Staff	Rod DeBuhr, Staff
Prudence Sadler, Staff	Russ Gierhart, Staff
Bill Gilliam, NRCS	Dennis Schroeder, NRCS
Donna Rhoades, YNT	Richard Jiskra, NNRC
Ronda Ulmer, Grafton	Norma Lichtenberg, Grafton
Steve Moran, Rainwater Basin Joint Venture	

ROLL CALL

Thirteen 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 7, 1995 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

EXCUSED ABSENCES

Volkmer made the motion (Motion #1) that Roger Siebert, Doug Dickinson and Roland Schulz be excused from the September 21, 1995 board meeting. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen
NAY: None
ABSENT: Dickinson, Moore, Schulz, Siebert

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the agenda for the board of directors meeting as presented. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen
NAY: None
EXCUSED: Dickinson, Schulz, Siebert
ABSENT: Moore

APPROVAL OF MINUTES OF THE AUGUST 24, 1995 BUDGET HEARING

Schneider noted for the record that the tax levy for the control area fund should have read .0025 instead of .0024.

Regier made the motion (Motion #3) to approve the minutes of the FY 96 Budget Hearing as corrected. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Hansen

NAY: None

PASS: Volkmer

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

APPROVAL OF MINUTES OF THE AUGUST 24, 1995 BOARD MEETING

Houdersheldt made the motion (Motion #4) to approve the minutes of the August 24, 1995 board of directors meeting as distributed. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Hansen

NAY: None

PASS: Volkmer

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

NARD REPORT

Ehlers and Austin gave a report on the NARD Conference held in Grand Island, Nebraska September 17-19, 1995.

NRCS REPORT

Bill Gilliam reported to the board regarding the wetland initiative taking place in Hamilton County. On September 5th he and Steve Moran, Dennis Schroeder, State Conservationist Steve Chick, and Regional Conservationist Jeff Vonk went to two farms in Hamilton County owned by Ken Regier and Mike Hawthorne. The purpose of the visit was to discuss the possibility of local landowners, within a certain geographical area in Hamilton County, taking part in the development of wetland policies that directly affect them. Gilliam stated that it was the groups consensus that there was interest in having landowners participate in the decision making process for wetland polices. Gilliam also stated that this did not mean doing away with wetland law, but developing local policies that maintain or enhance wetland values. Gilliam turned the discussion over to Steve Moran, Rainwater Basin Joint Venture Coordinator.

Steve Moran explained that the Regional Conservationist for NRCS, Jeff Vonk, became involved because of the Midwest Governors' Association. The Midwest Governors' Association formed the Great Plains Partnership several years ago and Jeff Vonk is a member of a work group with the Great Plains Partnership. The work group consists of people at administrative levels from U.S. Fish and Wildlife, Environmental Protection Agency, the Corp of Engineers, and like agencies.

Several months ago Jeff Vonk proposed to the work group participants that a pilot project for wetlands be developed where all the agencies agree to suspend all the rules and regulations. Then have the agencies, landowners and farmers work together on wetland issues, not from a regulatory approach, but an integration of wetlands into the farming operation. It was at the request of this work group that he approached the Rainwater Basin Joint Venture to see if they

had a situation where this pilot program could be implemented.

Steve Moran distributed copies of the Wetlands Conservation - A Local Decision-Making Alternative proposal. Following is part of the proposed concept that Jeff Vonk is taking to the Great Plains Partnership work group next week.

PROPOSAL

The federal agencies, in cooperation with others, have developed a computer model and methodology to analyze the functional values of wetlands. By applying this methodology within an area, baseline information on the functional values of existing wetlands could serve as a basis for locally led decisions. The objective would be to maintain or enhance the sum total of wetland values. Flexibility for individual land use decisions would be incorporated by ensuring that any functional value losses are offset with corresponding increases somewhere else within the area.

Wetland management alternatives would be developed by assembling agency specialists and landowners in focus groups. The groups would look at wetland problems on individual farms but develop solutions involving wetland complexes on surrounding land. Enhancement or restoration opportunities beyond property lines could become solutions for landowners with no options on their own land.

LOCATION

A 100 square mile area in the southwest corner of Hamilton County, Nebraska is proposed as the project area. There are approximately 300 ag producers in the area. The boundary to the area is the county line on the west and south and a hydrologic boundary on the north and east. The area lies within the Rainwater Basin and contains wetland complexes which contain diverse types of wetlands with varying functions. The predominant land use is irrigated cropland (>90%) and the predominant crop is corn.

SUPPORT NEEDS

- Local interest and support to test the concept.
- Identify a local entity to serve as a sponsor for this effort.
- Federal and state agency acceptance of the functional values computer model and willingness to waive jurisdictional authorities in favor of a functional values model within a landscape.
- Support in terms of staff and resources to complete the values assessment baseline data required (federal, state, and local).
- Cooperative effort and willingness to try a new approach. Constructive coalitions could resolve conflict and further the needs and desires of residents of the pilot area while achieving the desired goals of natural resource conservation.

LOCAL PROCESS

1. Sponsor develops steering committee to monitor and guide the process.
2. Sponsor hosts focus group to determine local interest and support.
3. Agency specialists apply the computer model to the area.
4. Wetland functions and values reviewed with the community landowner and agency.
5. Focus groups brainstorm solutions and alternatives.
6. Solutions implemented.

Steve Moran said that he did not know at this time whether or not the work group, and the agency representatives involved, will agree to suspend the rules and regulations. His reason for presenting this proposal to the NRD at this time is to request sponsorship for this concept.

Ehlers made the motion (Motion #5) in response to the request by Steve Moran, Rainwater Basin Joint Venture Coordinator, for immediate action on the "Wetland Conservation - A Local Decision-Making Alternative" that the board declare this an emergency item and add it to the board meeting agenda. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

Anderson made the motion (Motion #6) that the Upper Big Blue NRD be the local sponsor for the "Wetland Conservation - A Local Decision-Making Alternative" and submit the concept paper to Governor Ben Nelson, chair of the Midwest Governors' Association and request the support of the Midwest Governors' Association and the Great Plains Partnership. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

EDUCATION & PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education & Parks Committee meeting held September 14, 1995 and reviewed the committee report as distributed.

WY-AD CONSTRUCTION PAYMENT (Smith Creek Restroom)

Jacobsen made the motion (Motion #7) that the Upper Big Blue NRD make payment of \$2,787.00 to Wy-Ad Construction for the construction of the footings, setting the vault, moving and setting it on the foundation and pouring two 5' x 8' concrete pads in front of the entryways. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

PARK RENOVATION (Grafton)

Jacobsen made the motion (Motion #8) that the Upper Big Blue NRD fund the Village of Grafton in the amount of \$1,700.00 for playground equipment to be constructed on village property adjacent to the new grade school. Total project cost for phase 1 is \$9,700.00. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

CORNERS FOR WILDLIFE (Pheasants Forever)

Pete Berthelson, who represents the Pheasants Forever Chapter throughout the state of Nebraska, submitted a grant proposal to the Environmental Trust Fund for planting and developing pivot corners for wildlife areas.

The grant was approved in the amount of \$315,000.00 to be split equally between four NRD's (Central Platte, Tri-Basin, Lower Elkhorn and the Upper Big Blue) over a five year period.

Eligible practices include the following:

- | | |
|---|-----------|
| 1. Annual winter corner plot | \$30/acre |
| 2. Warm season grass mixture | \$40/acre |
| 3. Cool season grass & legume mix | \$40/acre |
| 4. Tree & wildlife shrub plantings
(min. 400 trees/shrubs) | \$75/acre |

The Pheasants Forever Chapter provides all the materials for these practices. Landowners are responsible for any site preparation. The NRD will draw up the landowners' contracts and design the plantings. For any tree planting of 400 or more the district will plant these trees and shrubs at no cost to the landowners.

Jacobsen made the motion (Motion #9) that the Upper Big Blue NRD adopt the Corners for Wildlife Program and authorize sign up. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held September 11, 1995 and reviewed the committee report as distributed.

LARGE DAMS STUDY

Olsson & Associates has completed the first draft of the large dams studies for the West Fork Big Blue River, Indian Creek, and North Branch of the Big Blue River. Final reports will be presented in October.

Regier made the motion (Motion #10) that Olsson & Associates be paid \$26,602.43 for work completed on the large dams study from June 25, 1995 through August 26, 1995. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

SUTTON FLOOD MITIGATION PROJECT

The city of Sutton has filed claim number three for payment of \$72,920.75 for work completed on

phase 1, part 2 and phase 2 of the channel and levy work on School Creek.

Regier made the motion (Motion #11) that payment of \$72,920.75 (\$64,880.13 of which are FEMA funds and \$8,040.62 of which are NRD funds) be made to the city of Sutton for work completed on phase 1, part 2 and phase 2 of the School Creek channel and levy work through August 1995. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

SMALL DAMS PROGRAM - WELLS DAM

Huebert Land Leveling is approximately 98% completed with construction work on the Wells Dam (Structure 30-9-6W). Remaining work includes fencing and seeding.

Regier made the motion (Motion #12) that Huebert Land Leveling be paid \$26,643.65, \$3,128.20 of which is released retainage, for work completed in August on Structure 30-9-6W. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier 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 Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Regier made the motion (Motion #14) that payment of NSWCP land treatment funds be made in the amount of \$8,725.69 for three applications reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #15) 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, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen
NAY: None
EXCUSED: Dickinson, Schulz, Siebert
ABSENT: Moore

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Regier made the motion (Motion #16) that payment of NRD land treatment funds be made in the amount of \$457.45 for one application reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen
NAY: None
EXCUSED: Dickinson, Schulz, Siebert
ABSENT: Moore

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held September 12, 1995 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
PAYMENT TO MIDWEST LABORATORIES

Volkmer made the motion (Motion #17) to pay Midwest Laboratories \$395.00 for four water analysis of recovery well water samples at Recharge Lake in August. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen
NAY: None
EXCUSED: Dickinson, Schulz, Siebert
ABSENT: Moore

SPECIAL PROTECTION AREA
MONITORING STUDY PROGRESS PAYMENT

Volkmer made the motion (Motion #18) to pay the U.S. Geological Survey \$7,312.00 for the April-June quarter for the SPA monitoring study. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen
NAY: None
EXCUSED: Dickinson, Schulz, Siebert
ABSENT: Moore

SPECIAL PROTECTION AREA
SPA MONITORING STUDY CONTRACT

USGS and NRD staff recommend that the SPA study contract be modified to change the FY 96 contract amount from \$44,125.00 to \$40,625.00 and the FY 97 contract amount from \$31,000.00 to \$26,000.00. The reduced payment to USGS would be used to offset the district cost of vadose zone soil sampling. This contract is entered into annually.

Volkmer made the motion (Motion #19) to approve the FY 96 U.S. Geological Survey contract for the SPA monitoring study for \$40,625.00. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

SPECIAL PROTECTION AREA

SPA MONITORING WELL PROGRESS PAYMENT

The test hole drilling and salvage portions of the contract are complete. This represents approximately 21 percent of the total project cost.

Volkmer made the motion (Motion #20) to approve payment of \$35,370.71 to Sargent Irrigation, Inc. for work completed on the SPA monitoring wells through August 31, 1995 with a retainage of \$3,537.07 for a payment of \$31,833.64. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS

Volkmer made the motion (Motion #21) to approve final payment of seven Aquifer Quality Well Abandonment Cost-share Assistance Program applications for \$2,049.78. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Oswald, Regier, Volkmer, Hansen

NAY: None

PASS: Buller

EXCUSED: Dickinson, Schulz, Siebert

ABSENT: Moore

EROSION AND SEDIMENT CONTROL ACT

LB 480 (1994) modified the Erosion and Sediment Control Act to make non-agricultural lands of two acres or larger subject to the Act. The Natural Resources Commission has modified the states regulations to comply with this change and to correct several housekeeping items in order to be consistent with current agency names and terminology. The NRDs also need to make these changes. The Water Committee has reviewed the draft changes to the district's Erosion and Sediment Control Act Rules and Regulations and is recommending that they be adopted for the purpose of public hearing.

Volkmer made the motion (Motion #22) to adopt the amended Erosion and Sediment Control Act rules and regulations for the purpose of a Public Hearing to be at 8:00 p.m. on October 19, 1995. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None
EXCUSED: Dickinson, Schulz, Siebert
ABSENT: Moore

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held September 12, 1995 and reviewed the committee report as distributed.

ATTORNEY'S FEES

The attorney's fees for the month were \$610.60 for work on drafting the agreement with Blue Beacon, and a letter to the auditor about the FY 95 audit.

Austin made the motion (Motion #23) to approve payment of \$610.60 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through August 20, 1995. Seconded by Anderson. Question called. Motion carried.

A YE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None
EXCUSED: Dickinson, Schulz, Siebert
ABSENT: Moore

FINANCIAL STATEMENT

Houdersheldt made the motion (Motion #24) to approve the financial statement and budget report as of August 31, 1995; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

A YE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None
EXCUSED: Dickinson, Schulz, Siebert
ABSENT: Moore

Meeting adjourned at 10:41 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
OCTOBER 19, 1995

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Wayne Hansen at 8:06 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
Louis Oswald, Director
Roland Schulz, Director
Merlin Volkmer, Director
Nancy Schneider, Staff
Prudence Sadler, Staff
Kenneth Feather, Staff
Stan Paulsen, Cordova, NE
Donna Rhoades, York News-Times

Yvonne Austin, Vice Chairman
Steve Buller, Treasurer
Ray Burke, Director
Ed Ediger, Director
Roger Houdersheldt, Director
Kenneth Regier, Director
Roger Siebert, Director
John Turnbull, Manager
Jay Bitner, Staff
Rodney DeBuhr, Staff
Ervin Papik, Cordova, NE
Fred Nickel, Cordova, NE

ROLL CALL

Thirteen directors were present during quorum call. Houdersheldt and Regier arrived shortly after the meeting began.

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 11, 1995 in the York News-Times. The agenda is kept continually current and 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) that Larry Moore be excused from the October 19, 1995 board meeting. Seconded by Burke. Question called. Motion carried.

A YE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Oswald, Schulz, Siebert, Volkmer,
Hansen

NAY: None

ABSENT: Houdersheldt, Jacobsen, Moore, Regier

ADOPTION OF AGENDA

Ehlers made the motion (Motion #2) to approve the agenda for the board of directors meeting as presented. Seconded by Oswald. Question called. Motion carried.

A YE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Oswald, Schulz, Siebert, Volkmer,
Hansen

NAY: None

PASS: Houdersheldt

EXCUSED: Moore

ABSENT: Jacobsen, Regier

APPROVAL OF MINUTES OF THE SEPTEMBER 21, 1995 BOARD MEETING

Burke made the motion (Motion #3) to approve the minutes of the September 21, 1995 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

ABSENT: Jacobsen, Regier

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held October 10, 1995 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
RECOVERY WELL CONSTRUCTION - FINAL PAYMENT

Sargent Irrigation Company, Inc. has completed construction of recovery wells R3 and R4 and abandonment of 15 monitoring wells at Recharge Lake. The total payment under this contract, including this payment, was \$53,478.72 which is \$4,391.98 less than the current contract. The final payment for work completed in September plus released retainage is \$14,489.73.

Volkmer made the motion (Motion #4) to make final payment of \$14,489.73 to Sargent Irrigation Company, Inc. for the construction of recovery wells R3 and R4 and abandonment of the monitoring wells. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

ABSENT: Jacobsen

PROPOSED CHANGES TO DEQ TITLE 117

The Department of Environmental Quality staff has proposed changes to the Nebraska Water Quality Standards (Title 117) which include the removal of the four day chronic surface water standard of 1 ug/l for atrazine. This change would mean that the NRD would no longer need a variance for recovery well discharges to Recharge Lake. This proposal will be considered by the Environmental Quality Council at their December meeting. DEQ staff has encouraged the NRD to testify in support of these proposed changes.

Volkmer made the motion (Motion #5) to authorize the staff to prepare and present testimony in support of the removal of the 1 ug/l chronic surface water atrazine standard from title 117. Seconded by Oswald. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

ABSENT: Jacobsen

RECHARGE LAKE WATER QUALITY PROJECT -PAYMENT TO NRCS

NRCS continues to work with cooperators in the Recharge Lake Watershed on the Water Quality Incentive Program Best Management Practices as part of the Recharge Lake Water Quality Project. The NRCS contract runs through September 1996. Funds paid to NRCS will

be reimbursed by DEQ.

Volkmer made the motion (Motion #6) to make payment of \$5,833.25 to the USDA Natural Resources Conservation Service for the July through September quarter of the Recharge Lake 319 Project. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

ABSENT: Jacobsen

SPECIAL PROTECTION AREA

MONITORING WELL PROGRESS PAYMENT

Construction is underway on the SPA monitoring wells. Two wells will need to be redrilled due to design modifications which caused the casings to collapse. The driller has switched from reverse rotary to direct rotary drilling. This is expected to lower the overall cost enough to keep within the current contract amount.

Volkmer made the motion (Motion #7) that payment of \$19,104.64 be made to Sargent Irrigation Company, Inc. for work completed on the SPA monitoring wells in September, with retainage of \$1,910.46, for a payment of \$17,194.18. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

ABSENT: Jacobsen

SPECIAL PROTECTION AREA

VADOSE ZONE SAMPLING

The next major activity scheduled for the SPA monitoring study is to collect and analyze vadose zone soil samples near the monitoring well sites. A private contractor is needed to collect the samples. Analysis will be done by USGS. The proposal includes approximately 1,010 feet of drilling and collection of about 145 soil samples.

The following quotes were received for completion of this work.

Geotechnical Services, Inc.	\$12,586.00
HWS Consulting Group, Inc.	\$10,575.50
Contract Exploration Drilling	\$ 8,096.74

The staff estimate was \$8,834.40.

Volkmer made the motion (Motion #8) to accept Contract Exploration Drilling's quote of \$8,096.74 for vadose zone sampling as part of the SPA monitoring study. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

ABSENT: Jacobsen

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
FINAL PAYMENTS

Volkmer made the motion (Motion #9) to approve final payment of four Aquifer Quality Well Abandonment Cost-share Assistance Program applications for \$1,006.05. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Burke, Dickinson, Ediger, Houdersheldt,
Jackson, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None
PASS: Buller
EXCUSED: Moore
ABSENT: Ehlers, Jacobsen

EROSION AND SEDIMENT CONTROL ACT REGULATION CHANGES

Volkmer made the motion (Motion #10) to adopt the amendments to the rules and regulations for implementing the Nebraska Erosion and Sediment Control Act. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen
NAY: None
PASS: Ehlers
EXCUSED: Moore
ABSENT: Jacobsen

CHEMIGATION FEES - PAYMENT TO DEQ

Volkmer made the motion (Motion #11) to make payment of \$2,208.00 to the Nebraska Department of Environmental Quality for their share of chemigation permit fees collected in 1995. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Moore
ABSENT: Jacobsen

ATV LEASE PAYMENT

The district has completed the 1995 lease of the Kawasaki 300 ATV and has returned it to Doug's Garage of Geneva. The lease period was from June 1, through September 30, 1995.

Volkmer made the motion (Motion #12) to make payment of \$900.00 to Doug's Garage for the summer 1995 ATV lease. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Moore
ABSENT: Jacobsen

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held October 10, 1995 and reviewed the committee report as distributed.

THIRD QUARTER DIRECTORS' PER DIEM AND EXPENSES

Austin made the motion (Motion #13) to approve payment of third quarter directors' per diem of \$7,600.00 and expenses of \$2,280.75. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

ABSENT: Jacobsen

ATTORNEY'S FEES

The attorney's fees for the month are \$175.00 for drafting the agreement between Blue Beacon, Inc. and the district for wetland mitigation.

Austin made the motion (Motion #14) to approve payment of \$175.00 to Crosby, Guenzel, Davis, Kessner and Kuester for Steve Seglin's work through September 20, 1995. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

ABSENT: Jacobsen

PROJECTS COMMITTEE REPORT

Houdersheldt gave a report on the Projects Committee meeting held October 11, 1995 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #15) that 15 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, Oswald, Regier, Siebert,
Volkmer, Hansen

NAY: None

PASS: Schulz

EXCUSED: Moore

ABSENT: Jacobsen

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Houdersheldt made the motion (Motion #16) that payment of NSWCP Land Treatment funds be made in the amount of \$3,011.68 for two applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

ABSENT: Jacobsen

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #17) that six new applications 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, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Siebert,
Volkmer, Hansen

NAY: None

PASS: Schulz

EXCUSED: Moore

ABSENT: Jacobsen

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Houdersheldt made the motion (Motion #18) that payment of NRD land treatment funds be made in the amount of \$3,579.80 for four applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

ABSENT: Jacobsen

LARGE DAMS STUDY

Bitner reviewed the final reports for the Garrison, Stockham and Indian Creek reconnaissance level studies prepared by Olsson & Associates with the Projects Committee. Olsson & Associates submitted a final billing for the studies. The total cost of the study was \$49,500.00. The district has already paid \$32,433.68, which leaves a balance due of \$17,066.32.

Houdersheldt made the motion (Motion #19) that Olsson & Associates be paid \$17,066.32 as final payment for reconnaissance level studies on the Garrison, Stockham and Indian Creek Projects. Seconded by Austin. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

ABSENT: Jacobsen

After reviewing the reconnaissance level studies the Projects Committee decided that the Garrison project would impact one railroad right-of-way and one U.S. Highway right-of-way. The cost of protecting these facilities makes the Garrison project unfeasible and they recommended that the project not be given further consideration.

Bitner reviewed the findings of the Olsson & Associates reconnaissance level studies for the three projects with the board.

Houdersheldt made the motion (Motion #20) that the Garrison project as presented in the Olsson & Associates reconnaissance level study, dated September 1995, not be considered for further development due to conflicts with railroad and highway right-of-ways. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None
EXCUSED: Moore
ABSENT: Jacobsen

DAVID CITY-BUTLER COUNTY NORTHWEST DRAINAGE PROJECT

The interlocal agreement between the Upper Big Blue NRD, Lower Platte North NRD and Butler County, which governs the terms and conditions of the David City-Butler County Northwest Drainage Project, has been signed by the Lower Platte North NRD and Butler County.

Houdersheldt made the motion (Motion #21) that the district authorize the Upper Big Blue NRD Chairman to execute the interlocal agreement between the Upper Big Blue NRD, Lower Platte North NRD and Butler County for the David City-Butler County Northwest Drainage Project. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None
EXCUSED: Moore
ABSENT: Jacobsen

The Upper Big Blue NRD's responsibility under the David City-Butler County Northwest Drainage Project interlocal agreement is to provide planning and design engineering. The first step is to prepare a detailed map of the existing area. It is proposed that computer ready maps be prepared from aerial photography. Proposals for the aerial photography and mapping would be obtained from two firms.

Houdersheldt made the motion (Motion #22) that staff be authorized to request proposals from two firms to provide aerial photography and digital mapping for the David City-Butler County Northwest Drainage Project. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None
EXCUSED: Moore
ABSENT: Jacobsen

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Houdersheldt gave a report on the Budget, Planning & Legislative Committee meeting held October 12, 1995 and reviewed the committee report as distributed.

FY 95 AUDIT

Steve Wiemer presented the FY 95 audit to the Budget, Planning & Legislative Committee on October 12, 1995. He reviewed the notes and findings. There were no irregularities.

Houdersheldt made the motion (Motion #23) that the board of directors accept the FY 95 audit as presented by Steve Wiemer of Romans, Wiemer & Associates. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None
EXCUSED: Moore
ABSENT: Jacobsen

EDUCATION & PARKS COMMITTEE REPORT

Ehlers gave a report on the Education & Parks Committee meeting held October 12, 1995 and reviewed the committee report as distributed.

FY 96 TREE PROGRAM

Ehlers made the motion (Motion #24) that the following costs be adopted for the FY 96 tree planting program: trees 46 cents each; planting 29 cents each. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

ABSENT: Jacobsen

COMMUNITY TREE RESOURCES - OSCEOLA

Ehlers made the motion (Motion #25) that the Upper Big Blue Natural Resources District fund the tree planting at the Osceola City Arboretum in an amount not to exceed \$879.00. Planting is to take place during FY 96. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

ABSENT: Jacobsen

RECREATIONAL DEVELOPMENT - FAIRMONT

Ehlers made the motion (Motion #26) that the Upper Big Blue Natural Resources District work with the Village of Fairmont and adjacent landowners along with the State Department of Roads to coordinate the necessary engineering, design work and funding for a possible project along Highway 81. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Oswald, Regier, Siebert,
Volkmer, Hansen

NAY: None

PASS: Schulz

EXCUSED: Moore

ABSENT: Jacobsen

BICYCLE TRAIL - RECHARGE LAKE

Steve Fenske attended the Education and Parks Committee meeting to present a plan to construct and maintain a bicycle trail at Recharge Lake. An agreement, similar to the one with the Upper Big Blue Archers Club, would need to be drawn up between the bicycle club and the NRD for construction of a biking trail. The committee directed staff to contact other agencies regarding similar agreements and design.

FINANCIAL STATEMENT

Volkmer made the motion (Motion #27) to approve the financial statement and budget report as of September 30, 1995; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Oswald, Regier, Schulz, Siebert,
Volkmer, Hansen

NAY: None
EXCUSED: Moore
ABSENT: Anderson, Jacobsen

Meeting adjourned at 10:00 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
NOVEMBER 16, 1995

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
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	Rodney DeBuhr, Staff
Kenneth Feather, Staff	Donna Rhoades, York News-Times
Lisa Willis, KAWL	

ROLL CALL

Thirteen directors were present during quorum call. Anderson, Austin, Jacobsen and Siebert 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 November 2, 1995 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ADOPTION OF AGENDA

Ehlers made the motion (Motion #1) to approved the agenda for the board of directors meeting as presented. Seconded by Burke. Question called. Motion carried.

A YE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Anderson, Austin, Jacobsen, Siebert

APPROVAL OF MINUTES OF THE OCTOBER 19, 1995 EROSION & SEDIMENT CONTROL ACT HEARING

Volkmer made the motion (Motion #2) to approve the minutes of the October 19, 1995 Erosion and Sediment Control Act Hearing as distributed. Seconded by Dickinson. Question called. Motion carried.

A YE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

ABSENT: Anderson, Austin, Jacobsen, Siebert

APPROVAL OF MINUTES OF THE OCTOBER 19, 1995 BOARD MEETING

Houdersheldt made the motion (Motion #3) to approve the minutes of the October 19, 1995 board of directors meeting as distributed. Seconded by Volkmer. 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

PROJECTS COMMITTEE REPORT

Houdersheldt gave a report on the Projects Committee meeting held November 6, 1995 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #4) that nine 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: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz,
Volkmer, Hansen

NAY: None

ABSENT: Anderson, Jacobsen, Siebert

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 \$2,542.81 for one application reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Regier, Schulz, Volkmer, Hansen

NAY: None

PASS: Burke

ABSENT: Anderson, Jacobsen, Siebert

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #6) that four new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. 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

SUTTON FLOOD MITIGATION PROJECT

Work on the Sutton Flood Mitigation Project is completed. The city filed a claim for payment in the amount of \$8,632.35.

Houdersheldt made the motion (Motion #7) that payment of NRD funds in the amount of \$8,632.35 be made to the city of Sutton for work completed through October 1995. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz,
Volkmer, Hansen

NAY: None
PASS: Jacobsen
ABSENT: Anderson, Siebert

DAVID CITY NORTHWEST DRAINAGE PROJECT

Proposals were received from Western Air Maps and Horizons Incorporated to provide aerial photography and map preparation for the David City Northwest Drainage Project. Western Air Maps proposed to do the work for \$28,880.00. The Horizons Incorporated proposal was in the amount of \$16,800.00.

Houdersheldt made the motion (Motion #8) that the district contract with Horizons Incorporated of Rapid City, South Dakota, to perform aerial photography and digital topographic mapping for the David City-Butler County Northwest Drainage Project for a fee not to exceed \$16,800.00. Seconded by Oswald. 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

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held November 6, 1995 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT

Recharge Lake 319 Project - NRCS Contract Renewal

Rod presented the contract renewal for the NRCS assistance to producers in the Recharge Lake Watershed. This is the second year of a three year project which provides \$23,333.00 annually to NRCS from EPA 319 funds.

Volkmer made the motion (Motion #9) to approve the NRCS contract renewal for the Recharge Lake 319 Project. 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

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT

Bureau of Reclamation Grant Agreement

This agreement will provide funding for 80 percent of the cost of operational power of the recovery wells, sampling and analysis. It also allows for the construction of a fourth recovery well if needed. The agreement provides funding of up to \$270,000.00 through September, 2000.

Volkmer made the motion (Motion #10) to approve the grant agreement with the U.S. Bureau of Reclamation for the York Groundwater Recharge Demonstration Program. 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

SPECIAL PROTECTION AREA

Monitoring Well Progress Payment

Construction of the SPA monitoring wells is 99 percent complete. Some electrical work and site clean-up are all that remain to be done.

Volkmer made the motion (Motion #11) that payment of \$90,764.59 be approved to Sargent Irrigation Company, Inc. for work completed on the SPA monitoring well in October, with retainage of \$9,076.46 for a payment of \$81,688.13. 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

BLUE RIVER ASSOCIATION BILLING FOR NITRATE TESTING

The Blue River Association of Ground Water Conservation Districts analyzed 108 samples for the NRD at a cost of \$3.00 each.

Volkmer made the motion (Motion #12) to pay the Blue River Association \$324.00 for the fall 1995 domestic well nitrate analysis. 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

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
FINAL PAYMENTS

Volkmer made the motion (Motion #13) to approve final payment of four Aquifer Quality Well Abandonment Cost-share Assistance Program applications for \$940.53. Seconded by Austin. 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
Program Modifications

Changes in state law no longer make it necessary to have after-the-fact approvals of AQWACAP applications. DeBuhr recommends that paragraphs 06.02 and 06.03 be deleted from the AQWACAP program.

Volkmer made the motion (Motion #14) to approve the modifications to the AQWACAP program. 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

EDUCATION & PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education & Parks Committee meeting held November 8, 1995 and reviewed the committee report as distributed.

NOVEMBER WILDLIFE HABITAT PROGRAM PAYMENTS

Jacobsen made the motion (Motion #15) that the Upper Big Blue NRD make payments of \$4,509.00 to the cooperators of the Wildlife Habitat Improvement Program for the month of November. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: Dickinson

ABSENT: None

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held November 8, 1995 and reviewed the committee report as distributed.

OPERATING POLICY FOR USE OF DISTRICT MEETING ROOMS

Turnbull reviewed the proposed Operating Policy No. 35 - Use of District Meeting Rooms. A copy of the policy is attached to these minutes.

Austin made the motion (Motion #16) to approve Operating Policy No. 35 - Use of District Meeting Rooms. 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

SALE OF SALVAGED MATERIALS FROM OFFICE BUILDING

Turnbull has requested approval for sale of used building materials salvaged from the NRD building construction.

Austin made the motion (Motion #17) to approve the sale of used building material left over from the NRD office building construction. 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

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Moore gave a report on the Budget, Planning & Legislative Committee meeting held November 8, 1995 and reviewed the committee report as distributed.

LB 108 - CONJUNCTIVE WATER USE

Turnbull distributed a draft position paper on LB 108 - Conjunctive Water Use.

Moore made the motion (Motion #18) that the board of directors continue to support LB 108 subject to the adoption of amendments that address this district's concerns, some of which are:

That Districts will not be required to rewrite or readopt existing Control Area Regulations, SPA Action Plans, or SPA Regulations, due to the consolidation of statutes dealing with the Groundwater Management and Protection Act.

That the grandfathering of wells needs to be restricted to and only applies to geographic areas that are under conjunctive use regulation.

That all existing wells need to be grandfathered statewide as a block as of the effective date of LB 108, but that such grandfathering is only effective in areas that come under conjunctive use regulation.

That replacement wells, drilled after the effective date of the act, also are grandfathered as of the effective date of the act, provided that; 1 - they irrigate the same lands as the well which they are replacing and, 2 - the well that is replaced was originally drilled prior to the effective date of the act.

For each conjunctive use area the Director of the Department of Water Resources and the Natural Resources District or Districts will be in mutual agreement on the establishment of that conjunctive use management area.

That the Department of Water Resources conducts the necessary studies for conjunctive use management areas.

That the conjunctive use action plans and ensuing regulations require both groundwater and surface water users apply proper best management practices to conserve water before access is denied to use either groundwater or surface water.

and further recommend that committee and staff continue to work with the Senators on specific amendments. Seconded by Dickinson

Houdersheldt amended the motion to make the motion (Motion #19) to amend paragraph 2 to include the following sentence: "Within each conjunctive use area, the date under which the wells are to be grandfathered is the effective date of that conjunctive use area." and strike paragraph 3 entirely. Seconded by Regier. Question called on the amendment. Amendment carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier,
Schulz, Hansen

NAY: Ediger

PASS: Siebert, Volkmer

Houdersheldt amended the motion to make the motion (Motion #20) to replace paragraph 3 with "That a replacement well, drilled after the effective date of the conjunctive use area, also is grandfathered as of the effective date of the conjunctive use area, provided that; 1 - it meets existing replacement well statutes, 2 -the well it replaces was originally drilled prior to the effective date of the conjunctive use area." Seconded by Jacobsen. Question called on the amendment. Amendment carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Volkmer, Hansen

NAY: None

PASS: Ediger

ABSENT: Moore, Schulz, Siebert

Question called on the original motion, as amended, to read as follows:

"That the Board of Directors continue to support LB 108 subject to the adoption of amendments that address this District's concerns, some of which are:

That Districts will not be required to rewrite or readopt existing Control Area Regulations, SPA Action Plans, or SPA Regulations, due to the consolidation of statutes dealing with the Groundwater Management and Protection Act.

That the grandfathering of wells needs to be restricted to and only applies to geographic areas that are under conjunctive use regulation. Within each conjunctive use area, the date under which the wells are to be grandfathered is the effective date of that conjunctive use area.

That a replacement well, drilled after the effective date of the conjunctive use area, also is grandfathered as of the effective date of the conjunctive use area, provided that; 1 -it meets existing replacement well statutes, 2 - the well that it replaces was originally drilled prior to the effective date of the conjunctive use area.

For each conjunctive use area the Director of the Department of Water Resources and Natural Resources District or Districts will be in mutual agreement on the establishment of that conjunctive use management area.

That the Department of Water Resources conducts the necessary studies for consideration of conjunctive use management areas.

That the conjunctive use action plans and ensuing regulations require both groundwater and surface water users apply proper best management practices to conserve water before access is denied to use either groundwater or surface water.

and further recommend that committee and staff continue to work with the Senators on specific amendments.

Motion carried as amended.

AYE: Anderson, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Hansen
NAY: Austin, Ediger
PASS: Volkmer
ABSENT: Regier, Schulz, Siebert

NATURAL RESOURCES ENHANCEMENT FUND RULES - (FERTILIZER TAX)

Anderson made the motion (Motion #21) that the board direct Turnbull to attend the hearing on the Natural Resources Enhancement Fund Rules and testify in support of proposed regulations. Seconded by Jackson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Jacobsen, Moore,
Oswald, Volkmer, Hansen
NAY: None
ABSENT: Regier, Schulz, Siebert

FINANCIAL STATEMENT

Volkmer made the motion (Motion #22) to approve the financial statement and budget report as of October 31, 1995; 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, Volkmer, Hansen
NAY: None
ABSENT: Regier, Schulz, Siebert

Meeting adjourned at 4:10 p.m.

James K. Jackson, Secretary
:nds
attachment

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
DECEMBER 21, 1995

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
Bruce Anderson, Director
Doug Dickinson, Director
Bob Ehlers, Director
Luke Jacobsen, Director
Louis Oswald, Director
Roland Schulz, Director
Merlin Volkmer, Director
Nancy Schneider, Staff
Prudence Sadler, Staff
Kenneth Feather, Staff
Russ Callan, Staff
Russ Jost, Aurora
Mark Jost, Henderson
Garry L. Jensen, Hampton
Senator George Coordsen
Senator Elaine Stuhr
Bruce Cutshall, NARD Lobbyist

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
Jay Bitner, Staff
Rodney DeBuhr, Staff
Russ Gierhart, Staff
Wm. Gilliam, York NRCS
Dean Jost, Aurora
Kevin Elge, Aurora
Dave Hutsell, Hampton
Senator Jan McKenzie
Sara Grell, York News-Times

ROLL CALL

Sixteen directors were present during quorum call. Anderson 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 December 7, 1995 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ADOPTION OF AGENDA

Ehlers made the motion (Motion #1) to approved the agenda for the 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,
Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSENT: Anderson

LB 108 - CONJUNCTIVE WATER USE

Senator McKenzie was asked to update the board on amendments to LB 108 that were recommended by the Governor's Water Council on Wednesday. She stated that there were

approximately twelve different amendments discussed. She did not have copies of the amended bill to distribute so she discussed the issues from memory. The first dealt with harmonizing provisions, including some of the replacement well language passed last year.

The second issue was the funding for studies, and how NRDs or any other interested party might fund a study. A fund was created that could be used to take care of the costs of those studies through the NRDs.

The next amendment dealt with was the grandfathering issue. This amendment allows that the NRD may set different provisions for wells established before the designation date.

The next amendment struck all reference in the bill to the language that said "interstate compacts or decrees or federal law". The language was changed to say something like "interstate compacts or decrees and/or state contracts and formal agreements". This was an attempt to find a way to address the MOA issue with the FERC relicensing.

Another concern was the Game and Parks instream flow application and what that might mean in terms of the language in LB 108. If 108 were passed in its present form and Game and Parks was awarded a million acre feet, instead of the 1.9 million they requested, there was concern a conjunctive use management area could be triggered for that type of request. Language was adopted that basically said you cannot trigger LB 108 for instream flow applications.

Whether or not NRDs should have the authority to establish management areas without oversight from the Department of Water Resources was a very big issue. What they ended up doing was giving the NRDs complete authority for designation and development of the management plan with support, consultation, and access to the resources DWR might have available to them. The only time the Director of the Department of Water Resources could be involved in designating a management area is if there is an interstate conflict. A five-member, interrelated water committee was created. This committee would consist of three members of the NNRC appointed by the governor and two members elected by the NNRC. This water committee would be the buffer should there be a conflict between the NRD's position and the Director of Department of Water Resource's opinion.

The bill, with all the amendments, was referred back to the Governor for his review.

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

LEGISLATION - LB 108

The committee discussed the board's position on LB 108 at length. A suggested motion was presented, which after rewording, changes the board's position on LB 108.

Moore made the motion (Motion #2) that the Upper Big Blue Natural Resources District Board of Directors opposes LB 108 unless it is amended in order to address the Board's concerns. The Board is not convinced that the legislation is needed at the present time. The Directors are concerned about LB 108's potential impacts to this area. If LB 108 is enacted, the legislation may cause limitations on groundwater use for irrigation, which would adversely affect this region's economy. Principal concerns the Board has with the bill are:

That Districts will not be required to rewrite or readopt existing Control Area Regulations, SPA Action Plans, or SPA Regulations, due to the consolidation of statutes dealing with the Groundwater Management and Protection Act.

That the grandfathering of wells needs to be restricted to and only applies to geographic areas that are under conjunctive use regulations. Within each conjunctive use area, the date under which the wells are to be grandfathered is the effective date of that conjunctive use area.

That a replacement well, drilled after the effective date of the conjunctive use area, also is grandfathered as of the effective date of the conjunctive use area, provided that; 1 - it meets existing replacement well statutes, 2 - the well it replaces was originally drilled prior to the effective date of the conjunctive use area.

For each conjunctive use area the Director of the Department of Water Resources and the Natural Resources District or Districts will be in mutual agreement on the establishment of that conjunctive use management area.

That the Department of Water Resources conducts the necessary studies for consideration of conjunctive use management areas.

That the conjunctive use action plans and ensuing regulations require both groundwater and surface water users apply proper best management practices to conserve water before access is denied to use either groundwater or surface water.

If these concerns are not satisfactorily addressed the Upper Big Blue Natural Resources District Board of Directors cannot support LB 108. Seconded by Ehlers. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier,
Volkmer, Hansen
NAY: Ediger, Schulz, Siebert

Senator Elaine Stuhr commended the board for voting to change their position on LB 108. She said she opposes the bill as written, unless possible amendments are passed. She feels the Upper Big Blue NRD's vote will apply more pressure to make amendments.

Senator George Coordsen discussed his views on LB 108 with the board as well as other proposed legislation.

APPROVAL OF MINUTES OF THE NOVEMBER 16, 1995 BOARD MEETING

Houdersheldt made the motion (Motion #3) to approve the minutes of the November 16, 1995 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,
Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: None

SANITARY SEWER EXTENSION DISTRICT NO. 95-3

Turnbull advised the board that he had received notice of the creation of a sanitary sewer extension district to place a sewer line on the 3 acre tract of land the district owns in south York. Turnbull contacted the city and discussed the matter. Turnbull estimated the cost of the sewer line to be approximately \$5,400.00.

NARD REPORT

Bruce Cutshall, lobbyist for the Nebraska Association of Resources Districts, was present and explained to the board how a lobbyist works. Following his explanation he answered questions

from the board.

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held December 11, 1995 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #4) that fourteen 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: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Siebert, Volkmer, Hansen

NAY: None

ABSTAIN: Anderson

ABSENT: Schulz

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Regier made the motion (Motion #5) that payment of NSWCP land treatment funds be made in the amount of \$17,251.21 for nine applications reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSTAIN: Anderson

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #6) that eleven new applications 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, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSTAIN: Anderson

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 \$739.96 for two applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSTAIN: Anderson

SUTTON FLOOD MITIGATION PROJECT

All work has been completed on the Sutton Flood Hazard Mitigation Project. Final payment in the amount of \$8,650.00 has been requested by the City of Sutton.

Regier made the motion (Motion #8) that final payment of \$8,650.00 be made to the City of Sutton as final payment for the levee and channel work on the Sutton Flood Hazard Mitigation

Project. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

ABSTAIN: Anderson

SEWARD FLOOD HAZARD MITIGATION PROJECT

Regier made the motion (Motion #9) that the district enter into the state-local contractual agreement with the Nebraska Civil Defense Agency for the purpose of governing expenditure of Federal Emergency Management Agency grant funds on the Seward Flood Hazard Mitigation Project. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier,
Schulz, Volkmer, Hansen

NAY: None

ABSTAIN: Anderson

ABSENT: Siebert

SMALL DAMS PROGRAM - PROJECT 22-11-5W (MEYERS DAM)

The current cost estimate for this dam is \$26,000.00. After some discussion staff recommended that the District reconsider building a reuse pit and diversion instead of a dam. This would save approximately \$16,000.00. In order for the District to cost-share on the reuse pit the board would have to waive the district policy which requires Meyers to own the well which supplies water to the land he irrigates.

Regier made the motion (Motion #10) that the district offer to cost-share with Bruce Meyers on a reuse pit and diversion, instead of a dam, for the Southwest Quarter of Section 22, Township 11 North, Range 5 West, and that the District's policy which requires the landowner to own the well be waived. Seconded by Ehlers.

The board discussed the issue at length. The big concern the board had was that Meyers should have a written agreement with the owner of the well before NRD funds were used to construct a reuse pit.

Austin amended the motion to make the motion (Motion #11) provided that Meyers obtains a five year written agreement with the well owner. Seconded by Houdersheldt. Question called on the amendment. Amendment failed.

AYE: Austin, Houdersheldt, Jacobsen, Hansen

NAY: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Moore,
Oswald, Regier, Schulz, Siebert, Volkmer

ABSTAIN: Anderson

Regier made the motion (Motion #12) to refer the matter back to the Projects Committee. Seconded by Burke. Question called. Motion failed.

AYE: Jacobsen, Schulz

NAY: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Siebert,
Volkmer, Hansen

ABSTAIN: Anderson

PASS: Regier

Question called on the original motion. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Jackson,
Moore, Oswald, Regier, Schulz, Siebert, Volkmer, Hansen
NAY: Buller, Houdersheldt, Jacobsen
PASS: Anderson

SMALL DAMS PROGRAM - PROJECT 30-9-6W (WELLS DAM) - PROGRESS PAYMENT

All work has been completed on Project 30-9-6W. The original bid was \$31,765.22 and final contract amount is \$33,894.20.

Regier made the motion (Motion #13) that final payment be made to Huebert Land Leveling in the amount of \$2,612.21 as final payment for construction of Project 30-9-6W (Wells Dam). Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen
NAY: None
ABSTAIN: Anderson
ABSENT: Ehlers

MAINTENANCE ON DISTRICT PROJECTS - PROGRESS PAYMENT

The district maintenance work for 1995 is 89% complete. The original bid for maintenance work was \$12,621.00. To-date \$11,189.01 of the work has been completed.

Regier made the motion (Motion #14) that Huebert Land Leveling be paid \$4,545.90 for work completed in November 1995 on maintenance of district projects. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt,
Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert,
Volkmer, Hansen
NAY: None
ABSTAIN: Anderson
ABSENT: Ehlers, Moore

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held December 11, 1995 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
PAYMENT TO MIDWEST LABORATORIES

Volkmer made the motion (Motion #15) to pay Midwest Laboratories \$395.00 for pesticide analysis of four water samples collected from the recovery wells at Recharge Lake in October and November. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt,
Jackson, Oswald, Schulz, Siebert, Volkmer, Hansen
NAY: None
ABSTAIN: Anderson
ABSENT: Ehlers, Jacobsen, Moore, Regier

SPECIAL PROTECTION AREA

MONITORING WELL CONSTRUCTION PROGRESS PAYMENT

Construction of the SPA monitoring wells is complete. The total cost was \$150,935.96. The original contract was \$149,906.29.

Volkmer made the motion (Motion #16) that final payment of \$20,220.01 be approved to Sargent

Irrigation Company, Inc. for work completed on the SPA monitoring wells in October and for release of retainage previously withheld. Seconded by Oswald. Question called. Motion carried

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Jackson, Oswald, Regier, Schulz, Siebert,
Volkmer, Hansen

NAY: None

PASS: Jacobsen, Moore

ABSENT: Houdersheldt

SPECIAL PROTECTION AREA

VADOSE ZONE SAMPLING

Collection of the first set of vadose zone samples from near the SPA monitoring wells is complete. The actual cost of collection was \$6,511.52. Estimated cost quoted by Contract Exploration Drilling, Inc. was \$8,096.74. The cost was less because 232 feet less drilling was required.

Volkmer made the motion (Motion #17) to make final payment to Contract Exploration Drilling, Inc. in the amount of \$6,511.52 for vadose zone soil sampling completed in November and December. 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

AUTOMATED WEATHER STATION

The University of Nebraska has offered to provide the equipment necessary for an automated weather station to be located at Recharge Lake. When the district first looked into an automated station last spring the equipment cost was approximately \$6,000.00. The University would also provide operation and maintenance of the station. The cost to the district for annual operation and maintenance would be \$1,000.00. The automated station will save the water department staff considerable time during the summer months when the workload is at its heaviest and should provide year round weather data which would be accessible to interested parties.

Volkmer made the motion (Motion #18) to enter into an agreement with the University of Nebraska for installation, operation and maintenance of an automated weather station at Recharge Lake at a cost to the District of \$1,000.00 annually. Seconded by Austin. 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

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

FINAL PAYMENTS

Volkmer made the motion (Motion #19) to approve final payment of eight Aquifer Quality Well Abandonment Cost-share Assistance Program applications for \$2,708.29. Seconded by Ediger. 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

FALL GROUNDWATER LEVELS

The Blue River Association of Ground Water Conservation Districts has submitted a bill for the fall groundwater measurements outside the Association area.

Volkmer made the motion (Motion #20) to pay the Blue River Association of Ground Water Conservation Districts \$478.50 for 66 groundwater level measurements taken in the fall of 1995. 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

EDUCATION & PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education & Parks Committee meeting held November 8, 1995 and reviewed the committee report as distributed.

PARTNERS FOR WILDLIFE - COOPERATIVE AGREEMENT WITH FISH & WILDLIFE

Jeff Drahota with the Fish and Wildlife Service presented the Partners for Wildlife program to the Education and Parks Committee. The program is one way landowners can improve their private land resources by working together to ensure that there will be wildlife to enjoy in the future. Funds will be provided to the district for wetland restoration and upland habitat.

Jacobsen made the motion (Motion #21) that the Fish and Wildlife Service draft a cooperative agreement and send it to the Upper Big Blue NRD for approval. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Hansen

NAY: None

ABSENT: Anderson, Volkmer

TREE PLANTING - KEN VETTEL

The district planted 600 seedlings for Ken Vettel in the spring of 1995. The planting was completed on June 14, 1995. The site was very sandy because it is next to the Platte River. Due to the hot weather and poor ground preparation, the planting had a poor survival rate. Mr. Vettel has requested that the dead trees be replaced at no charge. He has agreed to plant them himself.

Jacobsen made the motion (Motion #22) that the district review the site and provide the necessary replacements at no cost to Mr. Vettel. Seconded by Ediger.

Dickinson expressed concern about replacing trees where site preparation was poor, not to mention the fact that the district's policy is not to guarantee survival.

Austin felt that the lateness of the planting, which resulted in very hot dry weather, should be taken into account.

Ehlers felt that instead of spending additional staff time to inspect the site we should just replace sixty percent of the trees as requested by Mr. Vettel.

Austin amended the motion to make the motion (Motion #23) to replace sixty percent of the trees on a one time basis. Seconded by Oswald. Question called on the amendment. Amendment

failed.

AYE: Austin, Dickinson, Ehlers, Houdersheldt, Jackson,
Oswald, Schulz
NAY: Buller, Burke, Ediger, Jacobsen, Regier, Siebert, Hansen
PASS: Moore
ABSENT: Anderson, Volkmer

Question called on the original motion. Motion carried.

AYE: Ediger, Jackson, Jacobsen, Moore, Oswald, Regier,
Schulz, Siebert, Hansen
NAY: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt
ABSENT: Anderson, Volkmer

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held December 13, 1995 and reviewed the committee report as distributed.

AUTHORIZATION FOR PICKUP BIDS

The 1987 Chevrolet 1/2 ton pickup is due to be replaced. The vehicle has 110,000 miles on it, most of which are from chemigation and other water department work.

Austin made the motion (Motion #23) to authorize advertisement for bids on a new 1/2 ton two-wheel drive pickup to replace the 1987 Chevrolet pickup. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier,
Schulz, Siebert, Hansen
NAY: None
ABSENT: Anderson, Volkmer

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Moore gave a report on the Budget, Planning & Legislative Committee meeting held December 19, 1995 and reviewed the committee report as distributed.

STRATEGIC PLANNING

WATER CONSERVATION DAMS PROGRAM

The proposed dams program was reviewed as recommended by the Projects Committee.

Moore made the motion (Motion #24) to adopt the Water Conservation Dams Program as presented, and to make it effective immediately. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Hansen
NAY: None
ABSENT: Anderson, Siebert, Volkmer

FINANCIAL STATEMENT

Burke made the motion (Motion #25) to approve the financial statement and budget report as of November 30, 1995; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Moore, Oswald,

NAY: Regier, Schulz, Hansen
None
ABSENT: Anderson, Siebert, Volkmer

Meeting adjourned at 5:37 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 19, 1996

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
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
Rodney DeBuhr, Staff	Kenneth Feather, Staff
Steve Moran, RWBJV, Grand Island	Wm. Gilliam, NRCS, York

ROLL CALL

Thirteen directors were present during quorum call. Austin, Schulz and Siebert 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 January 4, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

Due to a winter storm on Thursday, January 18, 1996 the board of directors meeting was postponed until the following day. Notice of the postponement was printed in the York News-Times and broadcast on KAWL Radio on Thursday, January 18, 1996.

REQUEST FOR EXCUSED ABSENCE

Burke made the motion (Motion #1) to excuse Luke Jacobsen's absence from the January 19, 1996 board of directors meeting. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

PASS: Siebert

ABSENT: Austin, Jacobsen, Schulz

ADOPTION OF AGENDA

Ehlers made the motion (Motion #2) to approved the revised agenda for the board of directors meeting as circulated. Seconded by Dickinson. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier,
Siebert, Volkmer, Hansen

NAY: None
ABSENT: Austin, Schulz
EXCUSED: Jacobsen

APPROVAL OF MINUTES OF THE DECEMBER 21, 1995 BOARD MEETING

Volkmer made the motion (Motion #3) to approve the minutes of the December 21, 1995 board of directors meeting as distributed. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None
ABSENT: Austin
EXCUSED: Jacobsen

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORTS

Moore gave a report on the Budget, Planning and Legislative Committee Meetings held January 5 and 11, 1996 and reviewed the committee reports as distributed.

STRATEGIC PLANNING

The Budget, Planning & Legislative Committee is continuing its review of current district programs. The committee updated the board on the work that was done during the January planning sessions.

The committee expects the review of programs will be completed during the month of February and presented to the board for approval.

WETLANDS ALTERNATIVE

Steve Moran, Rainwater Basin Joint Venture Coordinator, attended the January 11, 1996 Budget, Planning & Legislative Committee meeting to explain the revised proposal for the "Wetlands Conservation thru Locally Developed Alternatives". A copy of the revised proposal is attached. Moran recommended that the new proposal be adopted.

Moore made the motion (Motion #4) to adopt the "Wetlands Conservation thru Locally Developed Alternatives" proposal; to use a consultant as a facilitator to conduct the initial meeting, and to urge Steve Moran, the Rainwater Basin Joint Venture Coordinator, to seek outside funding for the facilitator. Seconded by Houdersheldt.

When the NRD was first approached in September about sponsoring the Wetlands Alternative it was believed that the initial proposal would give the NRD and landowners some input into the decision making process. Several board members, as well as staff, expressed their concern that the revised proposal eliminates any real chance of local input from either the NRD or the landowners on the proposed steering committee.

Question called. Motion failed.

AYE: None
NAY: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen
PASS: Anderson
EXCUSED: Jacobsen

LEGISLATION

LB 1127

LB 1127 would change the instream flow statutes so that only NRDs could hold instream flow appropriations. The Game and Parks Commission would no longer be able to apply for and hold instream flow appropriations.

Moore made the motion (Motion #5) that the district support LB 1127; and that the decision whether to testify at the hearing be made at a later date. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

PASS: Anderson

EXCUSED: Jacobsen

LB 1284

LB 1284 would establish a tax credit on Nebraska income taxes for one half of the purchase price of a water meter which meets the specifications of the NRD in which it is to be used.

Moore made the motion (Motion #6) that the district support LB 1284. Seconded by Regier. Question called. Motion failed.

AYE: None

NAY: Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt,
Jackson, Moore, Oswald, Schulz, Siebert, Volkmer,
Hansen

PASS: Anderson, Ehlers, Regier

EXCUSED: Jacobsen

NACD DUES

The NACD dues for 1996 are \$1,500.00 based on the new method of assessment. The assessment is based on the size of the district's budget.

Moore made the motion (Motion #7) that payment of \$1,500 for 1996 dues to NACD be approved. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Houdersheldt,
Jackson, Moore, Oswald, Regier, Schulz, Siebert, Hansen

NAY: Ediger, Ehlers, Volkmer

EXCUSED: Jacobsen

NARD BUILDING FUND

Moore made the motion (Motion #8) that the district request the repayment of the NARD building fund principal and interest to the districts as soon as possible. Seconded by Regier. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: Burke

EXCUSED: Jacobsen

WETLANDS ALTERNATIVE

Steve Moran, Rainwater Basin Joint Venture Coordinator, was delayed due to the winter storm and was not present during the discussion and voting on the motion to adopt the revised proposal. When he arrived he asked that the issue be opened up again for discussion.

Moore explained the board's position on the revised proposal. He indicated that the board was still willing to honor their support of the original proposal, or work with the state agencies involved to rewrite the proposal to make it acceptable to all parties.

Moore made the motion (Motion #9) that the staff work with Steve Moran, Rainwater Basin Joint Venture Coordinator, to set up a meeting with the state agencies to work out the rewording of the proposal. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: Anderson

EXCUSED: Jacobsen

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held January 8, 1996 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #10) that four 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, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Regier made the motion (Motion #11) that payment of NSWCP land treatment funds be made in the amount of \$27,437.49 for twelve applications reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #12) that three new applications for NRD land treatment 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, Houdersheldt, Jackson, Moore, Oswald, Regier,
Siebert, Volkmer, Hansen

PASS: Schulz

EXCUSED: Jacobsen

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Regier made the motion (Motion #13) that payment of NRD land treatment funds be made in the amount of \$1,949.52 for four applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Jacobsen

WATER CONSERVATION DAMS PROGRAM

The Projects Committee reviewed reconnaissance level studies for the Indian Creek and Stockham dams. The committee is interested in building both projects; however, funding will be a problem if both structures are constructed at the same time. The Projects Committee is recommending that preliminary engineering be done for both projects, but that the Stockham project should be done first.

Regier made the motion (Motion #14) that staff proceed with feasibility engineering on the Stockham project, and that watershed yield, including both quality and quantity, be done on both the Indian Creek and Stockham projects. Seconded by Anderson. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Oswald, Regier, Schulz, Siebert,
Volkmer, Hansen
NAY: None
PASS: Jackson
EXCUSED: Jacobsen
ABSENT: Moore

EDUCATION & PARKS COMMITTEE REPORT

Volkmer gave a report on the Education & Parks Committee meeting held January 10, 1996 and reviewed the committee report as distributed.

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held January 10, 1996 and reviewed the committee report as distributed.

WASHINGTON, D.C. LOBBYING TRIP

The Executive Committee selected Luke Jacobsen, Wayne Hansen, and John Turnbull to attend the Washington, D.C. lobbying trip, with Roland Schulz as the alternate.

DIRECTORS' PER DIEM AND EXPENSES

Austin made the motion (Motion #15) to approve payment of fourth quarter directors' per diem of \$5,350.00 and expenses of \$1,978.09. Seconded by Ediger. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Jacobsen

NARD VOTING DELEGATE

Austin made the motion (Motion #16) to appoint Doug Dickinson as the voting delegate and Bob Ehlers as the alternate for the NARD legislative conference in January. Seconded by Volkmer. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen
NAY: None

ABSTAIN: Dickinson
EXCUSED: Jacobsen

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
FINAL PAYMENTS

There was no Water Committee meeting in January, however several Aquifer Quality Well Abandonment Cost-share Assistance Program final payments needed to be approved, therefore review was handled by the Executive Committee.

Austin made the motion (Motion #17) to approve final payment of eight Aquifer Quality Well Abandonment Cost-share Assistance Program applications for \$1,192.05. Seconded by Burke. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen

OUT-OF-STATE TRAVEL

The Executive Committee approved out-of-state travel for two directors and Prudence Sadler to attend the NACD Convention in Las Vegas, Nevada during the month of February.

NEBRASKA WATER RESOURCES ASSOCIATION DUES

An invoice was received from the Nebraska Water Resources Association for the 1996 dues.

Austin made the motion (Motion #18) to approve payment of \$1,000.00 to the Nebraska Water Resources Association for the 1996 dues. Seconded by Moore. Question called. Motion carried.

AYE: Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Houdersheldt, Jackson, Moore, Oswald, Regier, Siebert,
Hansen

NAY: Ehlers

PASS: Schulz, Volkmer

EXCUSED: Jacobsen

FINANCIAL STATEMENT

Volkmer made the motion (Motion #19) to approve the financial statement and budget report as of December 31, 1995; 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, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen

NOMINATING COMMITTEE REPORT

Oswald gave a report on the Nominating Committee meeting held January 8, 1996 and reviewed the slate of candidates for board officers.

Chairman Hansen advised the board that nominations from the floor would be in order. He appointed Rod DeBuhr and Jay Bitner to count ballots. Hansen turned the meeting over to Vice Chairman Austin during the election for chairman.

ELECTION OF CHAIRMAN

The Nominating Committee submitted the names of Wayne Hansen and Roger Houdersheldt for chairman. There were no nominations from the floor. Ballots were cast: Hansen 10 - Houdersheldt 6. Hansen will continue as chairman for a period of one year.

ELECTION OF VICE CHAIRMAN

The Nominating Committee submitted the names of Yvonne Austin and Luke Jacobsen for vice chairman. There were no nominations from the floor. Ballots were cast: Austin 10 - Jacobsen 5. Austin will continue as vice chairman for a period of one year.

ELECTION OF SECRETARY

The Nominating Committee submitted the names of Jim Jackson and Louis Oswald. There were no nominations from the floor. Ballots were cast: Jackson 11 - Oswald 5. Jackson will continue as secretary for a period of one year.

ELECTION OF TREASURER

The Nominating Committee submitted the names of Steve Buller and Ed Ediger for treasurer. There were no nominations from the floor. Ballots were cast: Buller 13 - Ediger 2. Buller will continue as treasurer for a period of one year.

NARD REPRESENTATIVE AND ALTERNATE

The Nominating Committee submitted the names of Bob Ehlers, Doug Dickinson and Ray Burke. There were no nominations from the floor. Chairman Hansen advised the board to vote for only one person; the person with the most votes will serve as NARD Representative and the runner-up as Alternate. Ballots were cast: Ehlers 5 - Dickinson 10 - Burke 1. Dickinson will serve as the NARD Representative for 1996 and Ehlers will be the Alternate.

Meeting adjourned at 3:37 p.m.

James K. Jackson, Secretary

:nds

Attachment (1)

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
FEBRUARY 15, 1996

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
 Luke Jacobsen, Director
Larry Moore, Director
 Louis Oswald, Director
Kenneth Regier, Director
 Merlin Volkmer, Director
John Turnbull, Manager
 Nancy Schneider, Staff
Jay Bitner, Staff
 Prudence Sadler, Staff
Rodney DeBuhr, Staff
 Kenneth Feather, Staff
William Gilliam, NRCS, York
 Kent Norquest, NRCS Geneva
Dennis Schroeder, NRCS Aurora
 Derrick Cotton, NRCS Aurora

ROLL CALL

Ten directors were present during quorum call. Austin, Regier, and Houdersheldt 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 February 1, 1996 in the York News-Times. The agenda is kept continually current and 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 Buller, Siebert and Anderson from the February 15, 1996 board of directors meeting. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
 Moore, Oswald, Volkmer, Hansen

NAY: None

ABSENT: Anderson, Austin, Buller, Houdersheldt, Regier, Schulz,
 Siebert

ADOPTION OF AGENDA

Dickinson made the motion (Motion #2) to approve the revised agenda for the February 15, 1996

board of directors meeting as presented. Seconded by Oswald. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Austin, Houdersheldt, Regier, Schulz

APPROVAL OF MINUTES OF THE JANUARY 19, 1996 BOARD MEETING

Burke made the motion (Motion #3) to approve the minutes of the January 19, 1996 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Austin, Houdersheldt, Regier, Schulz

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held February 5, 1996 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Volkmer made the motion (Motion #4) that five 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: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Volkmer made the motion (Motion #5) that payment of NSWCP land treatment funds be made in the amount of \$21,765.48 for nine applications reviewed by the committee. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Volkmer made the motion (Motion #6) that four 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: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Volkmer made the motion (Motion #7) that payment of NRD land treatment funds be made in the amount of \$784.05 for three applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
UNL WATER SCIENCES LABORATORY RESEARCH PROPOSAL

Dr. Spalding of the University of Nebraska Water Sciences Laboratory has submitted a proposal to study Hydroxyatrazine in surface water, ground water and lake sediments. The study would continue the research completed at Recharge Lake. Dr. Spalding is asking that the NRD act as the local sponsor for the two year project. Funding for the research would be requested from Ciba-

Geigy. The NRD staff would assist in data collection, however, time involved would be minimal. Funding requested from Ciba-Geigy would include money to offset NRD payroll costs. The total cost would be \$119,250.00 over two years.

Volkmer made the motion (Motion #8) to act as local sponsor for the University of Nebraska Water Sciences Laboratory study of Hydroxyatrazine in surface water, ground water and lake sediments at Recharge Lake, subject to funding by Ciba-Geigy. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
MIDWEST LABORATORIES AGREEMENT

The district sends between one and three samples each month from the Recharge Project recovery wells to Midwest Laboratories in Omaha for pesticide analysis. The cost is \$98.75 per sample. It is time to renew the annual agreement with Midwest Laboratory. There has been no increase in cost.

Volkmer made the motion (Motion #9) to renew the pesticide analysis agreement with Midwest Laboratories for 1996. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

SPECIAL PROTECTION AREA MONITORING STUDY PAYMENT

Volkmer made the motion (Motion #10) to pay the U.S. Geological Survey \$7,313.00 for work completed on the SPA monitoring study in the quarter ending September 30, 1995 and \$10,000.00 for work completed in the quarter ending December 31, 1995 for a total of \$17,313.00. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Hansen
NAY: Volkmer
EXCUSED: Anderson, Buller, Siebert
ABSENT: Schulz

CONTROL AREA LATE PERMITS

Volkmer made the motion (Motion #11) to approve a late permit for an irrigation well owned by Larry Schepers of Fairmont, Nebraska and located in the NE 1/4 NE 1/4 of Section 26, Township 8 North, Range 3 West, Fillmore County. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Buller, Siebert
ABSENT: Schulz

Volkmer made the motion (Motion #12) to approve a late permit for an irrigation well owned by Tom Weber of Exeter, Nebraska and located in the SE 1/4 of Section 15, Township 8 North, Range 1 West, Fillmore County. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Buller, Siebert
ABSENT: Schulz

AUTOMATIC RECORDER WELL MAINTENANCE PAYMENT

Volkmer made the motion (Motion #13) to pay U.S. Geological Survey \$1,064.00 as per the FY 95 agreement for the maintenance of four automatic recorder wells in the Upper Big Blue NRD. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Buller, Siebert
ABSENT: Schulz

AUTOMATIC RECORDER WELL MAINTENANCE AGREEMENT

Volkmer made the motion (Motion #14) to approve the FY 96 Automatic Recorder Well Maintenance Agreement with the U.S. Geological Survey for \$1,062.00. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Buller, Siebert
ABSENT: Schulz

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS

Volkmer made the motion (Motion #15) to approve final payment of one Aquifer Quality Well Abandonment Cost-share Assistance Program application for \$293.45. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None
EXCUSED: Anderson, Buller, Siebert
ABSENT: Schulz

EDUCATION & PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education & Parks Committee meeting held February 9, 1996 and reviewed the committee report as distributed.

SOAR REQUEST FOR FUNDS

The Prairie Plains Resources Institute of Aurora has requested \$1,500.00 from the district to support the Summer Orientation About Rivers (SOAR), a natural resources-focused day camp for 120 elementary school children. This is the same amount of funding that the district provided last year.

Jacobsen made the motion (Motion #16) that the Upper Big Blue NRD provide \$1,500.00 to the Prairie Plains Resources Institute for the 1996 SOAR program. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None
EXCUSED: Anderson, Buller, Siebert
ABSENT: Schulz

FUNDING FOR 1996 NATIONAL ENVIROTHON

The National Envirothon contest will be held at Mahoney State Park July 28 - August 2, 1996. The National Envirothon Committee, chaired by Dale Watermeier, has asked each NRD to contribute \$1,000.00 spread over two fiscal years.

Dickinson and Ehlers reminded the board that when the Envirothon was first discussed funding was not to come from association dues or the districts. They felt more effort should be made to raise funds from other sources before the districts are asked to make up the shortfall.

Jacobsen made the motion (Motion #17) that the Upper Big Blue NRD contribute \$500.00 to the 1996 National Envirothon. Seconded by Oswald. Question called. Motion failed.

AYE: Austin, Burke, Jacobsen, Regier, Hansen
NAY: Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Moore, Oswald

PASS: Volkmer
EXCUSED: Anderson, Buller, Siebert
ABSENT: Schulz

FEBRUARY WILDLIFE PAYMENTS

Jacobsen made the motion (Motion #18) that the Upper Big Blue Natural Resources District make payment of \$7,087.50 to the cooperators of the Wildlife Habitat Improvement Program for the month of February. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Burke, Ediger, Houdersheldt, Jackson, Jacobsen,
Oswald, Regier, Volkmer, Hansen

NAY: Dickinson, Ehlers, Moore
EXCUSED: Anderson, Buller, Siebert
ABSENT: Schulz

CANCELLATION OF WILDLIFE HABITAT CONTRACT

Jacobsen made the motion (Motion #19) that Wildlife Habitat Improvement Program contract number 342, signed by Paul T. Thompson, be cancelled as a majority of the habitat has been destroyed. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

PROJECT 15-10-2W (TODD DAM)

The landowners involved in the project have indicated that they would allow public fishing and foot traffic on the dam and reservoir area. It is being recommended that the Projects Committee continue to work on the final design of the project which would include public access.

Jacobsen made the motion (Motion #20) that the Projects Committee continue to work on the final design of Project 15-10-2W, including public access. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

CORNERS FOR WILDLIFE

The Education & Parks Committee reviewed the Corners for Wildlife contracts and recommended their approval by the board.

Jacobsen made the motion (Motion #21) that the chairman of the board of directors sign the contracts and that they be submitted to Pete Berthelson, regional representative of Pheasants Forever. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer

NAY: None

PASS: Hansen

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

COOPERATIVE AGREEMENT WITH U.S. FISH & WILDLIFE SERVICE

Jacobsen made the motion (Motion #22) that the chairman of the board of directors sign the cooperative agreement with the U.S. Fish and Wildlife Service and that it be presented for their signature. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held February 9, 1996 and reviewed

the committee report as distributed.

PICKUP BIDS

The district advertised for bids on a 1996 1/2 ton 2-wheel drive pickup. The bids were opened on February 5th. The following bids were received:

DEALER	MAKE	PRICE w/o trade	PRICE w/trade
Trowbridge Motor Co.	Ford F-150	\$14,181.50	n/a
Laird Motors	Ford F-150	14,834.62	\$13,036.62
Geneva Motors	Ford F-150	14,857.00	12,357.00
Moses Motor Co.	Ford F-150	14,809.96	12,609.96
ACME Motor Co.	GMC 1500	15,669.50	11,669.50

Austin made the motion (Motion #23) to accept the low bid from ACME Motor Company to sell the district a 1996 GMC 1500 pickup for \$11,669.50 with the 1987 Chevy 1/2 ton pickup as trade. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

DIRECTOR'S EXPENSE

Merlin Volkmer submitted a claim for the NACD Convention in Las Vegas. The claim is for \$79.31.

Austin made the motion (Motion #24) to approve payment of \$79.31 to Merlin Volkmer for expenses incurred while attending the NACD Convention in Las Vegas. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Hansen

NAY: None

PASS: Volkmer

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

LOWER PLATTE NORTH NRD SALARY REIMBURSEMENT

The Lower Platte North NRD has submitted a bill for reimbursement of the Upper Big Blue NRD's share of the Butler County NRCS clerical salary for the past 6 months.

Austin made the motion (Motion #25) to approve payment of \$3,619.50 to the Lower Platte North NRD for reimbursement of the Butler County NRCS field office clerk's salary for the period July 1, 1995 through December 31, 1995. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert
ABSENT: Schulz

MARCH BOARD OF DIRECTORS MEETING

Due to a conflict with the Washington, D.C. lobbying trip the Executive Committee has rescheduled the March board meeting for 1:30 p.m., Friday, March 22, 1996.

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORTS

Moore gave a report on the Budget, Planning and Legislative Committee Meeting held February 13, 1996 and reviewed the committee report as distributed.

STRATEGIC PLANNING

The Budget, Planning & Legislative Committee has completed its review of the district programs and policies.

MISSION STATEMENT

Moore made the motion (Motion #26) to adopt the following mission statement: "The Upper Big Blue Natural Resources District shall be a leader in conserving, protecting, developing, and managing the natural resources of this District for the health and welfare of the people of the District." Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

WINDBREAK RENOVATION PRACTICE

Moore made the motion (Motion #27) to adopt the Windbreak Renovation Practice as presented, effective March 1, 1996. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

GROUNDWATER DISTRICTS PROGRAMS

Moore made the motion (Motion #28) that the District take the following actions to assume certain Ground Water Conservation Districts programs when they are dissolved.

- A. That well measurements for spring groundwater levels be discontinued, and that fall recorder well readings be published annually in the newsletter.
- B. That domestic well nitrate sampling for district data gathering be continued but reduced to only once a year.
- C. That nitrate and bacterial testing be continued; a spectrophotometer be acquired, preferably the one now owned by the Blue River Association; and a small lab be constructed at the NRD office.

- D. That irrigation scheduling be discontinued.
- E. That moisture block sales continue at the NRD office, but that the sale price should at least cover all inventory costs, staff time, and overhead expenses.
- F. That irrigation runoff inspection be continued but that inspections be handled by the NRD current staff for the first season or so to determine if additional staff is necessary.

Seconded by Regier. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
 Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
 Hansen
 NAY: None
 EXCUSED: Anderson, Buller, Siebert
 ABSENT: Schulz

PARKS PROGRAM, AND LIVING TREE MEMORIAL PROGRAM

Moore made the motion (Motion #29) to adopt the changes in the Parks Program and the Living Tree Memorial Planting Program as presented, effective March 1, 1996. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
 Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
 Hansen
 NAY: None
 EXCUSED: Anderson, Buller, Siebert
 ABSENT: Schulz

WILDLIFE HABITAT IMPROVEMENT PROGRAM

Moore made the motion (Motion #30) to adopt the changes in the Wildlife Habitat Improvement Program as presented, effective March 1, 1996. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
 Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
 Hansen
 NAY: None
 EXCUSED: Anderson, Buller, Siebert
 ABSENT: Schulz

TREE REPLACEMENT POLICY

Moore made the motion (Motion #31) to adopt the tree replacement policy as presented, effective March 1, 1996. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
 Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
 Hansen
 NAY: None
 EXCUSED: Anderson, Buller, Siebert
 ABSENT: Schulz

COMMITTEE MEMBERSHIP

Moore made the motion (Motion #32) that beginning April 1, 1996, the NRCS no longer have

voting membership on the Upper Big Blue NRD standing committees, but NRCS conservationists recommended by the District Conservationist serve as advisors to committees. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jacobsen, Moore, Oswald, Regier, Hansen

NAY: Jackson

PASS: Volkmer

EXCUSED: Anderson, Buller, Siebert

ABSENT: Siebert

OTHER DISTRICT PROGRAMS

Moore made the motion (Motion #33) that no other changes be made in the district programs at this time. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

FINANCIAL STATEMENT

Regier made the motion (Motion # 34) to approve the financial statement and budget report as of January 31, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Buller, Siebert

ABSENT: Schulz

Meeting adjourned at 3:36 p.m.

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MARCH 22, 1996

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
Bob Ehlers, Director
 Houdersheldt, Director
Luke Jacobsen, 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
Rodney DeBuhr, Staff
 Ken Feather, Staff
Prudence Sadler, Staff
 Richard Jiskra, NNRC
Phil Kreutz
 Dave Bartek, Farmers Cooperative
Donna Rhoades, YNT

Roger

ROLL CALL

Twelve directors were present during quorum call. Austin, Schulz and Siebert 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 8, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

REQUEST FOR EXCUSED ABSENCE

Oswald made the motion (Motion #1) to excuse Ed Ediger and Bruce Anderson from the March 22, 1996 board of directors meeting. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ehlers, Houdersheldt,
 Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
 Hansen
NAY: None

ABSENT: Anderson, Austin, Ediger, Schulz, Siebert

ADOPTION OF AGENDA

Burke 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: Buller, Burke, Dickinson, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Ediger

ABSENT: Austin, Schulz, Siebert

APPROVAL OF MINUTES OF THE FEBRUARY 15, 1996 BOARD MEETING

Dickinson made the motion (Motion #3) to approve the minutes of the February 15, 1996 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Anderson, Ediger

ABSENT: Austin, Schulz, Siebert

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held March 8, 1996 and reviewed the committee report as distributed.

PROJECT 15-10-2W - TODD DAM

Regier made the motion (Motion #4) that staff conduct desk top feasibility and prepare a recommendation for committee consideration on whether to proceed with final design and construction of project 15-10-2W (Todd dam). Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Ediger

ABSENT: Schulz, Siebert

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #5) that three new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Ediger

ABSENT: Schulz, Siebert

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #6) that eight 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: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Ediger
ABSENT: Jacobsen, Schulz, Siebert

WATER COMMITTEE REPORT

Austin gave a report on the Water Committee meeting held March 8, 1996 and reviewed the committee report as distributed.

FARMERS COOPERATIVE ASSOCIATION OF YORK

On November 6, 1995 a well owned by the Farmers Cooperative of York was drilled without obtaining a permit from the district. This well was drilled approximately 400 feet from an existing irrigation well owned by Jerry and Marvin Stahr. The Association's well has a pumping capacity of 150 gpm. The wells proposed use is to mix fertilizers to the proper formulations. The main use of the well will occur in the fall and winter months. Jerry and Marvin Stahr have signed a waiver of objections to the location and use of the Association well. Following is a proposed well spacing variance for the boards consideration. If approved it will be forwarded to the Department of Water Resources along with the Associations request of a variance to state well spacing restrictions.

WELL SPACING VARIANCE

IN THE MATTER OF a well spacing variance request made by the Farmers Cooperative Association of York, herein after referred to as the Association, on February 15, 1996, for an existing industrial well located in the Northwest Quarter of the Northwest Quarter of Section 32, Township 11 North, Range 2 West, York, County.

WHEREAS the owners of the irrigation well (G49958) located approximately 400 feet from the well owned by the Association, have agreed to and signed a Waiver of Objections to the location and operation of said well, and

WHEREAS the primary period of operation of the well owned by the Association is expected to be during the fall and winter months, thereby reducing the potential conflicts between these wells.

NOW THEREFORE BE IT RESOLVED that the Upper Big Blue Natural Resources District Board of Directors, hereby grant the Farmers Cooperative Association of York a variance to the District's Rule 5, Chapter 9 (Well Spacing) for the well described above on March 22, 1996.

Houdersheldt made the motion (Motion #7) to add the following sentence to the well spacing variance. "FURTHER BE IT RESOLVED that the capacity of the well described above not exceed 200 gpm. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ehlers, Houdersheldt, Moore,
Oswald, Schulz, Hansen

NAY: Burke, Jackson, Regier, Volkmer

PASS: Jacobsen, Siebert

EXCUSED: Anderson, Ediger

Austin made the motion (Motion #8) to grant the well spacing variance and late permit to the Farmers Cooperative Association of York for an industrial well drilled on November 6, 1995 in the NW 1/4 of the NW 1/4 of Section 32-T11N-R2W, York County. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Schulz,
Volkmer, Hansen

NAY: None

PASS: Siebert
EXCUSED: Anderson, Ediger

WELL PERMITS AND SPACING POLICY

NRD staff have received numerous calls in recent months about well spacing and whether or not well permits are protected by well spacing regulations. At the present time the district has no policy to address this issue. Well drilling permits are granted for one year according to state law. The permit does not grant the permit holder any spacing protection. The current permit process lets the NRD know where new wells are to be drilled and allows the NRD to review proposed construction specifications.

A proposed policy change would grant a permitted well site limited spacing protection as follows:

WELL PERMIT SPACING PROTECTION POLICY

well is properly constructed in accordance with paragraph 4 below, until the permit expires, whichever comes first.

2. The permit shall grant to the location of the proposed well, spacing protection of one thousand and fifty feet (1,050) for a period of 90 days after the date of issuance. If, after the issuance of a permit, the permit holder determines that the actual location of the well will be more than 50 feet from the proposed location he or she shall immediately notify the District. The location of the proposed well may be modified provided such modification does not affect the spacing protection of another existing or proposed well.
3. The proposed location of wells authorized by permits that are in force on land under the same ownership shall be at least 1,000 feet apart, unless it can be demonstrated, to the District's satisfaction, that no property under different ownership lies within the well spacing restrictions stated in paragraph 2.
4. For the purpose of this policy, a well shall be considered properly constructed when all drilling, casing and sealing of the well is complete. The installation of a pump is not required for compliance with this policy.

Austin made the motion (Motion #9) to approve the Well Permit Spacing Protection Policy. Seconded by Jacobsen.

Buller pointed out that paragraph 3 does not allow for a series of wells to run a pivot. DeBuhr conceded that he had overlooked that possibility. He stated the intent of paragraph 3 was to stop any landowner from using the permit process to prevent another landowner from drilling a well.

Moore expressed his concern about the definition of a well in paragraph 4 and the fact that no pump would have to be present to complete construction. He stated that he felt some landowners would also use this to their advantage as a means to prevent another landowner from drilling a well in future years.

After further discussion Moore made the motion (Motion #10) to refer the Well Permit Spacing Protection Policy back to committee. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None
EXCUSED: Anderson, Ediger

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
UNL WATER SCIENCES LABORATORY AGREEMENT

Austin made the motion (Motion #11) to authorize the staff to send a letter of agreement to the University of Nebraska Water Science Laboratory for the analysis of water samples from the York Groundwater Recharge Project at a cost of \$112.50 each from May 1, 1996 through June 30, 1997. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None
EXCUSED: Anderson, Ediger

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
PAYMENT TO MIDWEST LABORATORIES

Austin made the motion (Motion #12) to pay Midwest Laboratories \$98.75 for one water analysis in February. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None
EXCUSED: Anderson, Ediger

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

\$15,000.00 was budgeted for cost-share in FY96. Cost-share payments of \$8,784.54 have been made. An additional \$8,140.08 in applications have been approved for funding. The fund is currently over obligated by \$1,925.42.

Austin made the motion (Motion #13) to authorize the staff to continue to take applications for AQWACAP cost-share and to advise applicants that they may have to wait until July for payment. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer,
Hansen

NAY: None
EXCUSED: Anderson, Ediger
ABSENT: Moore, Regier

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORTS

Houdersheldt gave a report on the Budget, Planning and Legislative Committee Meeting held March 13, 1996 and reviewed the committee report as distributed.

WETLANDS CONSERVATION THRU LOCALLY DEVELOPED ALTERNATIVES

Turnbull reviewed the draft of the wetlands conservation effort with the Budget Committee. The draft is the result of the meeting between the district and the agencies. Turnbull, Moore and Regier represented the district during the meeting with the Corps of Engineers, Fish & Wildlife, Game and Parks and the NRCS. As outlined in the draft the steering committee will report to the board. A representative of the district will chair the steering committee. The membership has been determined and Steve Moran, Rainwater Basin Joint Venture Coordinator, will serve as advisor to the committee. No outside facilitator will be used.

Houdersheldt made the motion (Motion #14) to approve the Wetlands Conservation thru Locally Developed Alternatives proposal, to act as sponsor for the effort and to proceed with the process spelled out in the proposal. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Siebert,
Hansen

NAY: None

PASS: Volkmer

EXCUSED: Anderson, Ediger

ABSENT: Schulz

1996 MASTER PLAN

Turnbull reviewed the draft 1996 Master Plan. The Master Plan includes the goals and objectives which have been developed through the committee meetings since September. Statutes require that the district update the Master Plan at least once every 10 years. The last update was in 1989.

Houdersheldt made the motion (Motion #15) to adopt the 1996 Master Plan. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Siebert,
Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Ediger

ABSENT: Schulz

FY97 - FY02 LONG RANGE PLAN

The planning effort also resulted in a revised draft of the Long Range Plan. The Long Range Plan follows the goals and objectives laid out in the Master Plan. The Long Range Plan outlines the schedule of the projects, programs and activities for the next fiscal year and the trends thereafter. The Committee recommends that the document, which outlines the budget needs through the year 2002, be adopted by the board.

Houdersheldt made the motion (Motion #16) to adopt the FY97 through FY02 Long Range Plan as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Ediger

ABSENT: Schulz

EDUCATION & PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education & Parks Committee meeting held February 9, 1996 and reviewed the committee report as distributed.

TRAILBLAZER RC&D REQUEST FOR FUNDS

The Trailblazer RC&D has asked that the district contribute \$50.00 towards its operation. This is the same amount as last year's contribution.

Jacobsen made the motion (Motion #17) that the Upper Big Blue NRD provide \$50.00 to the Trailblazer Resources Conservation and Development Council. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Houdersheldt, Jackson,
Jacobsen, Moore, Oswald, Regier, Siebert, Volkmer,
Hansen
NAY: None
EXCUSED: Anderson, Ediger
ABSENT: Buller, Ehlers, Schulz

OMAHA WORLD-HERALD MASTER CONSERVATION AWARD NOMINEE

Nominations for this award are due on April 1. Our previous nominee has won the honorable mention at least twice in a row.

Jacobsen made the motion (Motion #18) that the Upper Big Blue NRD submit Ardean Andersen for the 1996 Master Conservationist Award. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Oswald, Regier, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Ediger
ABSENT: Buller, Schulz

CONSERVATION TEACHER OF THE YEAR AWARD

District policy is to create or adopt awards for more specific categories instead of "all purpose" conservation awards. Establishing an award for conservation teaching will meet this policy. Since the NARD and NACD already have conservation teacher awards, we can attach to their programs by creating a district-wide award that can be sent on to the state and national levels.

Jacobsen made the motion (Motion #19) that the Upper Big Blue NRD create a Conservation Teacher of the Year Award that will operate in conjunction with the NARD and NACD Teacher of the Year Awards. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Oswald, Regier, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Ediger
ABSENT: Buller, Schulz

MARCH WILDLIFE PAYMENTS

Jacobsen made the motion (Motion #20) that the Upper Big Blue NRD make payment of \$5,547.50 to the cooperators of the Wildlife Habitat Improvement Program for the month of March. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Burke, Houdersheldt, Jackson, Jacobsen, Oswald,
Regier, Siebert, Volkmer, Hansen
NAY: Dickinson, Ehlers, Moore
PASS: Buller
EXCUSED: Anderson, Ediger
ABSENT: Schulz

COMMUNITY FORESTRY - OSCEOLA

Jacobsen made the motion (Motion #21) that the Upper Big Blue NRD make payment of \$879.00 to the City of Osceola for trees planted in the newly developed Arboretum. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Siebert,
Volkmer, Hansen

NAY: None
EXCUSED: Anderson, Ediger
ABSENT: Schulz

COMMUNITY FORESTRY - HENDERSON

Jacobsen made the motion (Motion #22) that the Upper Big Blue NRD fund the City of Henderson in the amount of \$1,000.00 for trees to be planted at the Henderson Municipal Golf Course. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Siebert,
Volkmer, Hansen

NAY: None
EXCUSED: Anderson, Ediger
ABSENT: Schulz

CORNERS FOR WILDLIFE PROGRAM FY 97 - PHEASANTS FOREVER

Pete Berthelson, representing the Nebraska Pheasants Forever Chapter is submitting a grant application to the Environmental Trust Fund for planting and developing pivot corners for wildlife. He plans to make it a statewide program next year. This would allow all 23 NRDs to participate.

Jacobsen made the motion (Motion #23) that the Upper Big Blue NRD participate in the Corners for Wildlife Program in FY 97. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Regier, Siebert, Volkmer, Hansen

NAY: None
EXCUSED: Anderson, Ediger
ABSENT: Burke, Houdersheldt, Schulz

NRD OFFICE ADDITION FINAL PAYMENT

Austin made the motion (Motion #24) to approve the final payment of \$100,061.00 to JLC, Incorporated of York, Nebraska for completion of the district office building addition. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Siebert,
Volkmer, Hansen

NAY: None
EXCUSED: Anderson, Ediger
ABSENT: Schulz

FINANCIAL STATEMENT

Moore made the motion (Motion # 25) to approve the financial statement and budget report as of February 29, 1996; 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, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Siebert,
Volkmer, Hansen

NAY: None
EXCUSED: Anderson, Ediger
ABSENT: Schulz

Meeting adjourned at 4:25 p.m.

James K. Jackson, Secretary
:nds

Siebert from the April 18, 1996 board of directors meeting. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Oswald, Schulz, Volkmer, Hansen
NAY: None
ABSENT: Anderson, Jacobsen, Moore, Regier, Siebert

ADOPTION OF AGENDA

Houdersheldt made the motion (Motion #2) to approve the agenda for the April 18, 1996 board of directors meeting as distributed. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Oswald, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Siebert
ABSENT: Jacobsen, Moore, Regier

APPROVAL OF MINUTES OF THE MARCH 22, 1996 BOARD MEETING

Burke made the motion (Motion #3) to approve the minutes of the March 22, 1996 board of directors meeting as distributed. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Oswald, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Siebert
ABSENT: Jacobsen, Moore, Regier

NRD EMPLOYEE RECOGNITION

Judy Sunday, NRD Secretary in the Osceola Field Office, was recognized and presented with a pen set for ten years of service to the district.

SALE OF NRD PROPERTY

Turnbull explained that he had been contacted by Ken Kunze Realty earlier in the week regarding a potential offer to purchase the property the district owns south of York. The district purchased the property in 1981 with the intention of constructing an office building on the site. The district ended up purchasing an existing office in downtown York.

The district was offered \$22,000.00 for the property in April of 1995, which the board rejected.

Martin Luther Homes made a written offer to purchase the property. Copies of their offer were distributed to the board for consideration.

Ehlers made the motion (Motion #4) to accept the conditional written offer of \$25,000.00 for the Irregular Tract #44, 7-10-2, York County, Nebraska, which is 3.23 acres, located east of the intersection of U.S. Highway 81 and South 21st Street in the City of York, from Martin Luther Homes of Nebraska, Inc., and to authorize the Chairman to sign the purchase agreement. Seconded by Austin. Question called. Motion failed.

AYE: Burke, Dickinson, Ediger, Ehlers, Oswald
NAY: Austin, Buller, Houdersheldt, Jackson, Moore, Schulz,
Volkmer, Hansen
EXCUSED: Anderson, Siebert
ABSENT: Jacobsen, Regier

Volkmer made the motion (Motion #5) to make a counter offer accepting the \$25,000.00

purchase price for Irregular Tract #44, Section 7, Township 10 North, Range 2 West, York County, Nebraska, which is 3.23 acres located east of the intersection of U.S. Highway 81 and South 21st Street in the city of York, from Martin Luther Homes of Nebraska, Inc. and to authorize the Chairman to sign the purchase agreement provided that the cost of the environmental assessment is split 50/50 and that Martin Luther Homes assumes the full cost of the sewer assessment. Seconded by Buller. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Siebert

ABSENT: Jacobsen, Regier

PROJECTS COMMITTEE REPORT

Houdersheldt gave a report on the Projects Committee meeting held April 8, 1996 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #6) that five 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: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Siebert

ABSENT: Jacobsen, Regier

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 \$2,787.96 for one application reviewed by the committee. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Siebert

ABSENT: Jacobsen, Regier

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #8) that five new applications 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, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Siebert

ABSENT: Jacobsen, Regier

LAND TREATMENT PROGRAM - STREAMBANK STABILIZATION PRACTICE

The Nebraska Natural Resources Commission (NNRC) has adopted a new practice (NC-18) Streambank Stabilization. The purpose of this practice is to restore and protect streambanks and

riparian areas adjacent to minor water courses. The Projects Committee discussed the need for this practice and staff recommended that streambank stabilization be added as an eligible practice under the NRD Land Treatment Program.

Cost-share for this practice would be 65% of estimated or 65% of actual cost, whichever is least.

Houdersheldt made the motion (Motion #9) that land treatment cost-share practice NC-18, which has been adopted by the Nebraska Natural Resources Commission, be included as an eligible practice in the NRD Land Treatment Program, and that the new practice be effective July 1, 1996, and that the cost-share rate be 65% of estimated or actual cost, whichever is least, and that the \$3,500.00 per year per landowner maximum cost-share for NRD funds, and the \$5,000.00 per year per landowner maximum cost-share for NSWCP funds be applied the same as it is for other practices. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ehlers, Houdersheldt, Jackson,
Moore, Oswald, Schulz, Hansen
NAY: Dickinson, Ediger, Volkmer
EXCUSED: Anderson, Siebert
ABSENT: Jacobsen, Regier

SEWARD FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

Houdersheldt made the motion (Motion #10) that payment of \$437.50 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$2,625.00 for the FEMA share of claim #1 of the Seward Flood Hazard Mitigation Project, and that the FEMA share be paid to the city when it is received by the district. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Schulz, Volkmer,
Hansen
NAY: None
EXCUSED: Anderson, Siebert
ABSENT: Jacobsen, Regier

DORCHESTER WATERSHED O & M

The Projects Committee discussed recent and past maintenance problems on Dorchester Watershed Channel #3. Staff recommended that operation and maintenance of Channel #3 be given back to the landowner to reduce maintenance costs for the district and allow the landowner more flexibility in farming operations. The NRCS must agree to this transfer of responsibility since federal funds were used to construct the project.

Houdersheldt made the motion (Motion #11) that staff be authorized to request NRCS to consider termination of Channel #3 as part of the Dorchester Watershed Project, and that staff be authorized to develop an agreement transferring operation and maintenance of Channel #3 to the landowner. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Schulz, Volkmer,
Hansen
NAY: None
EXCUSED: Anderson, Siebert
ABSENT: Jacobsen, Regier

WATER COMMITTEE REPORT

Ehlers gave a report on the Water Committee meeting held April 9, 1996 and reviewed the committee report as distributed.

CONTROL AREA VARIANCE REQUEST REGULATIONS

The district has granted variances to the well spacing provisions of Rule 5 in the past, however there is no established procedure for applying for a variance in the regulations. Legal counsel has advised us that a variance procedure should be included in Rule 5.

The following draft variance rule was forwarded from the committee to the board for review.

CHAPTER 17 - REQUEST FOR VARIANCE

- 01 Any person desiring a variance from the provisions of Rule 5 may request such in writing.
- 02 A request for a variance shall include;
 - 02.01 A map or sketch showing the location of lands and/or water wells that would be affected by the variance.
 - 02.01a ~~02.01a~~ A request for a variance is for well spacing, the sketch must include measured distances from the proposed water well to any affected water wells.
 - 02.02 An explanation as to why the variance is needed including;
 - 02.01a ~~02.01a~~ the person making applications for the variance would be affected if the variance is not granted, and
 - 02.01b ~~02.01b~~ alternatives considered, including why each alternative was rejected in lieu of a variance.
 - 02.03 The name and address of all landowners adjacent to the location of the requested variance.
 - 02.04 A written waiver of objections signed by adjacent landowners or water well owners who would be directly affected by the granting of a variance.
 - 02.05 Any other information the person making the request deems relevant.

02.06 Any other information the district deems necessary.

02.07 A \$100 non-refundable application fee payable to
the Upper Big Blue Natural Resources
District.

03 The person making application for a variance shall appear before the District's Water Committee to present the reasons for the variance.

04 Requests for variance shall be considered by the board on a case by case basis.

05 If a variance is granted, the grantee shall sign an affidavit agreeing to all terms and conditions of the variance.

05.01 The affidavit will be recorded with the Register of
Deeds by the District.

05.02 The recorded affidavit will be attached to all
properties affected by the variance.

Several other minor "housekeeping" changes were made to Rule 5 in order to be consistent with state statutes.

Volkmer made the motion (Motion #12) to approve the Chapter 17 and other minor changes to Rule 5 for the purpose of public hearing. Seconded by Ehlers.

DeBuhr informed the board that he had planned to hold the public hearing on June 20th prior to the board meeting. However, due to the passage of LB 108 the district will need to make some additional housekeeping amendments to the rules and regulations.

As a result DeBuhr wants to wait until LB 108 becomes law and then hold a public hearing for all changes at the same time. He anticipates this will be sometime in July or August.

Ehlers amended the motion to make the motion (Motion #13) that 02.07 read " A \$25.00 non-refundable application fee payable to the Upper Big Blue Natural Resources District". Seconded by Dickinson.

Several board members expressed concern about whether the lower fee would even cover staff time. DeBuhr indicated that it would not, because from past experience it can easily take two or three staff-days to take care of the matter.

Question called on the amendment. Amendment failed.

AYE: Dickinson, Ediger, Ehlers

NAY: Austin, Burke, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Volkmer, Hansen

EXCUSED: Anderson, Siebert

ABSENT: Buller, Jacobsen, Regier

Question called on the original motion. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Siebert

ABSENT: Buller, Jacobsen, Regier

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

Volkmer made the motion (Motion #14) to make final payments totaling \$1,423.50 for eight decommissioned wells. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Siebert

ABSENT: Buller, Jacobsen, Regier

EXECUTIVE COMMITTEE MEETING REPORT

Austin gave a report on the Executive Committee Meeting held April 9, 1996 and reviewed the committee report as distributed.

FIRST QUARTER PER DIEM AND EXPENSES

Austin made the motion (Motion #15) to approve payment of first quarter directors' per diem of \$8,100.00 and expenses of \$2,616.91. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Siebert

ABSENT: Buller, Jacobsen, Regier

AGREEMENT WITH UNITED STATES DEPARTMENT OF AGRICULTURE

The Secretary of Agriculture and the Governor have signed a mutual agreement between the USDA, the state and the Upper Big Blue. The district has been asked to sign the document which replaces the original agreement signed in 1975.

Austin made the motion (Motion #16) to approve the mutual agreement between the USDA, the State of Nebraska and the Upper Big Blue NRD; and further to authorize the chairman to sign the agreement. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Anderson, Siebert

ABSENT: Buller, Jacobsen, Regier

NARD BUILDING FUND

The district has received a refund check from NARD for their share of the NARD building fund contributions, plus interest. The Upper Big Blue NRD received a letter from the North Platte NRD in which their district offered to return the interest from the building fund contributions for use in a contingency fund, provided all districts do the same. In addition, the two NRDs that did not contribute to the fund would have to match the interest contribution.

Austin made the motion (Motion #17) that the district endorse the North Platte NRD's concept of creating a contingency fund for the NARD. Seconded by Burke.

After a brief discussion Moore made the motion (Motion #18) to refer the matter to the Budget Committee for further review and have the Budget Committee report back to the board. Seconded by Austin. Question called on the motion to refer back to committee. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None
EXCUSED: Anderson, Siebert
ABSENT: Buller, Jacobsen, Regier

COMPUTER SYSTEMS UPGRADE

The district currently has 11 computers, all of which share the use of two printers through a device called LawnNet. Staff is recommending that in the near future the printers and computers be networked through the use of a server computer and cables to all of the other computers and printers. Software programs need to be upgraded and standardized to allow the use and exchange of data.

Bitner and Turnbull are recommending that the district purchase upgraded versions of software for the following programs for \$2,705.85 from Computer Spectrum, Inc. of Aurora: Word Perfect 6.1; Lotus 5.0; D-Base 5.5; Windows for Workgroups 3.11; and DOS 6.22.

They are also recommending that nine of the eleven computers be upgraded from 486SX machines to 486DX machines and that the existing 486DX machines be upgraded to pentium machines. This proposal maximizes the use of existing components, circuit boards and chips. These upgrades are needed regardless of whether or not the district decides to network computers, but will be compatible if the decision to network is made in the future. The quote from Computer Spectrum for the hardware upgrades is \$3,604.00.

The installation of a computer network system will cost about \$6,300.00 for cabling and \$5,900.00 for a server computer for a total estimated cost of \$12,200.00. Staff is recommending that computer networking be considered in the FY 97 budget.

Austin made the motion (Motion #19) that the computer software and hardware upgrade proposal from Computer Spectrum, Inc. of Aurora for \$6,309.85 be approved. Seconded by Houdersheldt. Question called. Motion carried.

A YE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Schulz, Hansen
NAY: None
PASS: Volkmer
EXCUSED: Anderson, Siebert
ABSENT: Buller, Jacobsen, Regier

FINANCIAL STATEMENT

Burke made the motion (Motion # 20) to approve the financial statement and budget report as of March 31, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Volkmer. Question called. Motion carried.

A YE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Anderson, Siebert
ABSENT: Buller, Jacobsen, Regier

Meeting adjourned at 9:37 p.m..

James K. Jackson, Secretary

.nds

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the revised agenda for the May 16, 1996 board of directors meeting as distributed. Seconded by Siebert. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Oswald, Schulz, Siebert,
Volkmer, Hansen

NAY: None

PASS: Regier

EXCUSED: Moore

ABSENT: Jacobsen

APPROVAL OF MINUTES OF THE APRIL 18, 1996 BOARD MEETING

Ehlers made the motion (Motion #3) to approve the minutes of the April 18, 1996 board of directors meeting as distributed. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

ABSENT: Jacobsen

TWIN PLATTE NRD REQUEST FOR LEGAL DEFENSE FUNDS

Ehlers made the motion (Motion #4) that the Upper Big Blue NRD request that the NARD not participate in the Twin Platte NRD's request for assistance from the legal defense fund. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

CONTINUATION OF NARD LEGAL DEFENSE FUND

Dickinson made the motion (Motion #5) that the NARD legal defense fund be retained and that each district contribute on a strictly voluntary basis. Seconded by Austin.

Ehlers amended the motion to make the motion (Motion #6) however, before a case can be accepted for funding by the NARD legal defense fund a two-thirds majority vote by the Association Board be required. Seconded by Volkmer. Question called on the amendment. Amendment carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

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

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

PROJECTS COMMITTEE REPORT

Burke gave a report on the Projects Committee meeting held May 6, 1996 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Burke made the motion (Motion #7) that one new application for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Burke made the motion (Motion #8) that payment of NSWCP land treatment funds be made in the amount of \$4,979.83 for four applications reviewed by the committee. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Burke made the motion (Motion #9) that two new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Burke made the motion (Motion #10) that payment of NRD land treatment funds be made in the amount of \$364.80 for one application reviewed by the committee. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

DAVID CITY NORTHWEST DRAINAGE PROJECT

Horizons, Inc. has completed aerial photography and mapping of the David City N.W. Drainage Project area. All mylar drawings and digital terrain models have been furnished to the district as required. Staff recommends final payment to Horizons, Inc..

Burke made the motion (Motion #11) that Horizons, Inc. be paid \$16,139.00 as final payment for aerial photography and digital terrain modeling services performed on the David City N.W. Drainage Project. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen
NAY: None
EXCUSED: Moore

PROJECT 15-10-02W, TODD DAM

The Projects Committee reviewed final feasibility study results for two alternatives at Project 15-10-02W.

Alternative A would provide an 8 acre lake with conservation pool volume of 50 acre feet. The present value of benefits (recreation, wildlife, erosion control and flood control) is \$149,200 and the present worth of project cost (construction, land rights, O & M, engineering, legal and administration) is \$137,155. The benefit to cost ratio is 1.09.

Alternative B would provide a 14 acre lake with conservation pool volume of 118 acre feet. The present value of benefits is \$179,500 and the present worth of project cost is \$223,255. The benefit to cost ratio for this alternative is 0.80. This alternative requires reconstruction of a portion of gas main located in the tailwater of the conservation pool.

The Projects Committee felt that additional construction cost was justified on Alternative B to maximize water storage and recreation benefits, even though the benefit to cost ratio is less than 1.0.

Burke made the motion (Motion #12) that staff be authorized to proceed with final design of Project 15-10-02W, and that Alternative B, with conservation pool of 14 acres and 118 acre feet, be selected as the preferred plan. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Oswald, Schulz, Volkmer, Hansen
NAY: None
PASS: Dickinson, Regier, Siebert
EXCUSED: Moore

REQUEST FOR ENGINEERING ASSISTANCE FROM SOUTHEAST COMMUNITY COLLEGE

Southeast Community College (SECC) located at Milford, has requested engineering assistance from the district to plan, design and oversee construction of a storm sewer and storm sewer outfall to the Big Blue River.

The Projects Committee discussed the request and recommended that assistance be offered in preparing a reconnaissance level engineering study of the storm sewer and outfall problem. The study will outline future engineering needs and project costs for SECC consideration. Future district involvement will be considered after SECC has determined what their administrative and financial commitment will be to this project.

Burke made the motion (Motion #13) that staff be authorized to prepare a reconnaissance level engineering study of the storm sewer and storm sewer outfall for Southeast Community College at Milford, and that the study include estimates of final design engineering and construction costs required to complete the project. Seconded by Austin.

Volkmer asked what the cost of staff time would be to develop the proposed study. Turnbull indicated that he did not have those figures before him but that they could be obtained, since Bitner did review the estimated costs with the Projects Committee.

Volkmer reminded the board that according to our Programs and Cost-share Practices policy

book any study costs which will exceed \$2,500.00 are to be split 50/50 with the co-sponsor.

After some discussion it appeared that both staff and the Projects Committee had overlooked this existing policy.

Volkmer amended the motion to make the motion (Motion #14) provided Southeast Community College reimburses the district for one-half the study cost. Seconded by Jacobsen. Question called on the amendment. Amendment carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

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

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

SEWARD FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

A claim has been filed by the City of Seward for reimbursement of appraisal fees on the Seward Flood Hazard Mitigation Project. The total amount of the claim is \$9,200.00; \$6,900.00 is FEMA's share, \$1,150.00 is the NRD share and \$1,150.00 is the city's share.

Burke made the motion (Motion #15) that payment of \$1,150.00 in NRD funds be made to the City of Seward and that the District file a claim in the amount of \$6,900.00 for the FEMA share of claim #2 of the Seward Flood Hazard Mitigation Project, and that the FEMA share be paid to the city when it is received by the District. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

PLATTE RIVER INSTREAM FLOWS

Turnbull presented fact sheets about the Nebraska Game and Parks Commission's instream flow applications at both the Projects and Water Committee meetings. The fact sheets were prepared by the Nebraska Water Conservation Cooperative (the Coalition). Turnbull also presented a summary of the instream flow settlement proposed by the Coalition.

Burke made the motion (Motion #16) that the district manager be authorized to send a letter on behalf of the board to Nebraska Game and Parks Commissioners in support of the Nebraska Water Conservation Cooperative position on the Platte River instream flows. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Siebert, Volkmer, Hansen

NAY: None

PASS: Schulz

EXCUSED: Moore

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held May 7, 1996 and reviewed the committee report as distributed.

SPA MONITORING STUDY QUARTERLY PAYMENT TO USGS

Volkmer made the motion (Motion #17) to pay USGS \$10,000 for SPA monitoring study work conducted from January 1, 1996 through March 31, 1996. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz,
Volkmer, Hansen

NAY: None

ABSENT: Siebert

EXCUSED: Moore

RELEASE OF SPA MONITORING WELL EASEMENT

The district obtained an easement from Norman and Naomi Luebbe of Seward for the construction of SPA monitoring wells. After test drilling, it was decided not to construct the wells at this location, therefore, the district has no need to retain this easement. Steve Seglin has prepared a release of easement.

Volkmer made the motion (Motion #18) to approve the release of easement for the North 1/2 of the Northwest 1/4 of Section 17, Township 10 North, Range 3 East, Seward County, owned by Norman and Naomi Luebbe. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz,
Volkmer, Hansen

NAY: None

ABSENT: Siebert

EXCUSED: Moore

319 PROJECT PAYMENT TO NRCS

Volkmer made the motion (Motion #19) to pay the Natural Resources Conservation Service \$11,666.50 for work on the Recharge Lake 319 Project during the period of October 1, 1995 through March 31, 1996. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Volkmer, Hansen

NAY: None

PASS: Siebert

EXCUSED: Moore

WATER SCIENCES LABORATORY RESEARCH PROJECT PAYMENT

The final payment for research conducted under Roy Spalding's direction is due.

Volkmer made the motion (Motion #20) to pay the University of Nebraska Water Sciences Laboratory \$67,000.00 for York Ground Water Demonstration Project research activities conducted from May 1, 1995 through April 30, 1996. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None
EXCUSED: Moore

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

Volkmer made the motion (Motion #21) to make final payments totaling \$4,098.02 for fifteen decommissioned wells. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert,
Volkmer, Hansen

NAY: None
PASS: Buller
EXCUSED: Moore

STATE DECOMMISSIONING FUNDS

The state passed legislation that changed the minimum cost-share to 60 percent. This makes the district's AQWACAP program eligible for funding in FY97. If the board chooses to participate the district could receive \$5,000 to \$6,000 in FY97.

Volkmer made the motion (Motion #22) to participate in the state well decommissioning program in FY97. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None
EXCUSED: Moore

CITY OF SEWARD REQUEST FOR ASSISTANCE

The district received a letter from the mayor of Seward requesting assistance in funding a project for treatment of the city's water supply. The Water Department directed the general manager to discuss the situation with city officials to see what sort of assistance the district may be able to provide.

EXECUTIVE COMMITTEE MEETING REPORT

Austin gave a report on the Executive Committee Meeting held May 7, 1996 and reviewed the committee report as distributed.

ATTORNEY FEES

The attorney's fees for the month are \$563.70 for work on the water regulation changes and the release of easement for the SPA monitoring well.

Austin made the motion (Motion #23) to approve payment of \$563.70 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through April 20, 1996. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY: None
ABSENT: Jacobsen
EXCUSED: Moore

BOARD VACANCY

A vacancy exists on the board due to the death of Bruce Anderson. The board will need to appoint someone to serve the remainder of his term, which expires in January 1999. The

Executive Committee is asking that anyone interested in serving the remainder of the term submit a letter of interest by July 1st. The committee will review the applications at their regular July committee meeting.

FOUR-WHEELER LEASE

The Water Department needs to lease a four-wheeler for the summer chemigation season to supplement the one the district already owns. Doug's Machine of Geneva will lease one to the district for four months for \$950.00.

Austin made the motion (Motion #24) to approve the four month lease of a four-wheeler, with the option to purchase, from Doug's Machine in Geneva for \$950.00. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

JUNE BOARD MEETING

The Executive Committee has rescheduled the June board meeting for Thursday, June 27th.

COMPUTER UPGRADES AND SOFTWARE

The computer upgrade work has been completed. Some additional parts that were not anticipated were needed to complete the upgrades. The original price approved by the board was \$3,604.00. The actual cost was \$3,920.15. The general manager recommended that payments in the amount of \$3,920.15 for equipment upgrades and \$2,705.85 for software licensing and upgrades be approved.

Austin made the motion (Motion #25) to approve payment of \$3,920.15 for computer upgrades and payment of \$2,705.85 for software to Computer Spectrum, Inc., of Aurora. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

DONATION TO THE NARD

Bob Ehlers presented a proposal to the Executive Committee that the district donate \$1,250.00 to the NARD for the start of a contingency fund.

Austin made the motion (Motion #26) that the Upper Big Blue NRD make an unsolicited donation of \$1,250.00 to the NARD to start a contingency fund for the purpose of funding activities other than administration and lobbying; and further that this District encourage other districts to emulate this board's actions and make voluntary donations. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Hansen

NAY: Regier, Schulz

PASS: Siebert, Volkmer

EXCUSED: Moore

WETLANDS CONSERVATION ALTERNATIVE

A Wetlands Conservation Alternative steering committee meeting has been scheduled for May 22nd. The board needs to appoint a representative and alternate to serve as chair of this committee. Turnbull recommended that Regier and Moore be considered because of their past involvement in this activity.

Austin made the motion (Motion #27) to appoint Larry Moore as the Upper Big Blue NRD's representative on the Wetlands Conservation Alternatives steering committee and that Ken Regier be appointed as alternate. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY: None

EXCUSED: Moore

EDUCATION AND PARKS COMMITTEE REPORT

Ehlers gave a report on the Education and Parks Committee meeting held May 9, 1996 and reviewed the committee report as distributed.

AURORA MIDDLE SCHOOL OUTDOOR CLASSROOM COST-SHARE REQUEST

The Aurora Middle School Environmental Club is creating an outdoor classroom at the middle school. The school has donated an area 170 by 150 feet that has been planted with native grasses and wildflowers. A border of shrubs was planted as a windbreak. Bill Whitney of the Prairie Plains Resources Institute has served as an advisor on this project. The club raised \$300 (dedicated to installing a sign) and received a grant of \$250 from the Nebraska Game and Parks Commission. Future installations include the sign identifying the project and completion of a fence around the classroom to prevent those attending athletic events from parking on the classroom. Estimated cost of the fencing is \$500. Cost of the sign is undetermined at this time.

Ehlers made the motion (Motion #28) that the Upper Big Blue NRD approve cost-share funding to the Aurora Middle School for improvements to its outdoor classroom in an amount not to exceed \$300 and that a grant of \$250 be given for the same purpose. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Oswald, Regier, Volkmer, Hansen

NAY: None

ABSENT: Ediger, Schulz, Siebert

EXCUSED: Moore

PROPOSAL TO NAME RECHARGE LAKE RECREATION AREA

Ehlers made the motion (Motion #29) In recognition of Bruce Anderson for: over 50 years of continuous service as an elected or appointed board member in the natural resources field, pioneering work and leadership in the conservation field, personal commitment to conservation by example in his own farming operation, and a lifetime of dedication to natural resources conservation at the state and local levels, the Upper Big Blue Natural Resources District names the public use area around Recharge Lake the "Bruce L. Anderson Recreation Area." Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer,
Hansen

NAY: None

ABSENT: Ediger, Siebert

EXCUSED: Moore

PAYMENT TO LOWER LOUP NRD

Ehlers made the motion (Motion #30) that the Upper Big Blue NRD make payment of \$875.70 to the Lower Loup NRD for 2,450 Colorado Blue Spruce purchased through Colorado State Forestry Service. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer,
Hansen

NAY: None

ABSENT: Ediger, Siebert

EXCUSED: Moore

FINANCIAL STATEMENT

Burke made the motion (Motion # 31) to approve the financial statement and budget report as of April 30, 1996; 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, Ehlers, Houdersheldt,
Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer,
Hansen

NAY: None

ABSENT: Ediger, Siebert

EXCUSED: Moore

Meeting adjourned at 9:51 p.m..

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JUNE 27, 1996

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
James Jackson, Secretary	Steve Buller, Treasurer
Ed Ediger, Director	Bob Ehlers, Director
Roger Houdersheldt, Director	Luke Jacobsen, Director
Larry Moore, Director	Louis Oswald, Director
Roland Schulz, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Troy Thompson, Staff	Jay Bitner, Staff
Rod DeBuhr, Staff	Ken Feather, Staff
Bill Gilliam, York NRCS	Rebecca Oltmans, York News-Times

ROLL CALL

Twelve directors were present during quorum call. Houdersheldt 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 June 13, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

REQUESTS FOR EXCUSED ABSENCE

Volkmer made the motion (Motion #1) to excuse the absence of Ken Regier, Doug Dickinson, Ray Burke and Roger Siebert from the June 27, 1996 board of directors meeting. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen
NAY: None
ABSENT: Burke, Dickinson, Houdersheldt, Regier, Siebert

ADOPTION OF AGENDA

Oswald made **the motion (motion #2) to approve the agenda** for the June 27, 1996 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Burke, Dickinson, Regier, Siebert ABSENT: Houdersheldt

APPROVAL OF MINUTES OF THE MAY 16, 1996 BOARD MEETING

Moore made the motion (Motion #3) to approve the minutes of the May 16, 1996 board of directors meeting as distributed. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Burke, Dickinson, Regier, Siebert ABSENT: Houdersheldt

PROJECTS COMMITTEE REPORT

Houdersheldt gave a report on the Projects Committee meeting held June 10, 1996 and reviewed the committee report as distributed.

HENDERSON DRAINAGE PROJECT

Representatives for the City of Henderson were present at the Projects Committee meeting on June 10 to request engineering assistance to plan and design storm water drainage for the city of Henderson. The city is exploring potential development of an industrial park north of town.

Staff recommended that a detailed map of the study area be prepared as part of the planning.

The Projects Committee explained that the district's policy would require Henderson to pay for one half of the direct costs, plus any overhead costs associated with the planning. Staff estimated the cost of planning and design for the industrial park would not exceed \$16,400.00. Based on this estimate the city's share would not exceed \$8,200.00. Payment to the district would be based on actual costs.

Houdersheldt made the motion (Motion #4) that the district offer to prepare a drainage study and construction drawings for the City of Henderson industrial park, and that an agreement between the city and district, stating the terms and costs, be forwarded to the City of Henderson for their approval. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #5) that one new application 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, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, 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 \$20,982.33 for eleven applications reviewed by the committee. Seconded by Ediger. Question called. motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Houdersheldt 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 Ediger. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Houdersheldt made the motion (Motion #8) that payment of NRD land treatment funds be made in the amount of \$4,810.00 for eleven applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Burke, Dickinson, Regier, Siebert

SEWARD FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

Appraisals have been completed and the city is currently interviewing firms interested in providing negotiation services. The negotiator will make offers to property owners and negotiate counter offers on behalf of the city.

Claim number three has been filed by the City of Seward for reimbursement of appraisal fees on the Seward Flood Hazard Mitigation Project. The total amount of this claim is \$3,600.00. \$2,700.00 is FEMA's share, \$450.00 is the NRD share and \$450.00 is the city's share.

Houdersheldt made the motion (Motion #9) that payment of \$450.00 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$2,700.00 for the FEMA share of claim #3 of the Seward Flood Hazard Mitigation Project, and that the FEMA share be paid to the city when it is received by the district. Seconded by Oswald. Question called. motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Burke, Dickinson, Regier, Siebert

CITY OF SUTTON REQUEST FOR FLOOD PLAIN MAPPING ASSISTANCE

At the March 1996 Projects Committee meeting the City of Sutton was present to request flood plain mapping. At that meeting the committee made a motion to offer "engineering assistance for preparing flood plain mapping to be submitted to FEMA for flood zone designation and that the city be responsible for out-of-pocket expenses to be approved by the city on a case-by-case basis."

On May 14, 1996 the Sutton City Council approved requesting the district to prepare and submit the documents necessary to redraw the flood plain map for School Creek within the city.

Houdersheldt made the motion (Motion #10) that the district prepare an agreement between the district and City of Sutton stating terms and cost **responsibilities for preparing** flood plain mapping on School Creek within the city of Sutton. Seconded by Ediger.

Volkmer voiced his concern that the district was not requiring Sutton to pay half of the cost of preparing the flood plain maps.

Bitner stated out-of-pocket costs for mapping should not exceed \$1,000 because the engineering work has already been done and the data has already been generated.

Turnbull reminded the board that when E.A. Engineering was hired to do the original hydrology work on School Creek they wrote the HEC-1 and HEC-2 computer models. These will be used as the basis for the flood plain mapping.

Question called. Motion carried.

AYE: Austin, Buller, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Hansen
NAY: Ediger, Ehlers, Volkmer
EXCUSED: Burke, Dickinson, Regier, Siebert

PROJECT 15-10-2W, TODD DAM

Staff is beginning final design of Project 15-10-2W. Proposals have been received from HWS, Inc. and Geotechnical Services, Inc. to perform geotechnical investigations at the dam site. Both firms were asked to

submit a proposal, including fee and work schedule, based on the scope of work defined by district staff. HWS's fee for this work was \$10,136.50 and Geotechnical Services' fee was \$5,520.00. Staff recommended that the district hire Geotechnical Services, Inc..

Houdersheldt made the motion (Motion #11) that Geotechnical Services, Inc. be awarded a contract to perform drilling, testing and geotechnical engineering on project 15-10-2W in accordance with their proposal dated May 31, 1996, for a fee not to exceed \$5,520.00. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

EDUCATION AND PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education and Parks Committee meetings held June 11, and 27, 1996 and reviewed the committee reports as distributed.

SUMMER ORIENTATION ABOUT RIVERS (SOAR)

The Summer Orientation About Rivers (SOAR) has 60 third through sixth graders signed up for its first session which begins July 8. There are 53 signed up for the second session which begins July 15.

Jacobsen made the motion (Motion #12) that the Upper Big Blue NRD make payment of \$1,500.00 to the Prairie Plains Resources Institute for the 1996 SOAR program. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

PAYMENT TO YORK COLD STORAGE

Jacobsen made the motion (motion #13) that the Upper Big Blue NRD make payment of \$1,600.00 to York Cold Storage for tree storage rental for the months of April and May 1996. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

PAYMENT TO UNIVERSITY OF NEBRASKA

Jacobsen made the motion (Motion #14) that the Upper Big Blue NRD make payment of \$17,828.01 to the University of Nebraska for the purchase of 48,000 trees through the Clarke-McNary tree program. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

PAYMENT TO LINCOLN-OAKES NURSERY

Jacobsen made the motion (Motion #15) that the Upper Big Blue NRD make payment of \$1,329.78 to Lincoln-Oakes Nursery for 4,100 trees and shrubs. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

PAYMENT TO CITY OF GENEVA - PARK RENOVATION

Jacobsen made the motion (motion #16) that the Upper Big Blue NRD make payment of \$10,000.00 to the City of Geneva for the renovation of two tennis courts and replacement of the baseball scoreboard.

Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer,
Hansen

NAY: Ediger

EXCUSED: Burke, Dickinson, Regier, Siebert

PAYMENT TO VILLAGE OF GRAFTON - PLAYGROUND EQUIPMENT

Jacobsen made the motion (Motion #17) that the Upper Big Blue NRD make payment of \$1,700.00 to the Village of Grafton for the playground equipment which has been purchased and installed on village property.

Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer,
Hansen

NAY: Ediger

EXCUSED: Burke, Dickinson, Regier, Siebert

PAYMENT TO CITY OF HENDERSON - COMMUNITY TREE RESOURCES PROGRAM

Jacobsen made the motion (motion #18) that the Upper Big Blue NRD make payment of \$1,000.00 to the City of Henderson for the trees planted at the Henderson Golf Course. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer,
Hansen

NAY: Ediger

EXCUSED: Burke, Dickinson, Regier, Siebert

LB71 FUNDS -PROJECT 15-10-2W

Jacobsen made the motion (motion #19) that the Upper Big Blue NRD apply for LB71 funds to help offset the cost of easements for project 15-10-2W. Seconded by Houdersheldt. Question called. motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

APPRAISAL OPTION FOR PROJECT 15-10-2W (TODD DAM)

Quotes were obtained for appraisals on the Smith and Rathje properties located in the W ½ of Section 15, Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska and the state school lands located in the E ½ of E ½ of SE ¼ of Section 16, Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska.

Jacobsen made the motion (Motion #20) that the Upper Big Blue NRD hire Deets Real Estate & Appraisal of Geneva, Nebraska to do the appraisals on the Smith property and the Harry and Donna Rathje property located in the W ½ of Section 15, Township 10 North, Range 2 West of the 6th P.M, York County, Nebraska and the state school lands located in the E ½ of the E ½ of the SE ¼ of Section 16, Township 10 **North, Range 2** West of the 6th P.M., York County, Nebraska. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held June 11, 1996 and reviewed the committee report

as distributed.

PERSONNEL POLICY NO. 11 - PAY PERIOD

The district has always paid its employees on the last day of the pay period. This has become impractical because of the complexity of the payroll accounting and time needed to compute and process payroll. The accountant suggested that checks not be issued the last day of the pay period, but that sufficient time be allowed for computation and processing purposes.

The manager and office manager recommended that the issue date be on or before the 7th day after the end of the pay period.

Austin made the motion (Motion #21) that Personnel Policy No. 11 be amended as follows, and that it become effective August 1, 1996.

PERSONNEL POLICY NO. 11: PAY PERIOD

- I. ~~Each employee shall receive his or her check on or before the last working day of each month.~~ Payroll checks will be issued on or before the 7th day after the end of the pay period.
- II. The normal pay period for the District begins at 12:00 A.M. on the 1st day of the month and ends at 11:59 P.M. on the last day of the month. The pay period for seasonal and/or temporary help will be semimonthly.
- III. Employees are required to furnish the District with all payroll information requested including but not limited to withholding, social security and FICA taxes.
- IV. The District will advise employees of any material changes in the preparation of the payroll.

Seconded by Schulz. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

DISTRICT LIABILITY, FIRE AND CASUALTY INSURANCE

The liability, fire and casualty insurance is provided by INSPRO Insurance through Scott Nelson of York Insurance. INSPRO writes insurance for more than half of the districts, with Employers Mutual as the principal carrier. The premium last year was \$27,330.

Austin made the motion (Motion #22) to make payment of \$28,713.00 to York Insurance Agency of York for property, liability, inland marine, auto, errors & omissions, workers compensation and umbrella policies for FY97. Seconded by Buller. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

HEALTH INSURANCE

On June 18, 1996 the NARD Board of Directors approved the recommendation of the NARD Insurance & Retirement Committee to accept a premium increase from Blue Cross Blue Shield of Nebraska. The increase, negotiated down from 23.5%, will be 15%.

To reduce the Blue Cross Blue Shield proposal to 15% a change was made to the policy co-insurance. If employees

use the PPO, the share will be 80/20, rather than 90/10. Outside the PPO will be 70/30, rather than 80/20.

LAND SALE

The environmental phase I **report has been completed by Olsson** Environmental Services of Lincoln on the NRD property that is being sold.

Austin made the motion (Motion #23) to approve the sale of irregular tract #44, Section 7, Township 10 North, Range 2 West of the 6th P.M., a part of the City of York, York County, Nebraska, to Martin Luther Homes of Nebraska, Inc. for \$25,000.00 and in accordance with the other terms of the real estate sales agreement; and to authorize the chairman to sign the necessary documents. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

FY97 SALARIES

Turnbull recommended that the board authorize a 2% cost of living change in the payscale grades which effects the minimum, mid-point, and maximum salary paid for each grade. Turnbull requested \$13,775 for salary changes for the district staff for FY97.

Austin made the motion (Motion #24) to increase the base district payscale by 2% for cost of living changes since May of 1995, to adjust the annual salaries of the district staff, with the exception of the general manager, by an amount not to exceed \$13,775.00, resulting in a 3.55% increase over current salaries and to authorize the general manager to determine and make salary and wage adjustments. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Hansen

NAY: Schulz, Volkmer

EXCUSED: Burke, Dickinson, Regier, Siebert

Austin made the motion (Motion #25) to increase the general manager's salary by \$2,000 (3.45%) from \$57,950 to \$59,950. Seconded by Jacobsen. Question called. motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Hansen

PASS: Schulz, Volkmer

EXCUSED: Burke, Dickinson, Regier, Siebert

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held June 13, 1996 and reviewed the committee report as distributed.

SPECIAL PROTECTION AREA MID-NEBRASKA GRANT PROPOSAL

The proposed grant would be administered by the University of Nebraska if received. The grant would extend the Mid-Nebraska Project an additional five years through 2002. The total cost of the five year extension would be approximately \$873,618. The grant is for \$527,197. The district's share of matching funds would be \$10,696 over the five year period. Staff recommended that a portion of the fertilizer tax funds that the district will receive beginning July of 1997 be used for this project.

Volkmer made the motion (Motion #26) to support the Mid-Nebraska 319 grant application and participate in the project provided that fertilizer tax funds are available. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

MANAGEMENT AREA RULES AND REGULATIONS

As a result of LB 108 the Control Area and SPA become Management Areas on July 19th. Because of this housekeeping change the district's rules and regulations must be made to conform with the changes in the law. At the same time the staff has recommended consolidating the control area and SPA regulations into one set of management area regulations.

Volkmer made the motion (Motion #27) to approve the proposed Ground Water Management Area Rules and Regulations (Rule 5) for the purpose of public hearing to be held on July 18, 1996. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS

Volkmer made the motion (Motion #28) to make final payments totaling \$1,322.20 for eight decommissioned wells. Seconded by

Oswald. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

Volkmer made the motion (Motion #29) to hold all July 1996 AQWACAP final payment requests for payment consideration in August 1996. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

STATE DECOMMISSIONING FUNDS - AQWACAP PROGRAM CHANGES

Volkmer made the motion (Motion #30) to amend the Aquifer Quality Well Abandonment Cost-share Assistance Program effective July 1, 1996, to increase the maximum cost-share for wells with a casing diameter of less than 12 inches to \$300 and setting the maximum cost-share for hand dug wells at \$700. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Moore gave a report on the Budget, Planning & Legislative Committee meeting held June 25, 1996 and reviewed the committee report as distributed.

FINANCIAL STATEMENT

Volkmer made the motion (Motion # 31) to approve the financial statement and budget report as of May 31, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Buller. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Hansen

NAY: None

ABSENT: Moore, Schulz

EXCUSED: Burke, Dickinson, Regier, Siebert

Meeting adjourned at 10:05 p.m..

James K. Jackson, Secretary

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JULY 18, 1996

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Wayne Hansen at 8:05 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman	Yvonne Austin, Vice Chairman
James 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
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Rodney DeBuhr, Staff
Prudence Sadler, Staff	Ken Feather, Staff
Curtis Schneider, York	Vance A. Teegerstrom, Stromsburg
Mervin Rystrom, Stromsburg	Jay Bitner, Staff
Rebecca Oltmans, York News-Times	

ROLL CALL

Nine directors were present during quorum call. Austin, Ediger, Houdersheldt, and Regier 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 July 5, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

REQUESTS FOR EXCUSED ABSENCE

Ehlers made the motion (Motion #1) to excuse the absence of Luke Jacobsen and Roger Siebert from the July 18, 1996 board of directors meeting. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen

NAY: None

ABSENT: Austin, Ediger, Houdersheldt, Jacobsen, Regier, Schulz, Siebert,

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the agenda for the July 18, 1996 board of directors meeting as distributed. Seconded by Oswald.. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ehlers, Jackson, Moore, Oswald, Volkmer Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Austin, Ediger, Houdersheldt, Regier, Schulz

APPROVAL OF MINUTES OF THE JUNE 27, 1996 BOARD MEETING

Moore made the motion (Motion #3) to approve the minutes of the June 27, 1996 board of directors meeting as distributed. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Houdersheldt, Regier, Schulz

ADOPTION OF GWMA RULES AND REGULATIONS

Burke made the motion (Motion #4) to adopt "Rule 5 Upper Big Blue Natural Resources District Control Area Groundwater Management Area Rules and Regulations". Seconded by Moore.

Ehlers made the motion (Motion #5) to delete paragraph 03 from Chapter 11 "Water Well Spacing" and renumber the remaining paragraphs. Seconded by Oswald. Question called on the amendment. Amendment carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen
NAY: None
EXCUSED: Jacobsen, Siebert
ABSENT: Ediger, Houdersheldt, Regier, Schulz

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

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen
NAY: None
EXCUSED: Jacobsen, Siebert
ABSENT: Houdersheldt, Regier, Schulz

PROJECTS COMMITTEE REPORT

Burke gave a report on the Projects Committee meeting held July 8, 1996 and reviewed the committee report as distributed.

LATE WELL PERMIT

Burke made the motion (Motion #6) to approve late well permit number UBB-1-2090 for a well drilled in the NW 1/4 of Section 12, Township 9 North, Range 2 West, York County, owned by Ralph Eggerling of Waco, Nebraska. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen
NAY: None
PASS: Buller
EXCUSED: Jacobsen, Siebert
ABSENT: Houdersheldt, Regier, Schulz

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Burke made the motion (Motion #7) that six 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: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen
NAY: None
EXCUSED: Jacobsen, Siebert
ABSENT: Houdersheldt, Regier, Schulz

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Burke made the motion (Motion #8) that payment of NSWCP land treatment funds be made in the amount of \$4,028.50 for three applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen
NAY: None
EXCUSED: Jacobsen, Siebert
ABSENT: Houdersheldt, Regier, Schulz

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Burke made the motion (Motion #10) that payment of NRD land treatment funds be made in the amount of \$3,880.67 for six applications reviewed by the committee.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen
NAY: None
PASS: Houdersheldt
EXCUSED: Jacobsen, Siebert

ABSENT: Regier, Schulz

SEWARD FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

Claim number four has been filed by the City of Seward for reimbursement for appraisal fees on the Seward Flood Hazard Mitigation Project. The total amount of this claim is \$2,300.00. \$1,725.00 is the FEMA share, \$287.50 is the NRD share and \$287.50 is the city's share.

Burke made the motion (Motion #11) that payment of \$287.50 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$1,725.00 for the FEMA share of claim number 4 of the Seward Flood Hazard Mitigation Project and that the FEMA share be paid to the city when it is received by the district. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Regier, Schulz

DAVID CITY NORTHWEST DRAINAGE PROJECT

The design of phase 1 of the David City Northwest Drainage Project will require a dam to be built in Section 12, Township 15 North, Range 2 East of Butler County, located northwest of David City. The original plan for phase 1 did not include a dam. Amendment number 1 to the interlocal agreement between the NRD's and Butler County is proposed to expand the scope of work on phase 1 to include the dam. Engineering costs due to this change will increase by \$14,900.00 to be split between the Upper Big Blue NRD and the Lower Platte North NRD.

Burke made the motion (Motion #12) that amendment number 1 to the interlocal agreement for the David City Northwest Drainage Project between the Upper Big Blue NRD, Lower Platte North NRD, and Butler County be approved. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Regier, Schulz

EDUCATION AND PARKS COMMITTEE REPORT

Volkmer gave a report on the Education and Parks Committee meeting held July 11, 1996 and reviewed the committee report as distributed.

ARCHERY RANGE AGREEMENT WITH NEBRASKA GAME & PARKS COMMISSION

Volkmer made the motion (Motion #13) that the Upper Big Blue NRD Board of Directors approve the archery range agreement between the Upper Big Blue Natural Resources District and the Nebraska Game & Parks Commission, and authorize the chairman of the board to sign the agreement. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Regier, Schulz

PAYMENT TO YORK COLD STORAGE

Volkmer made the motion (Motion #14) that the Upper Big Blue NRD make payment of \$800.00 to York Cold Storage for storage of nursery stock during the month of June 1996. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Moore, Oswald, Volkmer, Hansen

NAY: Austin, Ehlers

EXCUSED: Jacobsen, Siebert

ABSENT: Regier, Schulz

AGREEMENT BETWEEN NNRC & UBBNRD- LB 71 FUNDS FOR PROJECT 15-10-2W

Volkmer made the motion (Motion #15) that the Upper Big Blue NRD Board of Directors approve the agreement between the Nebraska Natural Resources Commission and the Upper Big Blue NRD for LB 71 funds and authorize the chairman of the board to sign the agreement. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Regier, Schulz

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Houdersheldt gave a report on the Budget, Planning & Legislative Committee meeting held July 17, 1996 and reviewed the committee report as distributed.

FY97 BUDGET

Turnbull reviewed the draft budget and lid limits imposed by LB 299. He also discussed the LC-3 Lid Computation Form used to determine the limit of property tax increase. The board can vote to exceed the 2% limit by an additional 1% provided three fourths of the board members vote for approval of the additional increase. Any unused budget authority can be carried forward to the next budget year.

Houdersheldt made the motion (Motion #16) for the purpose of public hearing to approve an increase in the total budgeted restricted funds by an additional 1%, as shown on Form LC-3, page 3. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Hansen

NAY: Volkmer

EXCUSED: Jacobsen, Siebert

ABSENT: Schulz

Houdersheldt made the motion (Motion #17) to approve the FY 97 Budget for the purpose of public hearing. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Hansen

NAY: Volkmer

EXCUSED: Jacobsen, Siebert

ABSENT: Schulz

Houdersheldt made the motion (Motion #18) to set the budget hearing for 8:00 p.m., Thursday, August 15, 1996 just prior to the monthly board meeting. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Schulz

The county clerks are required to compute the preliminary levy for all subdivisions by September 10 and then publish that levy by September 20th. The clerks use last years tax dollar request and divide it by this years valuation. It has to be computed to at least 5 decimal places. If there is any difference in that number and the levy the board wants a public hearing must be held and a new levy set. The budget must be filed with the county clerks and the state auditor by September 20th.

Houdersheldt made the motion (Motion #19) that a special public hearing for the FY 97 tax levy be scheduled

for 8:00 p.m., Tuesday, September 17, 1996 and that the September board meeting be scheduled to begin at the close of the hearing on the 17th. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Schulz

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held July 17, 1996 and reviewed the committee report as distributed.

SECOND QUARTER DIRECTORS' PER DIEM AND EXPENSES

Austin made the motion (Motion #20) to approve payment of second quarter directors' per diem of \$6,350.00 and expenses of \$1,927.77. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Dickinson, Schulz

LOWER PLATTE NORTH NRD AND LITTLE BLUE NRD SALARY REIMBURSEMENTS

The Lower Platte North NRD has submitted a bill for 6 months of NRCS clerical salary for the Butler County field office in the amount of \$3,707.14. The Little Blue NRD has submitted a bill for 12 months of NRCS clerical salary for the Adams County field office in the amount of \$2,439.18. The bill also includes \$7,074.88 for 12 months of NRCS clerical salary and \$29.40 for part-time technical help for the Clay County field office. The total request from Little Blue NRD is \$9,543.46.

Austin made the motion (Motion #21) to approve payment of \$3,707.14 to the Lower Platte North NRD for reimbursement of field office clerical salary for the period January 1, 1996 to June 30, 1996 and payment of \$9,543.46 to the Little Blue NRD for reimbursement of field office clerical salaries and part-time technical assistance for the period July 1, 1995 through June 30, 1996. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Moore, Oswald, Regier, Volkmer, Hansen

NAY: Houdersheldt

EXCUSED: Jacobsen, Siebert

ABSENT: Schulz

APPOINT DIRECTOR FOR SUBDISTRICT 7

Letters of application were received from Mervin Rystrom and Vance A. Teegersrom expressing their desire to be appointed to serve the remainder of Bruce Anderson's term, which expires in January 1999. Both applicants reside in the subdistrict and are registered voters.

Ehlers made the motion (Motion #22) to cast ballots to appoint a director to fill the vacancy in subdistrict 7. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Schulz

Ballots were distributed and tallied. Teegerstrom received 8 votes; Rystrom 5 votes. Teegerstrom will serve as a director in subdistrict 7 until January 1999.

FINANCIAL STATEMENT

Volkmer made the motion (Motion # 23) to approve the financial statement and budget report as of June 30, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Schulz

Meeting adjourned at 9:40 p.m..

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
AUGUST 15, 1996

CALL TO ORDER

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

PRESENT

Wayne Hansen, Chairman
Steve Buller, Treasurer
Doug Dickinson, Director
Bob Ehlers, Director
Luke Jacobsen, Director
Louis Oswald, Director
Roland Schulz, Director
John Turnbull, Manager
Rod DeBuhr, Staff
Jay Bitner, Staff
Wm. Gilliam, York NRCS

James Jackson, Secretary
Ray Burke, Director
Ed Ediger, Director
Roger Houdersheldt, Director
Larry Moore, Director
Kenneth Regier, Director
Vance Teegerstrom, Director
Nancy Schneider, Staff
Prudence Sadler, Staff
Ken Feather, Staff
Rebecca Oltmans, York News-Times

ROLL CALL

Thirteen directors were present during quorum call. Houdersheldt arrived later in the meeting.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each of the members as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published August 3, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

REQUESTS FOR EXCUSED ABSENCE

Burke made the motion (Motion #1) to excuse the absence of Merlin Volkmer from the August 15, 1996 board of directors meeting. Seconded by Jacobsen. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Teegerstrom, Hansen

NAY: None

ABSENT: Austin, Houdersheldt, Siebert, Volkmer

ADOPTION OF AGENDA

Ehlers made the motion (Motion #2) to adopt the revised agenda for the board of directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Siebert

APPROVAL OF MINUTES OF THE JULY 18, 1996 GROUND WATER MANAGEMENT AREA PUBLIC HEARING

Burke made the motion (Motion #3) to approve the minutes of the July 18, 1996 Ground Water Management Area Public Hearing as presented. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Siebert

APPROVAL OF MINUTES OF THE JULY 18, 1996 BOARD OF DIRECTORS MEETING

Oswald made the motion (Motion #4) to approve the minutes of the July 18, 1996 board of directors meeting as presented. Seconded by Jacobsen. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Siebert

ADOPTION OF THE FY 97 BUDGET

Ehlers made the motion (Motion #5) to adopt the FY 97 budget as presented. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Siebert

Houdersheldt made the motion (Motion #6) to approve an increase in the total budgeted restricted funds by an additional 1%. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Moore,
Oswald, Regier, Schulz, Teegerstrom, Hansen

NAY: Ehlers

EXCUSED: Volkmer

ABSENT: Austin, Siebert

WATER COMMITTEE REPORT

Ediger gave a report on the Water Committee Meeting held August 6, 1996 and reviewed the committee report as distributed.

YORK GROUND WATER RECHARGE PROJECT

PROPOSED ABANDONMENT OF YORK COLD STORAGE WATER LINE

Staff is recommending that the district abandon the pipeline from York Cold Storage to Recharge Lake because the line is no longer used. Abandoning the line would include the removal of the air relief risers and releasing the easements. If the board passes a motion to abandon the line, staff will prepare an itemized cost estimate for the boards review.

Ediger made the motion (Motion #7) to authorize the staff to proceed with plans for the abandonment of the York Cold Storage pipeline. Seconded by Teegerstrom.

The board discussed the matter and the general consensus was that it would be prudent to allow more time before abandoning the pipeline, in order to rule out the possibility of unforeseen future use.

Question called on the motion. Motion failed.

AYE: Ediger

NAY: Buller, Burke, Dickinson, Ehlers, Houdersheldt, Jacobsen, Moore, Oswald,
Regier, Schulz, Hansen

PASS: Jackson, Teegerstrom

EXCUSED: Volkmer

ABSENT: Austin, Siebert

YORK GROUND WATER RECHARGE PROJECT

319 TECHNICAL ASSISTANCE

Ediger made the motion (Motion #8) to pay NRCS \$5,833.25 for technical assistance associated with the

Recharge Lake 319 project for the quarter ending June 30, 1996. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Siebert

GROUND WATER MANAGEMENT AREA #2

USGS MONITORING STUDY PAYMENT

Ediger made the motion (Motion #9) to pay USGS \$10,000.00 for the Ground Water Quality Management Area monitoring study activities conducted during the quarter ending June 30, 1996. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Siebert

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM - FINAL PAYMENTS

Ediger made the motion (Motion #10) to approve final payment of three well abandonment applications for a total cost of \$483.44. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Siebert

CHEMIGATION PERMIT FEES

Ediger made the motion (Motion #11) to pay the Department of Environmental Quality \$1,895.00 for their portion of the chemigation permit fees collected from January 1, 1996 through July 31, 1996 for 850 renewals and 39 new permits. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Siebert

ATV LEASE PAYMENT

Ediger made the motion (Motion #12) to pay Doug's Garage \$950.00 for the June through September 1996 ATV lease. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Siebert

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Houdersheldt gave a report on the Budget, Planning & Legislative Committee meeting held August 6, 1996 and reviewed the committee report as distributed.

NARD RESOLUTIONS

RESOLUTION #96-1: UPDATE OF NEBRASKA WELL REGISTRATION LIST

Houdersheldt made the motion (Motion #13) that the district support resolution 96-1 Update of Nebraska Well Registration List. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Siebert

RESOLUTION #96-2: EXEMPTION FROM STATE AND LOCAL SALES TAXES

Houdersheldt made the motion (Motion #14) that the district support resolution 96-2 Exemption from State and Local Sales Taxes. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Siebert

RESOLUTION #96-3: INSTREAM FLOW WATER RIGHTS

Houdersheldt made the motion (Motion #15) that the district support resolution 96-3 Instream Flow Water Rights. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen,
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Siebert

RESOLUTION 96-4: WATER CONSERVATION IN THE REPUBLICAN RIVER BASIN

Houdersheldt made the motion (Motion #16) that the district take a neutral position on resolution 96-4 Water Conservation in the Republican River Basin. Seconded by Teegerstrom. Question called. Motion failed.

AYE: Burke, Dickinson, Ediger, Jackson, Oswald, Hansen
NAY: Buller, Ehlers, Houdersheldt, Moore, Schulz
PASS: Jacobsen, Regier, Teegerstrom
EXCUSED: Volkmer
ABSENT: Austin, Siebert

Ehlers made the motion (Motion #7) that the district oppose resolution 96-4 Water Conservation in the Republican River Basin. Seconded by Houdersheldt. Question called. Motion failed.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jacobsen, Hansen
NAY: Burke, Jackson, Moore, Oswald
PASS: Regier, Schulz, Teegerstrom
EXCUSED: Volkmer
ABSENT: Austin, Siebert

Moore made the motion (Motion #18) to support resolution 96-4 Water Conservation in the Republican River Basin. Seconded by Jacobsen. Question called. Motion failed.

AYE: Jackson, Moore
NAY: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Schulz, Hansen
PASS: Jacobsen, Oswald, Regier, Teegerstrom
EXCUSED: Volkmer
ABSENT: Austin, Siebert

RESOLUTION #96-5: PUBLICATION OF NOTICES FOR RULES AND REGULATIONS UNDER THE GROUNDWATER MANAGEMENT AND PROTECTION ACT

Houdersheldt made the motion (Motion #19) that the district support resolution 96-5 Publication of Notices for Rules and Regulations Under the Groundwater Management and Protection Act. Seconded by Jacobsen. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Teegerstrom, Hansen

NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Siebert

RESOLUTION #96-6: FLOW METER TAXATION

Houdersheldt made the motion (Motion #20) that the district support resolution 96-6 Flow Meter Taxation. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Ediger, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Teegerstrom
NAY: Dickinson, Moore
PASS: Ehlers, Hansen
EXCUSED: Volkmer
ABSENT: Austin, Siebert

RESOLUTION #96-7: ENVIRONMENTAL TRUST FUND DISTRIBUTION

Houdersheldt made the motion (Motion #21) that the district support resolution 96-7 Environmental Trust Fund Distribution. Seconded by Jackson. Question called. Motion failed.

AYE: Ediger, Regier
NAY: Buller, Burke, Dickinson, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Hansen
PASS: Jacobsen, Teegerstrom
EXCUSED: Volkmer
ABSENT: Austin, Siebert

RESOLUTION #96-8: PLATTE RIVER INSTREAM FLOW

Houdersheldt made the motion (Motion #22) that the district support resolution 96-8 Platte River Instream Flow. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Schulz, Siebert

RESOLUTION #96-9: REVISE NEBRASKA EROSION AND SEDIMENT CONTROL ACT

The Lower Niobrara NRD submitted this resolution for consideration during the NARD conference. A two-thirds majority vote is required by the NARD board to bring it to the floor to be voted upon.

Ehlers made the motion (Motion #23) to direct the NARD Representative to vote to get resolution 96-9 Revise Nebraska Erosion and Sediment Control Act on the floor, and if successful, to vote in support of the resolution. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Schulz, Siebert

RESOLUTION #96-10: AUTHORITY TO PARTICIPATE IN SURFACE WATER RIGHTS APPLICATION PROCESS BEFORE THE NEBRASKA DEPARTMENT OF WATER RESOURCES

This resolution was submitted by the Twin Platte NRD for consideration at the NARD conference. It also required a two-thirds majority vote for consideration.

Burke made the motion (Motion #24) to direct the NARD Representative to vote to oppose bringing resolution 96-10 Authority to Participate in Surface Water Rights Application Process before the Nebraska Department of Water Resources to the floor. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen
NAY: None

EXCUSED: Volkmer
ABSENT: Austin, Schulz, Siebert

EXECUTIVE COMMITTEE REPORT

Jackson gave a report on the Executive Committee meeting held August 6, 1996 and reviewed the committee report as distributed.

SALARY REIMBURSEMENT - LOWER BIG BLUE NRD

The Lower Big Blue NRD has submitted a bill for the UBBNRD share of the annual clerical salary at the Saline County NRCS office in the amount of \$3,070.14.

Jackson made the motion (Motion #25) to approve payment of \$3,070.14 to the Lower Big Blue NRD for reimbursement of NRCS clerical salary for the period July 1, 1995 to June 30, 1996. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Jackson, Jacobsen, Oswald, Regier, Teegerstrom, Hansen
NAY: Ehlers, Houdersheldt, Moore
EXCUSED: Volkmer
ABSENT: Austin, Schulz, Siebert

FY 97 NARD DUES

Jackson made the motion (Motion #26) to approve payment of \$12,774.30 for FY 97 association dues to the NARD. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Houdersheldt, Schulz, Siebert

EDUCATION AND PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education and Parks Committee meeting held August 8, 1996 and reviewed the committee report as distributed.

APPRAISAL REPORT ON PROJECT 15-10-2W - TODD DAM

Jacobsen made the motion (Motion #27) that the Upper Big Blue NRD accept the appraisals prepared by Deets Real Estate and Appraisals Service for the NW 1/4 of Section 15-10-2W (Todd Dam). This appraisal will be used in negotiations. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Houdersheldt, Schulz, Siebert

PAYMENT TO DEETS REAL ESTATE AND APPRAISAL

Jacobsen made the motion (Motion #28) that the Upper Big Blue NRD make payment of \$1,425.00 for the appraisal work done on lands located in the E 1/2 of the NW1/4 and the SW 1/4 of Section 15-10-2W and the E 1/2 of the SE 1/4 of Section 16-10-2W (Todd Dam). Seconded by Regier. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Houdersheldt, Schulz, Siebert

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held August 12, 1996 and reviewed the committee

report as distributed.

NSWCP FUND APPLICATIONS

Regier made the motion (Motion #29) that seven 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: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Oswald, Regier, Teegerstrom, Hansen

NAY: Moore

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Schulz, Siebert

NSWCP FUND PAYMENTS

Regier made the motion (Motion #30) that payment of NSWCP land treatment funds be made in the amount of \$4,183.91 for three applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Schulz, Siebert

NRD LAND TREATMENT APPLICATIONS

Regier made the motion (Motion #31) that two 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: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Schulz, Siebert

NRD LAND TREATMENT PAYMENTS

Regier made the motion (Motion #32) that payment of NRD land treatment funds be made in the amount of \$758.68 for two applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Schulz, Siebert

CONSIDER COST-SHARE ON LAND TREATMENT PRACTICES DAMAGED BY STORMS

The committee discussed the issue and agreed that land treatment practices damaged by storms should be repaired at the landowner's expense. This type of work is considered maintenance and the NRD's current policy is not to cost-share on maintenance. No board action was recommended.

CONSIDER COST-SHARE ON REPLACEMENT OF GATES & GASKETS FOR GATED PIPE

The NSWCP program allows cost-share for replacement gates and gaskets on gated pipe if the NRD has adopted the Irrigation Water Management Practice (NC17). Since the Upper Big Blue NRD has not adopted NC17, cooperators in the district are not eligible for cost-share on replacement gates and gaskets.

Regier made the motion (Motion #33) that a program to implement cost-share on replacement gates and gaskets for gated pipe not be adopted. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Schulz, Siebert

SEWARD FLOOD HAZARD MITIGATION PROJECT PROGRESS PAYMENT

Claim no. 5 has been filed by the City of Seward for reimbursement of appraisal fees on the Seward Flood Hazard Mitigation Project. The total claim amount is \$1,420.00. The FEMA share is \$1,065.00 and the city and NRD shares are each \$177.50.

Regier made the motion (Motion #34) that payment of \$177.50 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$1,065.00 for the FEMA share of claim number 5 of the Seward Flood Hazard Mitigation Project and that the FEMA share be paid to the city when it is received by the district. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Schulz, Siebert

DAVID CITY NORTHWEST DRAINAGE PROJECT (12-15-2E)

Drilling and testing is required for dam site 12-15-2E, which is part of phase 1 of the David City Northwest Drainage Project. Proposals were received from Geotechnical Services, Inc. (GSI) for \$5,045.00 and HWS, Inc. for \$6,798.50. The staff recommends hiring GSI to perform the drilling and testing work for dam site 12-15-2E.

Regier made the motion (Motion #35) that GSI, Inc. be awarded a contract to perform drilling, testing and geotechnical engineering on project 12-15-2E in accordance with their proposal dated May 31, 1996 for a fee not to exceed \$5,045.00. Seconded by Jacobsen. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Schulz, Siebert

HENDERSON DRAINAGE PROJECT

The Projects Committee has reviewed the interlocal agreement for the Henderson Drainage Project. In the agreement, the district agrees to provide planning, engineering and design for drainage improvements at Henderson. The city agrees to reimburse the district for 50% of engineering costs and to construct, own, operate and maintain drainage improvements. The engineering cost estimate is \$16,400.00. No changes to the agreement are recommended.

Regier made the motion (Motion #36) that the chairman be authorized to execute the interlocal agreement between the district and City of Henderson for the Henderson Drainage Project. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Oswald, Regier,
Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Moore, Schulz, Siebert

HENDERSON DRAINAGE PROJECT AERIAL PHOTOGRAPHY

Staff recommends that aerial photography be used to provide a topographic map of the Henderson Drainage Project area. The total area to be mapped is four square miles in and around Henderson. Proposals were received from Western Air Maps (\$10,160) and Horizons, Inc. (\$25,420.80). Staff recommends that Western Air Maps be hired to provide aerial photography for mapping.

Regier made the motion (Motion #37) that Western Air Maps, Inc. be hired to provide aerial photography and digital terrain modeling for topographic mapping of the Henderson Drainage Project for a fee not to exceed \$10,160.00. Seconded by Jacobsen. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Houdersheldt, Schulz, Siebert

WEST FORK DAM

Proposals have been received for aerial photography services on the West Fork Dam site. The area to be mapped includes approximately 8 square miles. This mapping will be the basis for future detailed planning. Proposals were received from Horizons, Inc. (\$73,680) and Western Air Maps, Inc. (\$30,315).

After some discussion the committee decided not to proceed with aerial photography at this time. The committee requested that additional public meetings be held this winter for both the West Fork and Indian Creek projects. The Committee recommends that work currently underway to collect stream flow and water quality data be continued at both sites.

FINANCIAL STATEMENT

Moore made the motion (Motion #38) to approve the financial statement and budget report as of July 31, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Houdersheldt, Schulz, Siebert

Meeting adjourned at 10:30 p.m.

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
SEPTEMBER 17, 1996

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Wayne Hansen at 8:09 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman	Yvonne Austin, Vice Chairman
James Jackson, Secretary	Raymond Burke, Director
Douglas Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Roger Houdersheldt, Director
Larry Moore, Director	Kenneth Regier, Director
Teegerstrom, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Prudence Sadler, Staff	Rod DeBuhr, Staff
Ken Feather, Staff	Gary Eberle, Bradshaw
Wm. Gilliam, York NRCS	Richard Jiskra, NNRC
Rebecca Oltmans, York News-Times	Meshelle Boruch, Village of Shelby
Aileen Diersen, Village of Shelby	Kimberly K. Hofer, Village of Shelby

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each of the members as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published September 5, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ROLL CALL

Twelve directors were present during quorum call.

REQUESTS FOR EXCUSED ABSENCE

Ehlers made the motion (Motion #1) to excuse the absence of Steve Buller and Louis Oswald from the September 17, 1996 board of directors meeting. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Buller, Jacobsen, Oswald, Schulz, Siebert

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the revised agenda for the September 17, 1996 board of directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

APPROVAL OF MINUTES OF THE AUGUST 15, 1996 BUDGET HEARING

Volkmer made the motion (Motion #3) to approve the minutes of the August 15, 1996 Budget Hearing as distributed. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None
EXCUSED: Buller, Oswald
ABSENT: Jacobsen, Schulz, Siebert

APPROVAL OF MINUTES OF THE AUGUST 15, 1996 BOARD OF DIRECTORS MEETING

Ehlers made the motion (Motion #4) to approve the minutes of the August 15, 1996 board of directors meeting as distributed. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen
NAY: None
EXCUSED: Buller, Oswald
ABSENT: Jacobsen, Schulz, Siebert

FY97 BUDGET - TAX LEVY

Moore made the motion (Motion #5) to adopt the following resolution:

Resolution 97-1

WHEREAS the FY97 Budget for the Upper Big Blue NRD, as adopted by this board of directors on August 15, 1996, has a property tax requirement of \$936,926.78;

WHEREAS the final total valuation of the NRD is \$3,528,552,961;

WHEREAS the County Clerk's preliminary levy of \$0.02064 will only generate \$918,510.87;

THEREFORE BE IT RESOLVED by this board of directors on September 17, 1996, to set the FY 97 tax levy at \$0.02638 for the Upper Big Blue Natural Resources District.

Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Hansen
NAY: None
PASS: Volkmer
EXCUSED: Buller, Oswald
ABSENT: Jacobsen, Schulz, Siebert

PROJECTS COMMITTEE MEETING REPORT

Houdersheldt gave a report on the Projects Committee meeting held September 9, 1996 and reviewed the committee report as distributed.

NSWCP FUND APPLICATIONS

Houdersheldt made the motion (Motion #6) that 17 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: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen
NAY: None
EXCUSED: Buller, Oswald
ABSENT: Jacobsen, Schulz, Siebert

NSWCP FUND PAYMENTS

Houdersheldt made the motion (Motion #7) that payment of NSWCP land treatment funds be made in the amount of \$6,845.09 for 4 applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen
NAY: None

EXCUSED: Buller, Oswald
ABSENT: Jacobsen, Schulz, Siebert

NRD LAND TREATMENT APPLICATIONS

Houdersheldt made the motion (Motion #8) that 6 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: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

NRD LAND TREATMENT PAYMENTS

Houdersheldt made the motion (Motion #9) that payment of NRD land treatment funds be made in the amount of \$4,728.18 for 7 applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

SEWARD FLOOD HAZARD MITIGATION PROJECT PROGRESS PAYMENT

Claim number 6 has been filed by the City of Seward for reimbursement of negotiator fees on the Seward Flood Hazard Mitigation Project. The total amount of this claim is \$4,517.04. The FEMA share is \$3,387.78. The NRD and City's shares are both \$564.63.

Houdersheldt made the motion (Motion #10) that payment of \$564.63 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$3,387.78 for the FEMA share of claim number 6 of the Seward Flood Hazard Mitigation Project, and that the FEMA share be paid to the City when it is received by the district. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

PROJECT 15-10-2W - TODD DAM

Previous foundation drilling at Project 15-10-2W has indicated a deep sand and gravel layer beneath the proposed lake. If seepage loss from the lake is high, recreation benefits will be reduced.

Staff has recommended additional drilling and testing to determine the expected seepage loss. The additional drilling and testing will be done on a time and materials basis. Drilling will cost \$6.50 per foot, sampling will cost \$2.50 per foot, hydraulic conductivity tests are \$200 each and mobilization is \$150. Bitner estimates that two test holes with depths of between 50 and 60 feet, and two hydraulic conductivity tests will be needed. Based on his estimate the additional cost would be approximately \$1,500.

Houdersheldt made the motion (Motion #11) that the district's agreement with Geotechnical Services, Inc. be amended to include additional drilling and testing at Project 15-10-2W, on a time and materials basis, to determine seepage loss potential. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

WEST FORK AND INDIAN CREEK DAMS

The district is proposing to hold meetings to get public input on the Indian Creek and West Fork Dams. Staff recommends that aerial photography be conducted this fall so that detailed mapping can be started following these public meetings.

A proposal to provide the aerial photography has been received from Western Air Maps, Inc. The cost of photography will be \$995.00 for Indian Creek and \$1,700.00 for the West Fork Dam.

Houdersheldt made the motion (Motion #12) that Western Air Maps, Inc. be hired to perform aerial photography at the West Fork and Indian Creek Dam sites for a fee of \$2,695.00. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

PROJECT 23-13-2E - ULYSSES DAM

This project would consist of an earth filled dam and public access area for recreation. The watershed has an area of 2,523 acres and the lake would have an area of 22 acres at normal pool. Conservation storage volume is 140 acre feet. Construction cost for the dam is estimated to be \$100,000.00.

Staff recommends that this project be activated for planning and that detailed mapping be performed using aerial photography.

Houdersheldt made the motion (Motion #13) that Project 23-13-2E, Ulysses Dam, be activated for planning. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

A proposal was received from Western Air Maps, Inc. to perform aerial photography and detailed mapping for a fee of \$4,695.00. Staff recommends that Western Air Maps, Inc. be hired to perform the mapping.

Houdersheldt made the motion (Motion #14) that Western Air Maps, Inc. be hired to perform aerial photography and detailed mapping for Project 23-13-3E for a fee of \$4,695.00. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

WATER COMMITTEE REPORT

Teegerstrom gave a report on the Water Committee Meeting held September 10, 1996 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE PROJECT

PAYMENT TO UNL WATER SCIENCES LABORATORY

Teegerstrom made the motion (Motion #15) to pay the University of Nebraska Water Sciences Laboratory \$4,590.25 for analysis of 35 pesticide and 35 nitrate samples collected in May, June and July. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None
EXCUSED: Buller, Oswald
ABSENT: Jacobsen, Schulz, Siebert

GROUND WATER MANAGEMENT AREA #1

LATE WELL PERMIT

Rod reported that a well was drilled by Grosch Irrigation for Beryl R. Bauer in the SE ¼ of Section 17, Township 14 North, Range 2 East, Butler County. Due to confusion between the landowner and driller no one applied for a permit. Mr. Bauer has paid the \$250.00 application fee. No other regulations were violated by the construction of this well.

Teegerstrom made the motion (Motion #16) to approve late permit UBB-1-2105 for Beryl R. Bauer of Route 3, Seward for a well drilled in the SE ¼ of Section 18, Township 14 North, Range 2 East, Butler County. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

GROUND WATER MANAGEMENT AREA #1

AUTOMATIC RECORDER WELL OPERATIONS AGREEMENT

The district shares the cost of operating 4 automatic recorder wells with the U.S. Geological Survey. These wells are located near Aurora, Burress, Rising City and Seward. These wells continuously record the ground water level. The total cost for operation in federal fiscal year 1997 will be \$2,270.00, up slightly from \$2,124.00 in the previous year. The district's share is \$1,135.00 which is 50 percent.

Teegerstrom made the motion (Motion #17) to approve the agreement with the U.S. Geological Survey for the operation of the Aurora, Burress, Rising City and Seward recorder wells for the period October 1, 1996 through September 30, 1997. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM - FINAL PAYMENTS

Teegerstrom made the motion (Motion #18) to approve the final payment of 6 well abandonment applications for a total cost of \$1,473.56. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held September 10, 1996 and reviewed the committee report as distributed.

COPIER PURCHASE

The current copier was purchased in July 1989 and needs to be replaced. Quotes for a new copier were obtained from 3 suppliers.

COPIER QUOTES

SUPPLIER	BRAND	MODEL	LIST PRICE	GSA PRICE	TRADE-IN	PURCHASE PRICE
Eakes Office Equip., Grand Island	Sharp	SD-2060	30,845	17,918	1,000	16,918
Modern Methods, Hastings	Canon	NP-6050	30,000	15,500	1,250	14,250
Solutions by Lincoln Office Equip, Lincoln	Minolta	EP-6000	23,835	15,238	1,059	14,179

Staff recommended the purchase of the Minolta EP-6000 CS/PRO copier from Solutions by Lincoln Office Equipment for \$14,179.00, with trade-in of the Sharp 9750 copier.

Austin made the motion (Motion #19) to authorize the purchase of a Minolta EP 6000 CS/PRO copier from Solutions by Lincoln Office Equipment of Lincoln, Nebraska for \$14,179.00, plus tax and trade-in of the Sharp 9750 office copier. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

ATTORNEY FEES

The district received a bill from the attorney for \$62.50 for preparing the Auditor's Opinion.

Austin made the motion (Motion #20) to approve payment of \$62.50 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through August 20, 1996. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

FORMAL HEARING FOR KUHNS VS. SPRINGER

A formal hearing before the board of directors has been requested by Mr. Eldon Kuhns. Chairman Hansen has scheduled the hearing at 8:00 p.m., Thursday, October 10, 1996 in the NRD board room, 105 Lincoln Avenue, York, Nebraska.

Hearing Examiner

The District's rules require the board to appoint a hearing examiner for any formal hearing. The rules state that "the examiner may be a board member, a member of the district staff or any other person deemed to be knowledgeable in the procedures set out in the rules and subject matter being considered at the hearing." The rules also state that "examiners have no power to take any action involving a final determination to the

proceedings."

Austin made the motion (Motion #21) to appoint Jay Bitner as the Hearing Examiner for the formal hearing for Kuhns vs. Springer. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Volkmer, Hansen

NAY: None

PASS: Teegerstrom

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

Special Board Meeting

Chairman Hansen has scheduled a special board meeting to be held at 8:00 p.m., Thursday, October 10, 1996 in the district board room. The special board meeting is being scheduled to allow the board to decide the case of Kuhns vs. Springer on the night of the hearing, if they so choose.

EDUCATION AND PARKS COMMITTEE REPORT

Volkmer gave a report on the Education and Parks Committee meeting held September 12, 1996 and reviewed the committee report as distributed.

SHELBY CITY PARK IMPROVEMENT PROJECT

Volkmer made the motion (Motion #22) that the Upper Big Blue NRD fund park improvements for the City of Shelby in the amount of 25% of the local share not to exceed \$2,500.00 for playground equipment and additional tree plantings in the city park. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

CURRENT UPPER BIG BLUE NRD PARK POLICY

The current NRD Park Policy reads 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.

Volkmer made the motion (Motion #23) to change the policy to read "NRD cost-share: The District will fund up to 25 percent of *the local share*, 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." Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

COOPERATIVE AGREEMENT WITH U.S. FISH & WILDLIFE SERVICE

Volkmer made the motion (Motion #24) that the chairman of the board sign the Cooperative Agreement between the Upper Big Blue NRD and the U.S. Fish & Wildlife Service for the period September 17, 1996 to September 30, 1997. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Moore, Regier, Teegerstrom, Hansen

NAY: None

PASS: Volkmer

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

FINANCIAL STATEMENT

Volkmer made the motion (Motion #25) to approve the financial statement and budget report as of August 31, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

Meeting adjourned at 9:36 p.m.

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
OCTOBER 17, 1996

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
Ray Burke, Director	Ed Ediger, Director
Bob Ehlers, Director	Roger Houdersheldt, Director
Larry Moore, Director	Buzz Oswald, Director
Roland Schulz, Director	Roger Siebert, Director
Vance Teegerstrom, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Prudence Sadler, Staff	Jay Bitner, Staff
Ken Feather, Staff	Rod DeBuhr, Staff
Ray Naber, Seward Co. Commissioner	Donna Rhoades, York News-Times

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each of the members as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published October 4, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ROLL CALL

Thirteen directors were present during quorum call. Moore arrived later in the meeting.

REQUESTS FOR EXCUSED ABSENCE

Houdersheldt made the motion (Motion #1) to excuse the absence of Doug Dickinson from the October 17, 1996 board of directors meeting. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Dickinson, Jacobsen, Moore, Regier

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the revised agenda for the October 17, 1996 board of directors meeting as presented. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

APPROVAL OF MINUTES OF THE SEPTEMBER 17, 1996 TAX LEVY HEARING

Oswald made the motion (Motion #3) to approve the minutes of the September 17, 1996 tax levy hearing as presented. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier
EXCUSED: Dickinson

APPROVAL OF MINUTES OF THE SEPTEMBER 17, 1996 BOARD MEETING

Houdersheldt made the motion (Motion #4) to approve the minutes of the September 17, 1996 board of directors meeting as presented. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

PROJECTS COMMITTEE MEETING REPORT

Burke gave a report on the Projects Committee meeting held October 7, 1996 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Burke made the motion (Motion #5) that fourteen 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, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Burke made the motion (Motion #6) that payment of NSWCP Land Treatment funds be made in the amount of \$2,018.26 for one application reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Burke made the motion (Motion #7) that four new applications for NRD 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, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Burke made the motion (Motion #8) that payment of NRD Land Treatment funds be made in the amount of \$1,483.14 for two applications reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

PROJECT 15-10-02W - (TODD DAM)

Drilling and testing for the dam at Project 15-10-02W have been completed in accordance with our contract with Geotechnical Services, Inc.. Staff recommends that payment for drilling and testing be made to Geotechnical Services, Inc. in the amount of \$5,519.95.

Burke made the motion (Motion #9) that Geotechnical Services, Inc. be paid \$5,519.95 for drilling and testing services for the dam at Project 15-10-2W. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

WATER COMMITTEE REPORT

Siebert gave a report on the Water Committee Meeting held October 8, 1996 and reviewed the committee report as distributed.

YORK GROUND WATER RECHARGE DEMONSTRATION PROJECT

NRCS QUARTERLY PAYMENT FOR RECHARGE 319 TECHNICAL ASSISTANCE

Siebert made the motion (Motion #10) to pay the Natural Resources Conservation Service \$5,833.25 for technical assistance provided for the Recharge Lake Watershed 319 Project for the quarter which ended September 30, 1996. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

PAYMENT TO UNL WATER SCIENCES LABORATORY

Siebert made the motion (Motion #11) to pay the University of Nebraska - Lincoln Water Sciences Laboratory \$2,323.40 for eighteen pesticide and sixteen nitrate analysis completed on August 1996 water samples. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

PASS: Moore

ABSENT: Jacobsen, Regier

EXCUSED: Dickinson

POST-PROJECT INVENTORY - EXTENSION AGREEMENT

The post-project inventory is the final phase of the Recharge Lake 319 Project. The inventory will show what changes have occurred in pesticide use as a result of the project and other factors. The inventory will be conducted by Gary Zoubek of the Cooperative Extension Office, York County. He also did the pre-project inventory. The inventory will cost \$6,000.

Siebert made the motion (Motion #12) to enter into an agreement with the University of Nebraska to conduct a post-project inventory of the pesticide use and producer attitudes in the Recharge Lake Watershed. Seconded by Burke. Question called. motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Regier

EXCUSED: Dickinson

GWMA #1 (GROUND WATER SUPPLY)

RECORDER WELL OPERATION AND MAINTENANCE PAYMENT

Siebert made the motion (Motion #13) to pay USGS \$1,062.00, which is the District's share of cost of operation and maintenance for the Aurora, Burress, Rising City and Seward automated recorder wells. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Regier

EXCUSED: Dickinson

GWMA #2 (GROUND WATER QUALITY)

AQWACAP FINAL PAYMENTS

Siebert made the motion (Motion #14) to make final payment for two completed well abandonments for a total cost-share amount of \$800.00. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Regier

EXCUSED: Dickinson

GWMA #2 (GROUND WATER QUALITY)

MANAGEMENT AREA MONITORING STUDY - USGS CONTRACT

Siebert made the motion (Motion #15) to approve the FY97 contract with USGS for the Ground Water Quality Management Area Monitoring Study in the amount of \$52,000. The cost to be divided 50 percent USGS and 50 percent NRD. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Regier

EXCUSED: Dickinson

GWMA #2 (GROUND WATER QUALITY)

USGS QUARTERLY PAYMENT

Siebert made the motion (Motion #16) to pay USGS \$10,625.00 for work completed on the Ground Water Quality Management Area Monitoring Study during the quarter ending September 30, 1996. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Regier

EXCUSED: Dickinson

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held October 8, 1996 and reviewed the committee report as distributed.

THIRD QUARTER DIRECTORS' PER DIEM AND EXPENSES

Austin made the motion (Motion #17) to approve payment of third quarter directors' per diem of \$7,300.00 and expenses of \$2,245.78. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Regier

EXCUSED: Dickinson

PORTABLE DISPLAY EQUIPMENT

The Public Information Department needs a second portable display to help meet the demand for NRD information. The existing display is a Nimlok brand, purchased seven or eight years ago, used as a traveling display for area banks and home shows. When the portable display is not being used at other locations, it is located in the NRD office entry. The second display will allow wider exposure for the district. A professional looking display is important for the public image of the District. The new display has been budgeted for in the FY97 budget.

Two quotes were received:
Exhibit Solutions, Omaha NE.
Nimlok Easy 3 portable display \$2,360.75

Midland Display Products, Shawnee, KS
Featherlite Express \$2,566.90

Austin made the motion (Motion # 18) to approve the purchase of a Nimlok Easy 3 portable display from Exhibit Solutions of Omaha, Nebraska for \$2,360.75. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen
NAY: None
EXCUSED: Dickinson
ABSENT: Jacobsen, Regier

FY 97 TREE PROGRAM

Ehlers made the motion (Motion #19) that the following costs be adopted for the FY 97 tree program: trees 46 cents each , plus tax; planting 29 cents each. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen
NAY: None
EXCUSED: Dickinson
ABSENT: Jacobsen, Regier

FINANCIAL STATEMENT

Volkmer made the motion (Motion #20) to approve the financial statement and budget report as of September 30, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen
NAY: None
EXCUSED: Dickinson
ABSENT: Jacobsen, Regier

Meeting adjourned at 8:45 p.m.

James K. Jackson, Secretary
:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
NOVEMBER 21, 1996

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	Luke Jacobsen, Director
Larry Moore, Director	Louis Oswald, Director
Kenneth Regier, Director	Roland Schulz, Director
Roger Siebert, Director	Vance Teegerstrom, Director
Merlin Volkmer, Director	John Turnbull, General Manager
Nancy Schneider, Staff	Rod DeBuhr, Staff
Prudence Sadler, Staff	Ken Feather, Staff
Jay Bitner, Staff	Wm. Gilliam, York NRCS
Cindy Klein, York NRCS	Nancy Chitwood, Aurora NRCS
John B. Keller, Harvard	Richard Jiskra, NNRC

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each of the members as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published November 7, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ROLL CALL

Sixteen directors were present during quorum call. Siebert arrived later in the meeting.

ADOPTION OF AGENDA

Ehlers made the motion (Motion #1) to adopt the revised agenda for the November 21, 1996 board of directors meeting as presented. Seconded by Burke. Question called. Motion carried.

AYE:	Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Hansen
NAY:	None
ABSENT:	Siebert

APPROVAL OF MINUTES OF THE OCTOBER 10, 1996 SPECIAL BOARD MEETING

Dickinson made the motion (Motion #2) to approve the minutes of the October 10, 1996 special board of directors meeting as distributed. Seconded by Jacobsen. Question called. Motion carried.

AYE:	Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Hansen
NAY:	None
ABSENT:	Siebert

APPROVAL OF MINUTES OF THE OCTOBER 17, 1996 BOARD MEETING

Burke made the motion (Motion #3) to approve the minutes of the October 17, 1996 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, Schulz, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Siebert

NARD REPORT

Dickinson gave a report on the NARD board meeting held November 19, 1996 in Nebraska City. One item of particular note that beginning December 5 the IRS will be conducting an audit of the NARD books.

NNRC REPORT

Richard Jiskra addressed the board regarding the LB 1085 studies. He asked the board for their thoughts regarding the NRD revenue base, number of directors on each board, boundary changes and consolidation of districts.

NRCS REPORT

Bill Gilliam presented a written report of field office activities to the board. He also introduced Nancy Chitwood, who was hired in August as the secretary at the Aurora Field Office.

KUHNS VS. SPRINGER ORDER

Ehlers made the motion (Motion #4) that the board of directors issue the attached order in the matter of Eldon E. Kuhns vs. Mark and Carole Springer, which dismisses the complaint of July 19, 1996. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Moore gave a report on the Budget, Planning & Legislative Committee meeting held November 12, 1996 and reviewed the committee report as distributed.

FY 96 AUDIT

Moore made the motion (Motion #5) that the board of directors accept the FY 96 Audit as presented by Steve Wiemer of Romans, Wiemer & Associates. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

NEBRASKA NATURAL RESOURCES COMMISSION STUDY OF NATURAL RESOURCES DISTRICTS

The NNRC is required by LB 1085 to conduct a study of natural resources districts and to make two reports. The first report is due September 1, 1997 and is to include the commission's analysis of the NRD's revenue base, number of directors on each board, boundary changes, and consolidation of districts. The second report, due September 1, 1998, is to include the commission's analysis of natural resources district cost effectiveness, program effectiveness, duplication of responsibilities and authorities, and other services or areas that could facilitate property tax relief.

The Budget Committee discussed the four items to be considered by the NNRC in their first report. Lists of the various NRDs valuations, budgets, tax levies, and number of directors on each NRD board were presented. The manager reviewed a 1991 report on the population census of the election subdistricts within the Upper Big Blue NRD and a 1987 report prepared by staff on changes in boundaries of election subdistricts.

Moore made the motion (Motion #6) that the board of directors recommend no changes be made in the Upper

Big Blue NRD makeup based on the following reasoning: the revenue base is adequate, the number of directors on the board offers the best representation, there is not a pressing need to change the NRD boundary, and consolidation is not desirable. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

NEBRASKA PUBLIC AGENCY INVESTMENT TRUST

Turnbull reported that he had been contacted by the Nebraska Public Agency Investment Trust (NPAIT). NPAIT also made a presentation to the NRD managers at a recent meeting. The Trust is a collective effort by participating Nebraska public bodies to jointly invest their short-term surplus funds through an investment program. The funds are available on demand. The monies are invested in U.S. Government and U.S. Agency securities and investments collateralized by those securities (Nebraska financial institution CD's). The interest rate changes daily, but is expected to range from between 5.4 % to 5.6 %. Currently the accounts are paying 5.592 %. Turnbull recommends that this district consider opening an account in the future with the NPAIT.

Lower Platte North NRD is currently the only NRD with deposits in the Trust. If others also deposit funds the NRDs can have a representative on the NPAIT Board of Directors. Turnbull reported that the managers committee is forwarding a recommendation to the NARD board that the NARD sponsor the Trust on behalf of the NRDs. If the NARD decides to participate, they would be the representative for the districts and annually receive one-tenth of a percent of the NRDs funds on deposit.

Moore made the motion (Motion #7) to encourage the NARD to sponsor the Nebraska Public Agency Investment Trust. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held November 12, 1996 and reviewed the committee report as distributed.

COPIER PURCHASE

The new Minolta copier has been installed and is operational. The district has been invoiced for \$14,887.95 as agreed upon.

Austin made the motion (Motion #8) to approve payment of \$14,887.95 to Minolta Corporation, Atlanta, Georgia for the purchase of a Minolta EP 6000 CS/PRO from Solutions by Lincoln Office Equipment, Lincoln, Nebraska. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

PART-TIME TECHNICAL HELP FOR BUTLER COUNTY NRCS FIELD OFFICE

Brad Sonksen, District Conservationist for the Lower Platte North, supervises the Butler County Field Office, among others in that District. Brad has requested part-time technical assistance for the Upper Big Blue's portion of Butler County. He needs the help for design and layout of practices due to a high workload. His estimate is that 100 to 120 hours a year would be sufficient. The cost of that labor is approximately \$600 to \$800. If the board approves the assistance, we would be billed on hours actually spent in our district, through the Lower Platte North NRD. The technician would be the Lower Platte North's employee, just like the clerk now located in David City.

Turnbull recommended that the request be approved because of the likelihood of increased demand for NSWCP and NRD land treatment funds. The federal ACP program has been terminated. The district has paid for other part-time technical assistance in the Little Blue and Lower Big Blue NRDs. The FY 97 Budget, based on NRCS

estimates for technical assistance, includes \$71.05 for Adams County, \$697.57 for Clay County and \$809.75 for Saline County. Payments have been made for this assistance in the past. Some funds were provided for in the payroll budget to allow for limited part-time assistance in Butler County.

Austin made the motion (Motion #9) to approve reimbursement of payroll costs to the Lower Platte North NRD for part-time technical assistance at the Butler County NRCS field office for FY 97; such part-time costs to be for actual time spent working on conservation practices in the Upper Big Blue NRD. Seconded by Moore.

The board discussed whether or not the motion should state a maximum number of hours for technical assistance reimbursement.

Moore amended the motion to make the motion (Motion #10) to approve reimbursement of payroll costs to the Lower Platte North NRD for a maximum of 120 hours of part-time technical assistance at the Butler County NRCS field office for FY 97; such part-time costs will be for actual time spent working on conservation practices in the Upper Big Blue NRD. Seconded by Austin.

Volkmer further amended the motion to make the motion (Motion #11) for a maximum of 100 hours. Seconded by Ehlers. Question called on the amendment. Amendment failed.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Regier, Volkmer

NAY: Burke, Jacobsen, Moore, Oswald, Schulz, Siebert, Teegerstrom

PASS: Jackson, Hansen

Question called on the original amendment. Amendment carried.

AYE: Austin, Burke, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen

NAY: Buller, Dickinson, Ediger, Siebert, Volkmer

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

AYE: Austin, Burke, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen

NAY: Buller, Dickinson, Ediger, Ehlers, Siebert, Volkmer

OFFER TO PURCHASE EQUIPMENT

York Cold Storage has offered \$500.00 to purchase the PH meter, pump control panel, and float switches located at the east end of the Cold Storage buried pipeline. The district paid about \$4,800.00 for the equipment.

Austin made the motion (Motion #12) to reject the written offer of \$500.00 from York Cold Storage for the PH meter, pump control panel, and float switches located at the east end of the Cold Storage Pipeline. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Siebert, Volkmer, Hansen

NAY: Teegerstrom

PASS: Schulz

PROJECTS COMMITTEE MEETING REPORT

Oswald gave a report on the Projects Committee meeting held November 12, 1996 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Oswald made the motion (Motion #13) that seventeen new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Oswald made the motion (Motion #14) that payment of NSWCP land treatment funds be made in the amount of \$1,159.20 for one application reviewed by the committee. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Burke

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Oswald made the motion (Motion #15) that two new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Burke

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Oswald made the motion (Motion #16) that payment of NRD land treatment funds be made in the amount of \$349.60 for one application reviewed by the committee. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

LAND TREATMENT PROGRAM - JONES FARM, INC.

On October 17, 1996 the NRD approved Jones Farms, Inc. as eligible for NSWCP cost-share in the amount of \$1,451.60 on waterways in Butler County. On October 21, 1996 the NRD was notified that Jones Farms, Inc. had completed construction of the waterways in September 1996, prior to NRD review and approval of the application, and that construction was done without proper design and layout by the NRCS. On this basis, staff recommends that the NRD rescind its offer of cost-share with Jones Farms, Inc.

Oswald made the motion (Motion #17) that the Upper Big Blue NRD rescind its offer of NSWCP cost-share with Jones Farms, Inc. on their application dated October 3, 1996 in the amount of \$1,451.60 for waterways to be constructed on the SW¹/₄ SW ¹/₄ 33-13-2E in Butler County, since construction was performed prior to NRD review and approval of the application, construction was performed without proper design and layout by the NRCS and authorization to proceed with construction was not obtained from the NRD prior to beginning construction. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: Ehlers

SEWARD FLOOD HAZARD MITIGATION PROJECT

Claim number seven has been filed by the city of Seward on the Seward Flood Hazard Mitigation Project. The total amount of this claim is \$32,303.15. The FEMA share is \$24,227.36 and the NRD share is \$4,307.90; the city share is \$4,307.89. This claim includes \$8,220.65 for Kirkham and Michael negotiator services and \$24,082.50 for the purchase of one property.

Oswald made the motion (Motion #18) that payment of \$4,037.90 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$24,227.36 for the FEMA share of claim number seven of the Seward Flood Hazard Mitigation Project and that the FEMA share be paid to the city when it is received by the district. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

SEWARD REQUEST FOR ENGINEERING ASSISTANCE

City Administrator Dan Berlowitz and his planning staff attended the Projects Committee meeting to request engineering assistance on the planning and design of erosion control structures. The structures would be designed to control erosion due to runoff from agricultural land, existing residential and future residential developments near the city's North Park. The city understands the district's policy that Seward will be required to reimburse the district for half of the engineering costs.

Oswald made the motion (Motion #19) that the district offer to perform engineering and prepare designs of drainage channels and erosion control structures for the city of Seward in the vicinity of the city's North Park, and that an Interlocal Agreement between the city and the district, stating the scope, terms and costs of engineering, be forwarded to the city of Seward for their approval. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

PROJECT 15-10-2W - TODD DAM

The additional drilling and permeability testing for Project 15-10-2W have been completed. Bitner reviewed the results of the seepage analysis with the Projects Committee and recommended that the district proceed with plans to construct the project with a conservation pool elevation of 1585.5 and conservation pool volume of 118 acre feet. Seepage from the reservoir is not expected to exceed one quarter inch per day once initial saturation of the lake bottom has taken place. The reservoir is expected to support the recreation benefits previously estimated.

Oswald made the motion (Motion #20) that the district proceed with plans to construct Project 15-10-2W with conservation pool elevation 1585.5. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jacobsen, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Hansen

NAY: None

PASS: Jackson, Regier

ABSENT: Siebert

DAVID CITY NORTHWEST PROJECT

Geotechnical Services, Inc. has completed drilling and testing at dam site 12-15-2E, phase one of the David City Northwest project, in accordance with their proposal. Staff recommends that GSI be paid \$5,350.00 for the geotechnical services. The Lower Platte North NRD will reimburse the Upper Big Blue NRD for fifty percent of this fee in accordance with our previous Cooperative Agreement.

Oswald made the motion (Motion #21) that Geotechnical Services, Inc. be paid \$5,350.00 for drilling and testing services on dam site 12-15-2E, Phase 1 of the David City Northwest project. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

WATER COMMITTEE REPORT

Siebert gave a report on the Water Committee Meeting held November 13, 1996 and reviewed the committee report as distributed.

ENVIRONMENTAL QUALITY IMPROVEMENT PROGRAM (EQIP)

Bill Gilliam attended the Water Committee meeting and explained that the federal cost-share programs ACP and Great Plains no longer exist. All federal cost-share will be distributed via EQIP. EQIP funds are to be targeted to areas that are determined to have the highest conservation need. Projects throughout the state are competing

for available funds. The FY 96 projects have already been submitted. The NRCS and NRD were given only a few days to submit an application for FY 96. The application developed by the NRCS and NRD staff targets ground water quality in three townships where the aquifer is thinner than in other parts of the NRD. The final decisions for funding the FY 96 proposals have not been made.

For future grant proposals and administration of EQIP funds, a structure needs to be established. NRCS has provided an outline of possible committee structures for this to take place.

Siebert made the motion (Motion #22) to adopt the following EQIP committee structure and policy for program operations;

Environmental Quality Improvement Program

EQIP

Committee Make Up and Program Operation Policy for the Upper Big Blue NRD

(Advisory Committee)

This group will meet as needed to provide input on local conservation needs and to make recommendations to the Core Committee and NRD for EQIP funds.

Committee Membership

NRD 2 (1 director - 1 staff)
NRCS 1 (LDC)
FSA 9 (1 from each county, counties choice of committeeman or CED)
Extension 1 (Extension's choice)
Crop Consultant 1 (Independent Crop Consultants choice)

(Core Committee)

This committee will coordinate the program activities, review and prioritize the Advisory Committee recommendations, conduct the resource assessments for projects and work with the NRD projects committee to prepare annual grant proposals.

Committee Membership

NRD 1
NRCS 1
FSA 1

Program Operations

Priority Needs and Grant Application Process

The Advisory Committee will provide input to the Core Committee. The Core Committee will review and prioritize the recommendations and report to the NRD Projects Committee. The Core Committee will also draft grant proposals and present it to the NRD Projects Committee. The Projects Committee will review grant proposals and make recommendations to the Board. The Board will recommend grant proposals to the NRCS State Office.

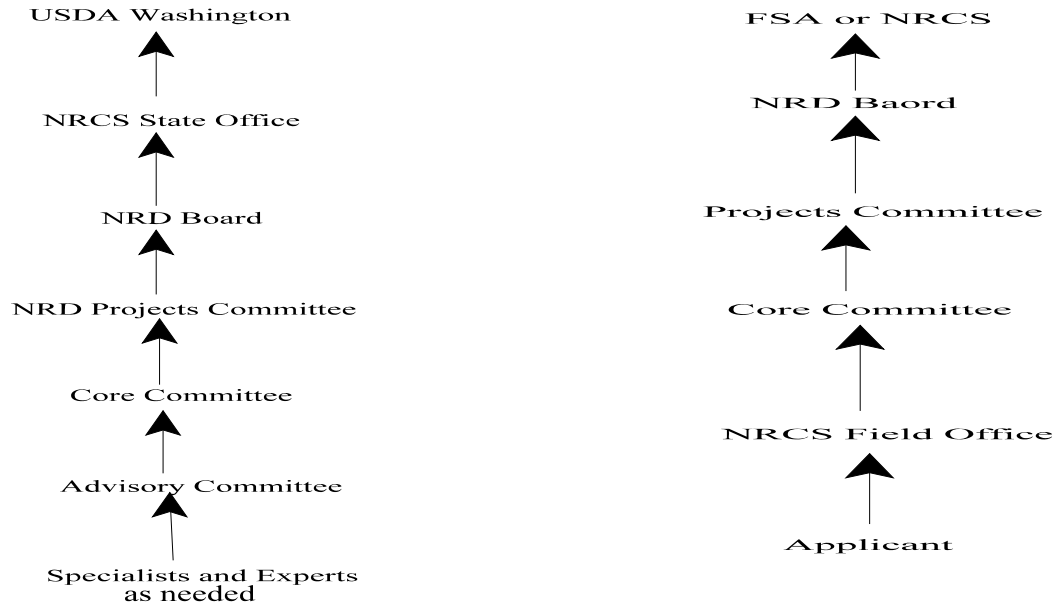
Project Implementation

Individual producer applications for funding will be prepared at the NRCS field office. The Core Committee will prioritize the applications. The NRD projects committee will review the application and recommend

acceptance or denial to the Board. The NRD Board will make final approval for payment. Payments will be made by NRCS or FSA county offices.

Flow Chart for Grant Application

Process Flow Chart for Project Implementation



Seconded by Jackson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Hansen

NAY: None

PASS: Houdersheldt, Volkmer

GWMA #2 (GROUND WATER QUALITY)

AQWACAP FINAL PAYMENTS

Siebert made the motion (Motion #23) to make final payment for three completed well abandonments for a total cost-share amount of \$448.93. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: Ediger

EDUCATION AND PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education and Parks Committee meeting held November 13, 1996 and reviewed the committee report as distributed.

NOVEMBER WILDLIFE PAYMENTS

Jacobsen made the motion (Motion #24) that the Upper Big Blue NRD make payments of \$4,509.00 to the cooperators of the Wildlife Habitat Improvement Program for the month of November. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Hansen

NAY: Dickinson, Ehlers
ABSENT: Siebert

PROJECT 15-10-2W (TODD DAM) SCHOOL LANDS AND FUNDS LEGAL SURVEY

The State Educational Lands and Funds require that the lands affected by permanent and temporary waters which are located in the East Half of the Southeast Quarter of Section 16, Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska will require a metes and bounds survey before easement negotiations can begin. This is a policy of the State Educational Lands and Funds.

Jacobsen made the motion (Motion #25) that the Upper Big Blue NRD hire Kirkham, Michael and Associates to do a legal survey on the lands owned by the State Educational Lands and Funds located in the East Half of the Southeast Quarter of Section 16, Township 10 North, Range 2 West of the 6th P.M., not to exceed \$2,000.00. Seconded by Burke.

Ehlers amended the motion to make the motion (Motion #26) that the Upper Big Blue NRD hire Kirkham, Michael and Associates to do a legal survey *as required by the State Educational Lands and Funds on the lands owned by them* located in the East Half of the Southeast Quarter of Section 16, Township 10 North, Range 2 West of the 6th P.M., not to exceed \$2,000.00. Seconded by Jacobsen. Question called on the amendment. Amendment carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Siebert

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

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

PROJECT 15-10-2W (TODD DAM) EASEMENTS

Jacobsen made them motion (Motion #27) that the Upper Big Blue NRD obtain the necessary easement on the lands located in the Southwest Quarter of the Northwest Quarter of Section 15 (Roxanne M. Todd & Dirk P. Todd owners) and the North Half of the Northeast Quarter of Section 21 (David & Judy Blum; Rupert D & Denise L. Blum; Rueben G. & Diane D. Blum owners) all in Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

PROJECT 15-10-2W (TODD DAM) AGREEMENTS

Jacobsen made the motion (Motion #28) that the Upper Big Blue NRD obtain the necessary agreements with the following utility and government agencies: York County Department of Roads; Kansas Nebraska Energy, Inc.; Aliant Communications; Nebraska Public Power District; and Cellular One. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

PROJECT 15-10-2W (TODD DAM) EASEMENTS

Jacobsen made the motion (Motion #29) that the Upper Big Blue NRD make offers on the following described lands: East Half of the Northwest Quarter of Section 15 (Harry N. and Donna M. Rathje) and the Southwest Quarter of Section 15 (Donald R. and Russell D. Smith and Wilma Hemphill) and the East Half of the Southeast

Quarter of Section 16 (State Educational Lands and Funds) all in Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska. Further, that the offers be the appraised value determined by Deets Real Estate & Appraisal Service of Geneva as of August 1, 1996. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

CORNERS FOR WILDLIFE

The Education and Parks Committee discussed the Corners for Wildlife Program. It was the consensus of the committee to set the annual payment at \$75.00 per acre. A minimum of four to five pivot corners will be contracted this year. The size of the plot will determine the number of contracts accepted. One change from the 1996 sign up is that the landowner will assume 25% of the material and planting costs.

FINANCIAL STATEMENT

Houdersheldt made the motion (Motion #30) to approve the financial statement and budget report as of October 31, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

Meeting adjourned at 4:10 p.m.

James K. Jackson, Secretary
:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
DECEMBER 19, 1996

CALL TO ORDER

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

PRESENT

Yvonne Austin, Vice Chairman
Steve Buller, Treasurer
Ed Ediger, Director
Roger Houdersheldt, Director
Larry Moore, Director
Kenneth Regier, Director
Roger Siebert, Director
Merlin Volkmer, Director
Nancy Schneider, Staff
Rodney DeBuhr, Staff
Jay Bitner, Staff
Gary Zoubek, York Co. Extension
Tim Yost, Harvard
Rebecca Oltmans, York News-Times

Jim Jackson, Secretary
Doug Dickinson, Director
Bob Ehlers, Director
Luke Jacobsen, Director
Louis Oswald, Director
Roland Schulz, Director
Vance Teegerstrom, Director
John Turnbull, Manager
Troy Thompson, Staff
Prudence Sadler, Staff
Ken Feather, Staff
Keith Keller, Harvard
Curt Friesen, Henderson

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each of the members as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published December 9, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ROLL CALL

Fourteen directors were present during quorum call. Dickinson arrived later in the meeting.

EXCUSED ABSENCE

Ehlers made the motion (Motion #1) to excuse the absence of Ray Burke and Wayne Hansen from the December 19, 1996 board of directors meeting. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Burke, Dickinson, Hansen

ADOPTION OF AGENDA

Moore made the motion (Motion #2) to adopt the agenda for the December 19, 1996 board of directors meeting as presented. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

PASS: Dickinson

EXCUSED: Burke, Hansen

APPROVAL OF MINUTES OF THE NOVEMBER 21, 1996 BOARD MEETING

Moore made the motion (Motion #3) to approve the minutes of the November 21, 1996 board of directors meeting as distributed. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held December 12, 1996 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND - NEW APPLICATIONS

Regier made the motion (Motion #4) that eight new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer.

Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

LAND TREATMENT PROGRAM - NSWCP FUND - PAYMENTS

Regier made the motion (Motion #5) that payment of NSWCP land treatment funds be made in the amount of \$15,334.76 for six applications reviewed by the committee. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

LAND TREATMENT PROGRAM - NRD 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 Volkmer.

Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

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 \$220.80 for one application reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

SEWARD FLOOD HAZARD MITIGATION PROJECT

Claim number eight has been filed by the City of Seward on the Seward Flood Hazard Mitigation Project. The total amount of this claim is \$338,493.44. The FEMA share is \$253,870.08; \$42,311.68 is the NRD share and \$42,311.68 is the city's share. Regier made the motion (Motion #8) that payment of \$42,311.68 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$253,870.08 for the FEMA share of Claim No. 8 of the Seward Flood Hazard Mitigation Project and that the FEMA share be paid to the city when it is received by the district. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

SEWARD EROSION CONTROL PLANNING

The City of Seward has requested that the Upper Big Blue NRD provide technical assistance for planning, design and construction inspection of erosion control works along the north edge of Seward. In November the board authorized the staff to provide these services, and to draft an interlocal agreement.

Regier made the motion (Motion #9) that the Vice Chairman be authorized to execute the Interlocal Agreement between the District and the City of Seward for the planning, design and construction inspection of erosion control works at Seward. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

PROJECT 15-10-2W - TODD DAM

Additional drilling and testing to determine seepage rates for the darn at Project 15-10-02W has been completed in accordance with the districts contract with Geotechnical Services Inc. Staff recommends that payment for the additional drilling and testing be made to Geotechnical Services Inc. in the amount of \$1,324.25. Regier made the motion (Motion # 10) that Geotechnical Services Inc. be paid \$1,324.25 for drilling and testing services to determine the reservoir seepage rate at Project 15-10-02W. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

AERIAL PHOTOGRAPHY

Aerial photography has been flown and proof photos furnished for the Henderson, Ulysses, Indian Creek and West Fork Projects. Western Air Maps, Inc. has invoiced the district in the amount of \$5,100.00 as partial payment for the mapping services. Regier made the motion (Motion #11) that Western Air Maps, Inc. be paid \$5,100.00 for aerial photography and mapping services completed through November 30, 1996 on the Henderson, Ulysses, Indian Creek and West Fork Projects. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

WEST FORK PROJECT

Staff has requested bids from contractors to install the gaging station on the West Fork Project. Bids were received from Huebert Land Leveling in the amount of \$5,040.00, and from Van Kirk Brothers Contracting in the amount of \$9,030.00. Staff recommends hiring Huebert Land Leveling to install the gaging station.

Regier made the motion (Motion #12) that Huebert Land Leveling be hired to install the gaging station at the West Fork Project in accordance with their bid of \$5,040.00. Seconded by Ediger.

Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

EXECUTIVE COMMITTEE REPORT

Jackson gave a report on the Executive Committee meeting held December 12, 1996 and reviewed the committee report as distributed.

ATTORNEY FEES

The attorney's fees for the month are \$590.70 for the Kuhns vs. Springer case and preparation of the order. Jackson made the motion (Motion #13) to approve payment of \$590.70 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through November 21, 1996. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

NARD VOTING DELEGATES

Jackson made the motion (Motion #14) to appoint Doug Dickinson as the NARD voting delegate and Bob Ehlers as the alternate for the January 1997 NARD conference. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

WASHINGTON, D.C. TRIP

The Executive Committee approved out-of-state travel for two directors and one staff member, April 12 - 17, 1997 for the purpose of attending the annual NARD Washington D.C. trip. Yvonne Austin and John Turnbull will attend the NARD Washington, D.C. trip in April 1997.

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held December 13, 1996 and reviewed the committee report as distributed.

YORK GROUND WATER RECHARGE DEMONSTRATION PROJECT

UNL WATER CENTER - LAKE SEDIMENT STUDY AGREEMENT

Ciba Geigy approved funding for the Recharge Lake Sediment Atrazine Study. The UNL Water Center has prepared the agreement between the District and the Water Center. The total study cost is \$117,250.00 to be divided as follows: \$57,500 payable to the Water Center in May of 1997 and \$58,750 in May 1998. Volkmer made the motion (Motion # 15) to approve the agreement with the University of Nebraska for continuation of the Recharge Lake Sediment Atrazine Study. Seconded by Dickinson. Question

called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

DISSOLUTION OF GROUND WATER CONSERVATION DISTRICTS

Staff reported that Mark Nannen, Blue River Association Manager, has notified them that the Groundwater Conservation District's will close the end of March. He will prepare a list of equipment that the Association has for sale along with estimated values. The law requires the districts to sell their surplus equipment at fair market value.

GWMA #2 (GROUND WATER QUALITY) AQWACAP FINAL PAYMENT

Volkmer made the motion (Motion # 16) to make final payment for eighteen completed well abandonments for a total cost-share amount of \$4,633.67. Seconded by Jacobsen. Question called. Motion carried.

AYE: Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Teegerstrom., Volkmer, Austin

NAY: None

ABSTAIN: Moore

PASS: Buller

EXCUSED:Burke, Hansen

WELL DECOMMISSIONING DEMONSTRATION PAYMENT

Two demonstrations of well decommissioning were co-sponsored by the NRD and the Work One Taskforce of Seward County. Volkz Corporation did the actual decommissioning. The total cost was \$912.65. This is 100% reimbursable through the SPA 319 grant. Volkmer made the motion (Motion # 17) to pay Volkz Corporation \$912.65 for two well abandonment demonstrations. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

T-L IRRIGATION COMPANY FERTILIZER APPLICATION VARIANCE

T-L Irrigation Company of Hastings has requested that the fertilizer which they manufacture be exempt from the Ground Water Management Area rules which require the user to wait until March 1 to apply liquid or dry nitrogen fertilizer. This fertilizer is made to dispose of acids used in cleaning steel prior to galvanizing. Ken Frank, Director of the University of Nebraska Soil and Plant Analytical Laboratory has determined that this fertilizer is less than 5 ppm N03-N and reacts similarly to Anhydrous. Volkmer made the motion (Motion # 18) to approve the variance for T-L Irrigation Company's fertilizer (T-L,19N) Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

PASS: Schulz

EXCUSED:Burke, Hansen

EDUCATION AND PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education and Parks Committee meeting held December 13, 1996 and reviewed the committee report as distributed.

GOODYEAR/NACD 1996 CONSERVATION DISTRICT APPLICATION

Every year the NACD holds a contest to recognize the leading conservation district from each state. It has been many years since the Upper Big Blue NRD entered the contest for CONSERVATION DISTRICT OF THE YEAR AWARD.

Jacobsen made the motion (Motion # 19) to submit an entry to the Goodyear/NACD Conservation District of the Year award program. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

FINANCIAL STATEMENT

Moore made the motion (Motion #20) to approve the financial statement and budget report as of November 30, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

Meeting adjourned at 2:44 p.m.

Jim K. Jackson, Secretary

:nds,

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 19, 1996

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

W a y n e H a n s e n , C h a i r m a n

Yvonne Austin, Vice Chairman

J i m J a c k s o n , S e c r e t a r y

Steve Buller, Treasurer

B r u c e A n d e r s o n , D i r e c t o r

Ray Burke, Director

D o u g D i c k i n s o n , D i r e c t o r

Ed Ediger, Director

B o b E h l e r s , D i r e c t o r

Roger Houdersheldt, Director

L a r r y M o o r e , D i r e c t o r

Louis Oswald, Director

K e n n e t h R e g i e r , D i r e c t o r

Roland Schulz, Director

R o g e r S i e b e r t , D i r e c t o r

Merlin Volkmer, Director

J o h n T u r n b u l l , M a n a g e r

Nancy Schneider, Staff

J a y B i t n e r , S t a f f

Prudence Sadler, Staff

R o d n e y D e B u h r , S t a f f

K e n n e t h F e a t h e r , S t a f f

S t e v e M o r a n , R W B J V , G r a n d I s l a n d
Wm. Gilliam, NRCS, York

ROLL CALL

Thirteen directors were present during quorum call. Austin, Schulz and Siebert 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 January 4, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

Due to a winter storm on Thursday, January 18, 1996 the board of directors meeting was postponed until the following day. Notice of the postponement was printed in the York News-Times and broadcast on KAWL Radio on Thursday, January 18, 1996.

REQUEST FOR EXCUSED ABSENCE

Burke made the motion (Motion #1) to excuse Luke Jacobsen's absence from the January 19, 1996 board of directors meeting. Seconded by Regier. Question called. Motion carried.

AYE:

Anderson, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Volkmer,
Hansen

NAY:

None

PASS:

Siebert

ABSENT: Austin, Jacobsen, Schulz

ADOPTION OF AGENDA

Ehlers made the motion (Motion #2) to approved the revised agenda for the board of directors meeting as circulated. Seconded by Dickinson. Question called. Motion carried.

AYE:

Anderson, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier,
Siebert, Volkmer, Hansen

NAY:

None

ABSENT: Austin, Schulz

E X C U S E D :
Jacobsen

APPROVAL OF MINUTES OF THE DECEMBER 21, 1995 BOARD MEETING

Volkmer made the motion (Motion #3) to approve the minutes of the December 21, 1995 board of directors meeting as distributed. Seconded by Regier. Question called. Motion carried.

AYE:

Anderson, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Moore, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

None

ABSENT: Austin

E X C U S E D :

Jacobsen

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORTS

Moore gave a report on the Budget, Planning and Legislative Committee Meetings held January 5 and 11, 1996 and reviewed the committee reports as distributed.

STRATEGIC PLANNING

The Budget, Planning & Legislative Committee is continuing its review of current district programs. The committee updated the board on the work that was done during the January planning sessions.

The committee expects the review of programs will be completed during the month of February and presented to the board for approval.

WETLANDS ALTERNATIVE

Steve Moran, Rainwater Basin Joint Venture Coordinator, attended the January 11, 1996 Budget, Planning & Legislative Committee meeting to explain the revised proposal for the "Wetlands Conservation thru Locally Developed Alternatives". A copy of the revised proposal is attached. Moran recommended that the new proposal be adopted.

Moore made the motion (Motion #4) to adopt the "Wetlands Conservation thru Locally Developed Alternatives" proposal; to use a consultant as a facilitator to conduct the initial meeting, and to urge Steve Moran, the Rainwater Basin Joint Venture Coordinator, to seek outside funding for the facilitator. Seconded by Houdersheldt.

When the NRD was first approached in September about sponsoring the Wetlands Alternative it was believed that the initial proposal would give the NRD and landowners some input into the decision making process. Several board members, as well as staff, expressed their concern that the revised proposal eliminates any real chance of local input from either the NRD or the landowners on the proposed steering committee.

Question called. Motion failed.

AYE:

None

NAY:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Moore, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

PASS:

Anderson

E X C U S E U D :

Jacobsen

LEGISLATION

LB 1127

LB 1127 would change the instream flow statutes so that only NRDs could hold instream flow appropriations. The Game and Parks Commission would no longer be able to apply for and hold instream flow appropriations.

Moore made the motion (Motion #5) that the district support LB 1127; and that the decision whether to testify at the hearing be made at a later date. Seconded by Regier. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Moore, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

None

PASS:

Anderson

E X C U S E U D :

Jacobsen

LB 1284

LB 1284 would establish a tax credit on Nebraska income taxes for one half of the purchase price of a water meter which meets the specifications of the NRD in which it is to be used.

Moore made the motion (Motion #6) that the district support LB 1284. Seconded by Regier. Question called. Motion failed.

AYE:

None

NAY:

Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt,

Jackson, Moore, Oswald, Schulz, Siebert, Volkmer,

Hansen

PASS: Anderson, Ehlers, Regier

E X C U S E U D :

Jacobsen

NACD DUES

The NACD dues for 1996 are \$1,500.00 based on the new method of assessment. The assessment is based on the size of the district's budget.

Moore made the motion (Motion #7) that payment of \$1,500 for 1996 dues to NACD be approved. Seconded by Burke. Question called. Motion carried.

AYE:

Anderson, Austin, Buller, Burke, Dickinson, Houdersheldt,

Jackson, Moore, Oswald, Regier, Schulz, Siebert, Hansen

NAY:

E Ediger, Ehlers, Volkmer
 X C U S E D :
 Jacobsen

NARD BUILDING FUND

Moore made the motion (Motion #8) that the district request the repayment of the NARD building fund principal and interest to the districts as soon as possible. Seconded by Regier. Question called. Motion carried.

AYE:

Anderson, Austin, Buller, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY:

E Burke
 X C U S E D :
 Jacobsen

WETLANDS ALTERNATIVE

Steve Moran, Rainwater Basin Joint Venture Coordinator, was delayed due to the winter storm and was not present during the discussion and voting on the motion to adopt the revised proposal. When he arrived he asked that the issue be opened up again for discussion.

Moore explained the board's position on the revised proposal. He indicated that the board was still willing to honor their support of the original proposal, or work with the state agencies involved to rewrite the proposal to make it acceptable to all parties.

Moore made the motion (Motion #9) that the staff work with Steve Moran, Rainwater Basin Joint Venture Coordinator, to set up a meeting with the state agencies to work out the rewording of the proposal. Seconded by Austin. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz,
Siebert, Volkmer, Hansen

NAY:

E Anderson
 X C U S E D :
 Jacobsen

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held January 8, 1996 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #10) that four 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, Moore, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

E None X C U S E U D :
Jacobsen

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Regier made the motion (Motion #11) that payment of NSWCP land treatment funds be made in the amount of \$27,437.49 for twelve applications reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE:

Anderson, Austin, Buller, Burke, Dickinson, Ediger,

Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

E None X C U S E U D :
Jacobsen

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #12) that three new applications for NRD land treatment 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, Houdersheldt, Jackson, Moore, Oswald, Regier,

Siebert, Volkmer, Hansen

PASS:

E Schulz X C U S E U D :
Jacobsen

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Regier made the motion (Motion #13) that payment of NRD land treatment funds be made in the amount of \$1,949.52 for four applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE:

Anderson, Austin, Buller, Burke, Dickinson, Ediger,

Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

E None X C U S E U D :
Jacobsen

WATER CONSERVATION DAMS PROGRAM

The Projects Committee reviewed reconnaissance level studies for the Indian Creek and Stockham dams. The committee is interested in building both projects; however, funding will be a problem if both structures are constructed at the same time. The Projects Committee is recommending that preliminary engineering be done for both projects, but that the Stockham project should be done first.

Regier made the motion (Motion #14) that staff proceed with feasibility engineering on the Stockham project, and that watershed yield, including both quality and quantity, be done on both the Indian Creek and Stockham projects. Seconded by Anderson. Question called. Motion carried.

AYE:

Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Oswald, Regier, Schulz, Siebert,
Volkmer, Hansen

NAY:

None

PASS:

Jackson
X
Jacobsen

E C U S E D :

ABSENT: Moore

EDUCATION & PARKS COMMITTEE REPORT

Volkmer gave a report on the Education & Parks Committee meeting held January 10, 1996 and reviewed the committee report as distributed.

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held January 10, 1996 and reviewed the committee report as distributed.

WASHINGTON, D.C. LOBBYING TRIP

The Executive Committee selected Luke Jacobsen, Wayne Hansen, and John Turnbull to attend the Washington, D.C. lobbying trip, with Roland Schulz as the alternate.

DIRECTORS' PER DIEM AND EXPENSES

Austin made the motion (Motion #15) to approve payment of fourth quarter directors' per diem of \$5,350.00 and expenses of \$1,978.09. Seconded by Ediger. Question called. Motion carried.

AYE:

Anderson, Austin, Buller, Burke, Dickinson, Ediger,
Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier,
Schulz, Siebert, Volkmer, Hansen

NAY:

None
X
Jacobsen

E C U S E D :

NARD VOTING DELEGATE

Austin made the motion (Motion #16) to appoint Doug Dickinson as the voting delegate and Bob Ehlers as the

alternate for the NARD legislative conference in January. Seconded by Volkmer. Question called. Motion carried.

AYE:

Anderson, Austin, Buller, Burke, Ediger, Ehlers,

Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz,

Siebert, Volkmer, Hansen

NAY:

None

ABSTAIN: Dickinson

E X C U S E U D :

Jacobsen

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS

There was no Water Committee meeting in January, however several Aquifer Quality Well Abandonment Cost-share Assistance Program final payments needed to be approved, therefore review was handled by the Executive Committee.

Austin made the motion (Motion #17) to approve final payment of eight Aquifer Quality Well Abandonment Cost-share Assistance Program applications for \$1,192.05. Seconded by Burke. Question called. Motion carried.

AYE:

Anderson, Austin, Buller, Burke, Dickinson, Ediger,

Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Jacobsen

OUT-OF-STATE TRAVEL

The Executive Committee approved out-of-state travel for two directors and Prudence Sadler to attend the NACD Convention in Las Vegas, Nevada during the month of February.

NEBRASKA WATER RESOURCES ASSOCIATION DUES

An invoice was received from the Nebraska Water Resources Association for the 1996 dues.

Austin made the motion (Motion #18) to approve payment of \$1,000.00 to the Nebraska Water Resources Association for the 1996 dues. Seconded by Moore. Question called. Motion carried.

AYE:

Anderson, Austin, Buller, Burke, Dickinson, Ediger,

Houdersheldt, Jackson, Moore, Oswald, Regier, Siebert,

Hansen

NAY:

Ehlers

PASS:

E Schulz, Volkmer
 X C U S E D :
 Jacobsen

FINANCIAL STATEMENT

Volkmer made the motion (Motion #19) to approve the financial statement and budget report as of December 31, 1995; 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, Moore, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

E None
 X C U S E D :
 Jacobsen

NOMINATING COMMITTEE REPORT

Oswald gave a report on the Nominating Committee meeting held January 8, 1996 and reviewed the slate of candidates for board officers.

Chairman Hansen advised the board that nominations from the floor would be in order. He appointed Rod DeBuhr and Jay Bitner to count ballots. Hansen turned the meeting over to Vice Chairman Austin during the election for chairman.

ELECTION OF CHAIRMAN

The Nominating Committee submitted the names of Wayne Hansen and Roger Houdersheldt for chairman. There were no nominations from the floor. Ballots were cast: Hansen 10 - Houdersheldt 6. Hansen will continue as chairman for a period of one year.

ELECTION OF VICE CHAIRMAN

The Nominating Committee submitted the names of Yvonne Austin and Luke Jacobsen for vice chairman. There were no nominations from the floor. Ballots were cast: Austin 10 - Jacobsen 5. Austin will continue as vice chairman for a period of one year.

ELECTION OF SECRETARY

The Nominating Committee submitted the names of Jim Jackson and Louis Oswald. There were no nominations from the floor. Ballots were cast: Jackson 11 - Oswald 5. Jackson will continue as secretary for a period of one year.

ELECTION OF TREASURER

The Nominating Committee submitted the names of Steve Buller and Ed Ediger for treasurer. There were no nominations from the floor. Ballots were cast: Buller 13 - Ediger 2. Buller will continue as treasurer for a period of one year.

NARD REPRESENTATIVE AND ALTERNATE

The Nominating Committee submitted the names of Bob Ehlers, Doug Dickinson and Ray Burke. There were no nominations from the floor. Chairman Hansen advised the board to vote for only one person; the person with the most votes will serve as NARD Representative and the runner-up as Alternate. Ballots were cast: Ehlers 5 - Dickinson 10 - Burke 1. Dickinson will serve as the NARD Representative for 1996 and Ehlers will be the

Alternate.

Meeting adjourned at 3:37 p.m.

James K. Jackson, Secretary
:nds
Attachment (1)

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
FEBRUARY 15, 1996

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

W a y n e H a n s e n , C h a i r m a n

Yvonne Austin, Vice Chairman

J i m J a c k s o n , S e c r e t a r y

Steve Buller, Treasurer

R a y B u r k e , D i r e c t o r

D o u g D i c k i n s o n , D i r e c t o r

E d E d i g e r , D i r e c t o r

B o b E h l e r s , D i r e c t o r

R o g e r H o u d e r s h e l d t , D i r e c t o r

Luke Jacobsen, Director

L a r r y M o o r e , D i r e c t o r

L o u i s O s w a l d , D i r e c t o r

K e n n e t h R e g i e r , D i r e c t o r

M e r l i n V o l k m e r , D i r e c t o r

J o h n T u r n b u l l , M a n a g e r

N a n c y S c h n e i d e r , S t a f f

J a y B i t n e r , S t a f f

P r u d e n c e S a d l e r , S t a f f

R o d n e y D e B u h r , S t a f f

K e n n e t h F e a t h e r , S t a f f

W i l l i a m G i l l i a m , N R C S , Y o r k

Kent Norquest, NRCS Geneva

D e n n i s S c h r o e d e r , N R C S A u r o r a

Derrick Cotton, NRCS Aurora

ROLL CALL

Ten directors were present during quorum call. Austin, Regier, and Houdersheldt 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 February 1, 1996 in the York News-Times. The agenda is kept continually current and 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 Buller, Siebert and Anderson from the February 15, 1996 board of directors meeting. Seconded by Volkmer. Question called. Motion carried.

AYE:

Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,

Moore, Oswald, Volkmer, Hansen

NAY:

None

ABSENT: Anderson, Austin, Buller, Houdersheldt, Regier, Schulz,

Siebert

ADOPTION OF AGENDA

Dickinson made the motion (Motion #2) to approve the revised agenda for the February 15, 1996 board of directors meeting as presented. Seconded by Oswald. Question called. Motion carried.

AYE:

Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,

Moore, Oswald, Volkmer, Hansen

NAY:

None

E X C U S E D :
Anderson, Buller, Siebert
ABSENT: Austin, Houdersheldt, Regier, Schulz

APPROVAL OF MINUTES OF THE JANUARY 19, 1996 BOARD MEETING

Burke made the motion (Motion #3) to approve the minutes of the January 19, 1996 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE:
Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen,
Moore, Oswald, Volkmer, Hansen

NAY:

None
E X C U S E D :
Anderson, Buller, Siebert
ABSENT: Austin, Houdersheldt, Regier, Schulz

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held February 5, 1996 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Volkmer made the motion (Motion #4) that five 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:
Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

None
E X C U S E D :
Anderson, Buller, Siebert
ABSENT: Schulz

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Volkmer made the motion (Motion #5) that payment of NSWCP land treatment funds be made in the amount of \$21,765.48 for nine applications reviewed by the committee. Seconded by Austin. Question called. Motion carried.

AYE:
Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

None
E X C U S E D :
Anderson, Buller, Siebert
ABSENT: Schulz

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Volkmer made the motion (Motion #6) that four 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:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

None

E X C U S E U D :

Anderson, Buller, Siebert

ABSENT: Schulz

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Volkmer made the motion (Motion #7) that payment of NRD land treatment funds be made in the amount of \$784.05 for three applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

None

E X C U S E U D :

Anderson, Buller, Siebert

ABSENT: Schulz

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT

UNL WATER SCIENCES LABORATORY RESEARCH PROPOSAL

Dr. Spalding of the University of Nebraska Water Sciences Laboratory has submitted a proposal to study Hydroxyatrazine in surface water, ground water and lake sediments. The study would continue the research completed at Recharge Lake. Dr. Spalding is asking that the NRD act as the local sponsor for the two year project. Funding for the research would be requested from Ciba-Geigy. The NRD staff would assist in data collection, however, time involved would be minimal. Funding requested from Ciba-Geigy would include money to offset NRD payroll costs. The total cost would be \$119,250.00 over two years.

Volkmer made the motion (Motion #8) to act as local sponsor for the University of Nebraska Water Sciences Laboratory study of Hydroxyatrazine in surface water, ground water and lake sediments at Recharge Lake, subject to funding by Ciba-Geigy. Seconded by Austin. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

None

E X C U S E D :
 Anderson, Buller, Siebert
ABSENT: Schulz

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
MIDWEST LABORATORIES AGREEMENT

The district sends between one and three samples each month from the Recharge Project recovery wells to Midwest Laboratories in Omaha for pesticide analysis. The cost is \$98.75 per sample. It is time to renew the annual agreement with Midwest Laboratory. There has been no increase in cost.

Volkmer made the motion (Motion #9) to renew the pesticide analysis agreement with Midwest Laboratories for 1996. Seconded by Burke. Question called. Motion carried.

AYE:
 Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

 Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

NAY:
 Hansen

E X C U S E D :
 None
 Anderson, Buller, Siebert
ABSENT: Schulz

SPECIAL PROTECTION AREA MONITORING STUDY PAYMENT

Volkmer made the motion (Motion #10) to pay the U.S. Geological Survey \$7,313.00 for work completed on the SPA monitoring study in the quarter ending September 30, 1995 and \$10,000.00 for work completed in the quarter ending December 31, 1995 for a total of \$17,313.00. Seconded by Dickinson. Question called. Motion carried.

AYE:
 Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

 Jackson, Jacobsen, Moore, Oswald, Regier, Hansen

NAY:
 Volkmer

E X C U S E D :
 Anderson, Buller, Siebert
ABSENT: Schulz

CONTROL AREA LATE PERMITS

Volkmer made the motion (Motion #11) to approve a late permit for an irrigation well owned by Larry Schepers of Fairmont, Nebraska and located in the NE 1/4 NE 1/4 of Section 26, Township 8 North, Range 3 West, Fillmore County. Seconded by Austin. Question called. Motion carried.

AYE:
 Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

 Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY:
 None

E X C U S E D :
 Anderson, Buller, Siebert
ABSENT: Schulz

Volkmer made the motion (Motion #12) to approve a late permit for an irrigation well owned by Tom Weber of Exeter, Nebraska and located in the SE 1/4 of Section 15, Township 8 North, Range 1 West, Fillmore County. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY:

None
E X C U S E U D S :
Anderson, Buller, Siebert

ABSENT: Schulz

AUTOMATIC RECORDER WELL MAINTENANCE PAYMENT

Volkmer made the motion (Motion #13) to pay U.S. Geological Survey \$1,064.00 as per the FY 95 agreement for the maintenance of four automatic recorder wells in the Upper Big Blue NRD. Seconded by Oswald. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY:

None
E X C U S E U D S :
Anderson, Buller, Siebert

ABSENT: Schulz

AUTOMATIC RECORDER WELL MAINTENANCE AGREEMENT

Volkmer made the motion (Motion #14) to approve the FY 96 Automatic Recorder Well Maintenance Agreement with the U.S. Geological Survey for \$1,062.00. Seconded by Dickinson. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY:

None
E X C U S E U D S :
Anderson, Buller, Siebert

ABSENT: Schulz

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM
FINAL PAYMENTS

Volkmer made the motion (Motion #15) to approve final payment of one Aquifer Quality Well Abandonment Cost-share Assistance Program application for \$293.45. Seconded by Houdersheldt. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY:

None

E X C U S E D :
 Anderson, Buller, Siebert
ABSENT: Schulz

EDUCATION & PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education & Parks Committee meeting held February 9, 1996 and reviewed the committee report as distributed.

SOAR REQUEST FOR FUNDS

The Prairie Plains Resources Institute of Aurora has requested \$1,500.00 from the district to support the Summer Orientation About Rivers (SOAR), a natural resources-focused day camp for 120 elementary school children. This is the same amount of funding that the district provided last year.

Jacobsen made the motion (Motion #16) that the Upper Big Blue NRD provide \$1,500.00 to the Prairie Plains Resources Institute for the 1996 SOAR program. Seconded by Austin. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

None

E X C U S E D :
 Anderson, Buller, Siebert
ABSENT: Schulz

FUNDING FOR 1996 NATIONAL ENVIROTHON

The National Envirothon contest will be held at Mahoney State Park July 28 - August 2, 1996. The National Envirothon Committee, chaired by Dale Watermeier, has asked each NRD to contribute \$1,000.00 spread over two fiscal years.

Dickinson and Ehlers reminded the board that when the Envirothon was first discussed funding was not to come from association dues or the districts. They felt more effort should be made to raise funds from other sources before the districts are asked to make up the shortfall.

Jacobsen made the motion (Motion #17) that the Upper Big Blue NRD contribute \$500.00 to the 1996 National Envirothon. Seconded by Oswald. Question called. Motion failed.

AYE:

Austin, Burke, Jacobsen, Regier, Hansen

NAY:

Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,

Moore, Oswald

PASS:

Volkmer

E X C U S E D :
 Anderson, Buller, Siebert
ABSENT: Schulz

FEBRUARY WILDLIFE PAYMENTS

Jacobsen made the motion (Motion #18) that the Upper Big Blue Natural Resources District make payment of \$7,087.50 to the cooperators of the Wildlife Habitat Improvement Program for the month of February.

Seconded by Houdersheldt. Question called. Motion carried.

AYE:

Austin, Burke, Ediger, Houdersheldt, Jackson, Jacobsen,

Oswald, Regier, Volkmer, Hansen

NAY:

Dickinson, Ehlers, Moore

E X C U S E U D :

Anderson, Buller, Siebert

ABSENT: Schulz

CANCELLATION OF WILDLIFE HABITAT CONTRACT

Jacobsen made the motion (Motion #19) that Wildlife Habitat Improvement Program contract number 342, signed by Paul T. Thompson, be cancelled as a majority of the habitat has been destroyed. Seconded by Houdersheldt. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

None

E X C U S E U D :

Anderson, Buller, Siebert

ABSENT: Schulz

PROJECT 15-10-2W (TODD DAM)

The landowners involved in the project have indicated that they would allow public fishing and foot traffic on the dam and reservoir area. It is being recommended that the Projects Committee continue to work on the final design of the project which would include public access.

Jacobsen made the motion (Motion #20) that the Projects Committee continue to work on the final design of Project 15-10-2W, including public access. Seconded by Volkmer. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

None

E X C U S E U D :

Anderson, Buller, Siebert

ABSENT: Schulz

CORNERS FOR WILDLIFE

The Education & Parks Committee reviewed the Corners for Wildlife contracts and recommended their approval by the board.

Jacobsen made the motion (Motion #21) that the chairman of the board of directors sign the contracts and that

they be submitted to Pete Berthelson, regional representative of Pheasants Forever. Seconded by Houdersheldt. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer

NAY:

None

PASS:

Hansen

E X C U S E U D :

Anderson, Buller, Siebert

ABSENT: Schulz

COOPERATIVE AGREEMENT WITH U.S. FISH & WILDLIFE SERVICE

Jacobsen made the motion (Motion #22) that the chairman of the board of directors sign the cooperative agreement with the U.S. Fish and Wildlife Service and that it be presented for their signature. Seconded by Regier. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

None

E X C U S E U D :

Anderson, Buller, Siebert

ABSENT: Schulz

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held February 9, 1996 and reviewed the committee report as distributed.

PICKUP BIDS

The district advertised for bids on a 1996 1/2 ton 2-wheel drive pickup. The bids were opened on February 5th. The following bids were received:

DEALER	MAKE	PRICE w/o trade	PRICE w/trade
Trowbridge Motor Co.	Ford F-150	\$14,181.50	n/a
Laird Motors	Ford F-150	14,834.62	\$13,036.62
Geneva Motors	Ford F-150	14,857.00	12,357.00
Moses Motor Co.	Ford F-150	14,809.96	12,609.96
ACME Motor Co.	GMC 1500	15,669.50	11,669.50

Austin made the motion (Motion #23) to accept the low bid from ACME Motor Company to sell the district a 1996 GMC 1500 pickup for \$11,669.50 with the 1987 Chevy 1/2 ton pickup as trade. Seconded by Ehlers.

Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

None

E X C U S E U D :

Anderson, Buller, Siebert

ABSENT: Schulz

DIRECTOR'S EXPENSE

Merlin Volkmer submitted a claim for the NACD Convention in Las Vegas. The claim is for \$79.31.

Austin made the motion (Motion #24) to approve payment of \$79.31 to Merlin Volkmer for expenses incurred while attending the NACD Convention in Las Vegas. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Hansen

NAY:

None

PASS: Volkmer

E X C U S E U D :

Anderson, Buller, Siebert

ABSENT: Schulz

LOWER PLATTE NORTH NRD SALARY REIMBURSEMENT

The Lower Platte North NRD has submitted a bill for reimbursement of the Upper Big Blue NRD's share of the Butler County NRCS clerical salary for the past 6 months.

Austin made the motion (Motion #25) to approve payment of \$3,619.50 to the Lower Platte North NRD for reimbursement of the Butler County NRCS field office clerk's salary for the period July 1, 1995 through December 31, 1995. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

None

E X C U S E U D :

Anderson, Buller, Siebert

ABSENT: Schulz

MARCH BOARD OF DIRECTORS MEETING

Due to a conflict with the Washington, D.C. lobbying trip the Executive Committee has rescheduled the March board meeting for 1:30 p.m., Friday, March 22, 1996.

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORTS

Moore gave a report on the Budget, Planning and Legislative Committee Meeting held February 13, 1996 and reviewed the committee report as distributed.

STRATEGIC PLANNING

The Budget, Planning & Legislative Committee has completed its review of the district programs and policies.

MISSION STATEMENT

Moore made the motion (Motion #26) to adopt the following mission statement: "The Upper Big Blue Natural Resources District shall be a leader in conserving, protecting, developing, and managing the natural resources of this District for the health and welfare of the people of the District." Seconded by Dickinson. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

None

E X C U S E U D :

Anderson, Buller, Siebert

ABSENT: Schulz

WINDBREAK RENOVATION PRACTICE

Moore made the motion (Motion #27) to adopt the Windbreak Renovation Practice as presented, effective March 1, 1996. Seconded by Regier. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

None

E X C U S E U D :

Anderson, Buller, Siebert

ABSENT: Schulz

GROUNDWATER DISTRICTS PROGRAMS

Moore made the motion (Motion #28) that the District take the following actions to assume certain Ground Water Conservation Districts programs when they are dissolved.

- A. That well measurements for spring groundwater levels be discontinued, and that fall recorder well readings be published annually in the newsletter.
- B. That domestic well nitrate sampling for district data gathering be continued but reduced to only once a year.
- C. That nitrate and bacterial testing be continued; a spectrophotometer be acquired, preferably the one now

owned by the Blue River Association; and a small lab be constructed at the NRD office.

- D. That irrigation scheduling be discontinued.
- E. That moisture block sales continue at the NRD office, but that the sale price should at least cover all inventory costs, staff time, and overhead expenses.
- F. That irrigation runoff inspection be continued but that inspections be handled by the NRD current staff for the first season or so to determine if additional staff is necessary.

Seconded by Regier. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
 Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
 Hansen

NAY:

None

E X C U S E U D :

Anderson, Buller, Siebert

ABSENT: Schulz

PARKS PROGRAM, AND LIVING TREE MEMORIAL PROGRAM

Moore made the motion (Motion #29) to adopt the changes in the Parks Program and the Living Tree Memorial Planting Program as presented, effective March 1, 1996. Seconded by Austin. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
 Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
 Hansen

NAY:

None

E X C U S E U D :

Anderson, Buller, Siebert

ABSENT: S c h u l z

WILDLIFE HABITAT IMPROVEMENT PROGRAM

Moore made the motion (Motion #30) to adopt the changes in the Wildlife Habitat Improvement Program as presented, effective March 1, 1996. Seconded by Houdersheldt. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,
 Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
 Hansen

NAY:

E	None									
	X	C	U	S	E	D				:
	Anderson, Buller, Siebert									
ABSENT:	S	c	h	u	l	z				

TREE REPLACEMENT POLICY

Moore made the motion (Motion #31) to adopt the tree replacement policy as presented, effective March 1, 1996. Seconded by Regier. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

E	None									
	X	C	U	S	E	D				:
	Anderson, Buller, Siebert									
ABSENT:	S	c	h	u	l	z				

COMMITTEE MEMBERSHIP

Moore made the motion (Motion #32) that beginning April 1, 1996, the NRCS no longer have voting membership on the Upper Big Blue NRD standing committees, but NRCS conservationists recommended by the District Conservationist serve as advisors to committees. Seconded by Regier. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jacobsen, Moore, Oswald, Regier, Hansen

NAY:

Jackson

PASS:

Volkmer

E	X	C	U	S	E	D				:
	Anderson, Buller, Siebert									
ABSENT:	Siebert									

OTHER DISTRICT PROGRAMS

Moore made the motion (Motion #33) that no other changes be made in the district programs at this time. Seconded by Austin. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

E	None									
	X	C	U	S	E	D				:
	Anderson, Buller, Siebert									

ABSENT: S c h u l z

FINANCIAL STATEMENT

Regier made the motion (Motion # 34) to approve the financial statement and budget report as of January 31, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,

Hansen

NAY:

None

E X C U S E D :

Anderson, Buller, Siebert

ABSENT: S c h u l z

Meeting adjourned at 3:36 p.m.

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MARCH 22, 1996

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

W a y n e H a n s e n , C h a i r m a n

Yvonne Austin, Vice Chairman

J i m J a c k s o n , S e c r e t a r y

Steve Buller, Treasurer

R a y B u r k e , D i r e c t o r

Doug Dickinson, Director

Bob Ehlers, Director Roger Houdersheldt, Director

L u k e J a c o b s e n , D i r e c t o r

L a r r y M o o r e , D i r e c t o r

L o u i s O s w a l d , D i r e c t o r

K e n n e t h R e g i e r , D i r e c t o r

R o l a n d S c h u l z , D i r e c t o r

R o g e r S i e b e r t , D i r e c t o r

M e r l i n V o l k m e r , D i r e c t o r

John Turnbull, Manager

N a n c y S c h n e i d e r , S t a f f

Jay Bitner, Staff

R o d n e y D e B u h r , S t a f f

Ken Feather, Staff
P r u d e n c e S a d l e r , S t a f f

Richard Jiskra, NNRC
Phil Kreutz

Dave Bartek, Farmers Cooperative
Donna Rhoades, YNT

ROLL CALL

Twelve directors were present during quorum call. Austin, Schulz and Siebert 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 8, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

REQUEST FOR EXCUSED ABSENCE

Oswald made the motion (Motion #1) to excuse Ed Ediger and Bruce Anderson from the March 22, 1996 board of directors meeting. Seconded by Regier. Question called. Motion carried.

AYE:

Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY:

None

ABSENT: Anderson, Austin, Ediger, Schulz, Siebert

ADOPTION OF AGENDA

Burke 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:

Buller, Burke, Dickinson, Ehlers, Houdersheldt, Jackson,
Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY:

None

E X C U S E D :
Anderson, Ediger

ABSENT: Austin, Schulz, Siebert

APPROVAL OF MINUTES OF THE FEBRUARY 15, 1996 BOARD MEETING

Dickinson made the motion (Motion #3) to approve the minutes of the February 15, 1996 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None
E X C U S E U D :
Anderson, Ediger
ABSENT: Austin, Schulz, Siebert

PROJECTS COMMITTEE REPORT

Regier gave a report on the Projects Committee meeting held March 8, 1996 and reviewed the committee report as distributed.

PROJECT 15-10-2W - TODD DAM

Regier made the motion (Motion #4) that staff conduct desk top feasibility and prepare a recommendation for committee consideration on whether to proceed with final design and construction of project 15-10-2W (Todd dam). Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Jacobsen, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None
E X C U S E U D :
Anderson, Ediger
ABSENT: Schulz, Siebert

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #5) that three new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None
E X C U S E U D :
Anderson, Ediger
ABSENT: Schulz, Siebert

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #6) that eight 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: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

E X C U S E U D :

Anderson, Ediger

ABSENT: Jacobsen, Schulz, Siebert

WATER COMMITTEE REPORT

Austin gave a report on the Water Committee meeting held March 8, 1996 and reviewed the committee report as distributed.

FARMERS COOPERATIVE ASSOCIATION OF YORK

On November 6, 1995 a well owned by the Farmers Cooperative of York was drilled without obtaining a permit from the district. This well was drilled approximately 400 feet from an existing irrigation well owned by Jerry and Marvin Stahr. The Association's well has a pumping capacity of 150 gpm. The wells proposed use is to mix fertilizers to the proper formulations. The main use of the well will occur in the fall and winter months. Jerry and Marvin Stahr have signed a waiver of objections to the location and use of the Association well. Following is a proposed well spacing variance for the boards consideration. If approved it will be forwarded to the Department of Water Resources along with the Associations request of a variance to state well spacing restrictions.

WELL SPACING VARIANCE

IN THE MATTER OF a well spacing variance request made by the Farmers Cooperative Association of York, herein after referred to as the Association, on February 15, 1996, for an existing industrial well located in the Northwest Quarter of the Northwest Quarter of Section 32, Township 11 North, Range 2 West, York, County.

WHEREAS the owners of the irrigation well (G49958) located approximately 400 feet from the well owned by the Association, have agreed to and signed a Waiver of Objections to the location and operation of said well, and

WHEREAS the primary period of operation of the well owned by the Association is expected to be during the fall and winter months, thereby reducing the potential conflicts between these wells.

NOW THEREFORE BE IT RESOLVED that the Upper Big Blue Natural Resources District Board of Directors, hereby grant the Farmers Cooperative Association of York a variance to the District's Rule 5, Chapter 9 (Well Spacing) for the well described above on March 22, 1996.

Houdersheldt made the motion (Motion #7) to add the following sentence to the well spacing variance. "FURTHER BE IT RESOLVED that the capacity of the well described above not exceed 200 gpm. Seconded by Austin. Question called. Motion carried.

AYE:

Austin, Buller, Dickinson, Ehlers, Houdersheldt, Moore,

Oswald, Schulz, Hansen

NAY:

Burke, Jackson, Regier, Volkmer

PASS: Jacobsen, Siebert

E X C U S E U D :

Anderson, Ediger

Austin made the motion (Motion #8) to grant the well spacing variance and late permit to the Farmers Cooperative Association of York for an industrial well drilled on November 6, 1995 in the NW 1/4 of the NW 1/4 of Section 32-T11N-R2W, York County. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Schulz,

Volkmer, Hansen

NAY:

None

PASS: Siebert

E X C U S E U D :

Anderson, Ediger

WELL PERMITS AND SPACING POLICY

NRD staff have received numerous calls in recent months about well spacing and whether or not well permits are protected by well spacing regulations. At the present time the district has no policy to address this issue. Well drilling permits are granted for one year according to state law. The permit does not grant the permit holder any spacing protection. The current permit process lets the NRD know where new wells are to be drilled and allows the NRD to review proposed construction specifications.

A proposed policy change would grant a permitted well site limited spacing protection as follows:

WELL PERMIT SPACING PROTECTION POLICY

1. A permit issued for a well shall remain in force until the well is properly constructed in accordance with paragraph 4 below, or 1 year from the date of issuance, whichever comes first.
2. The permit shall grant to the location of the proposed well, spacing protection of one thousand and fifty feet (1,050) for a period of 90 days after the date of issuance. If, after the issuance of a permit, the permit holder determines that the actual location of the well will be more than 50 feet from the proposed location he or she shall immediately notify the District. The location of the proposed well may be modified provided such modification does not affect the spacing protection of another existing or proposed well.
3. The proposed location of wells authorized by permits that are in force on land under the same ownership shall be at least 1,000 feet apart, unless it can be demonstrated, to the District's satisfaction, that no property under different ownership lies within the well spacing restrictions stated in paragraph 2.
4. For the purpose of this policy, a well shall be considered properly constructed when all drilling, casing and sealing of the well is complete. The installation of a pump is not required for compliance with this policy.

Austin made the motion (Motion #9) to approve the Well Permit Spacing Protection Policy. Seconded by Jacobsen.

Buller pointed out that paragraph 3 does not allow for a series of wells to run a pivot. DeBuhr conceded that he had overlooked that possibility. He stated the intent of paragraph 3 was to stop any landowner from using the permit process to prevent another landowner from drilling a well.

Moore expressed his concern about the definition of a well in paragraph 4 and the fact that no pump would have to be present to complete construction. He stated that he felt some landowners would also use this to their advantage as a means to prevent another landowner from drilling a well in future years.

After further discussion Moore made the motion (Motion #10) to refer the Well Permit Spacing Protection Policy back to committee. Seconded by Dickinson. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Schulz,

Siebert, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Ediger

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
UNL WATER SCIENCES LABORATORY AGREEMENT

Austin made the motion (Motion #11) to authorize the staff to send a letter of agreement to the University of Nebraska Water Science Laboratory for the analysis of water samples from the York Groundwater Recharge Project at a cost of \$112.50 each from May 1, 1996 through June 30, 1997. Seconded by Moore. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Schulz,

Siebert, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Ediger

YORK GROUNDWATER RECHARGE DEMONSTRATION PROJECT
PAYMENT TO MIDWEST LABORATORIES

Austin made the motion (Motion #12) to pay Midwest Laboratories \$98.75 for one water analysis in February. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Schulz,

Siebert, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Ediger

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

\$15,000.00 was budgeted for cost-share in FY96. Cost-share payments of \$8,784.54 have been made. An additional \$8,140.08 in applications have been approved for funding. The fund is currently over obligated by \$1,925.42.

Austin made the motion (Motion #13) to authorize the staff to continue to take applications for AQWACAP cost-share and to advise applicants that they may have to wait until July for payment. Seconded by Jacobsen.

Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,

Jackson, Jacobsen, Oswald, Schulz, Siebert, Volkmer,

Hansen

NAY:

None

E X C U S E U D :

Anderson, Ediger

ABSENT: Moore, Regier

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORTS

Houdersheldt gave a report on the Budget, Planning and Legislative Committee Meeting held March 13, 1996 and reviewed the committee report as distributed.

WETLANDS CONSERVATION THRU LOCALLY DEVELOPED ALTERNATIVES

Turnbull reviewed the draft of the wetlands conservation effort with the Budget Committee. The draft is the result of the meeting between the district and the agencies. Turnbull, Moore and Regier represented the district during the meeting with the Corps of Engineers, Fish & Wildlife, Game and Parks and the NRCS. As outlined in the draft the steering committee will report to the board. A representative of the district will chair the steering committee. The membership has been determined and Steve Moran, Rainwater Basin Joint Venture Coordinator, will serve as advisor to the committee. No outside facilitator will be used.

Houdersheldt made the motion (Motion #14) to approve the Wetlands Conservation thru Locally Developed Alternatives proposal, to act as sponsor for the effort and to proceed with the process spelled out in the proposal. Seconded by Regier. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Siebert,

Hansen

NAY:

None

PASS:

Volkmer

E X C U S E U D :

Anderson, Ediger

ABSENT: Schulz

1996 MASTER PLAN

Turnbull reviewed the draft 1996 Master Plan. The Master Plan includes the goals and objectives which have been developed through the committee meetings since September. Statutes require that the district update the Master Plan at least once every 10 years. The last update was in 1989.

Houdersheldt made the motion (Motion #15) to adopt the 1996 Master Plan. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Siebert,

Volkmer, Hansen

NAY:

E None
 X C U S E D :
 Anderson, Ediger

ABSENT: Schulz

FY97 - FY02 LONG RANGE PLAN

The planning effort also resulted in a revised draft of the Long Range Plan. The Long Range Plan follows the goals and objectives laid out in the Master Plan. The Long Range Plan outlines the schedule of the projects, programs and activities for the next fiscal year and the trends thereafter. The Committee recommends that the document, which outlines the budget needs through the year 2002, be adopted by the board.

Houdersheldt made the motion (Motion #16) to adopt the FY97 through FY02 Long Range Plan as presented. Seconded by Dickinson. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Schulz,

Volkmer, Hansen

NAY:

E None
 X C U S E D :
 Anderson, Ediger

ABSENT: Schulz

EDUCATION & PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education & Parks Committee meeting held February 9, 1996 and reviewed the committee report as distributed.

TRAILBLAZER RC&D REQUEST FOR FUNDS

The Trailblazer RC&D has asked that the district contribute \$50.00 towards its operation. This is the same amount as last year's contribution.

Jacobsen made the motion (Motion #17) that the Upper Big Blue NRD provide \$50.00 to the Trailblazer Resources Conservation and Development Council. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Siebert, Volkmer,

Hansen

NAY:

E None
 X C U S E D :
 Anderson, Ediger

ABSENT: Buller, Ehlers, Schulz

OMAHA WORLD-HERALD MASTER CONSERVATION AWARD NOMINEE

Nominations for this award are due on April 1. Our previous nominee has won the honorable mention at least

twice in a row.

Jacobsen made the motion (Motion #18) that the Upper Big Blue NRD submit Ardean Andersen for the 1996 Master Conservationist Award. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ehlers, Houdersheldt, Jackson,

Jacobsen, Moore, Oswald, Regier, Siebert, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Ediger

ABSENT: Buller, Schulz

CONSERVATION TEACHER OF THE YEAR AWARD

District policy is to create or adopt awards for more specific categories instead of "all purpose" conservation awards. Establishing an award for conservation teaching will meet this policy. Since the NARD and NACD already have conservation teacher awards, we can attach to their programs by creating a district-wide award that can be sent on to the state and national levels.

Jacobsen made the motion (Motion #19) that the Upper Big Blue NRD create a Conservation Teacher of the Year Award that will operate in conjunction with the NARD and NACD Teacher of the Year Awards. Seconded by Austin. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ehlers, Houdersheldt, Jackson,

Jacobsen, Moore, Oswald, Regier, Siebert, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Ediger

ABSENT: Buller, Schulz

MARCH WILDLIFE PAYMENTS

Jacobsen made the motion (Motion #20) that the Upper Big Blue NRD make payment of \$5,547.50 to the cooperators of the Wildlife Habitat Improvement Program for the month of March. Seconded by Oswald. Question called. Motion carried.

AYE:

Austin, Burke, Houdersheldt, Jackson, Jacobsen, Oswald,

Regier, Siebert, Volkmer, Hansen

NAY:

Dickinson, Ehlers, Moore

PASS:

Buller

E X C U S E U D :

Anderson, Ediger

ABSENT: Schulz

COMMUNITY FORESTRY - OSCEOLA

Jacobsen made the motion (Motion #21) that the Upper Big Blue NRD make payment of \$879.00 to the City of Osceola for trees planted in the newly developed Arboretum. Seconded by Burke. Question called. Motion

carried.

AYE:

Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Siebert,

Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Ediger

ABSENT: Schulz

COMMUNITY FORESTRY - HENDERSON

Jacobsen made the motion (Motion #22) that the Upper Big Blue NRD fund the City of Henderson in the amount of \$1,000.00 for trees to be planted at the Henderson Municipal Golf Course. Seconded by Austin. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Siebert,

Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Ediger

ABSENT: Schulz

CORNERS FOR WILDLIFE PROGRAM FY 97 - PHEASANTS FOREVER

Pete Berthelson, representing the Nebraska Pheasants Forever Chapter is submitting a grant application to the Environmental Trust Fund for planting and developing pivot corners for wildlife. He plans to make it a statewide program next year. This would allow all 23 NRDs to participate.

Jacobsen made the motion (Motion #23) that the Upper Big Blue NRD participate in the Corners for Wildlife Program in FY 97. Seconded by Austin. Question called. Motion carried.

AYE:

Austin, Buller, Dickinson, Ehlers, Jackson, Jacobsen,

Moore, Oswald, Regier, Siebert, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Ediger

ABSENT: Burke, Houdersheldt, Schulz

NRD OFFICE ADDITION FINAL PAYMENT

Austin made the motion (Motion #24) to approve the final payment of \$100,061.00 to JLC, Incorporated of York, Nebraska for completion of the district office building addition. Seconded by Jacobsen. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Siebert,

Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Ediger

ABSENT: Schulz

FINANCIAL STATEMENT

Moore made the motion (Motion # 25) to approve the financial statement and budget report as of February 29, 1996; 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, Houdersheldt,

Jackson, Jacobsen, Moore, Oswald, Regier, Siebert,

Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Ediger

ABSENT: Schulz

Meeting adjourned at 4:25 p.m.

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
APRIL 18, 1996

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

W a y n e H a n s e n , C h a i r m a n

Yvonne Austin, Vice Chairman

J i m J a c k s o n , S e c r e t a r y

Steve Buller, Treasurer

R a y B u r k e , D i r e c t o r

Doug Dickinson, Director

E d E d i g e r , D i r e c t o r

B o b E h l e r s , D i r e c t o r

R o g e r H o u d e r s h e l d t , D i r e c t o r

L a r r y M o o r e , D i r e c t o r

L o u i s O s w a l d , D i r e c t o r

R o l a n d S c h u l z , D i r e c t o r

M e r l i n V o l k m e r , D i r e c t o r

J o h n T u r n b u l l , M a n a g e r

N a n c y S c h n e i d e r , S t a f f

J a y B i t n e r , S t a f f

R o d n e y D e B u h r , S t a f f

K e n F e a t h e r , S t a f f

P r u d e n c e S a d l e r , S t a f f

D o n n a R h o a d e s , Y N T

J u d y S u n d a y , O s c e o l a

J o e S u n d a y , O s c e o l a

R a y N a b e r , U t i c a

J o h n B . K e l l e r , H a r v a r d

W m . G i l l i a m , Y o r k N R C S

Curt Friesen, Henderson

ROLL CALL

Twelve directors were present during quorum call. Moore 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 April 4, 1996 in the York News-Times and Clay County News. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

REQUESTS FOR EXCUSED ABSENCE

Volkmer made the motion (Motion #1) to excuse the absence of Bruce Anderson and Roger Siebert from the April 18, 1996 board of directors meeting. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Oswald, Schulz, Volkmer, Hansen

NAY:

None

ABSENT: Anderson, Jacobsen, Moore, Regier, Siebert

ADOPTION OF AGENDA

Houdersheldt made the motion (Motion #2) to approve the agenda for the April 18, 1996 board of directors meeting as distributed. Seconded by Oswald. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Oswald, Schulz, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Siebert

ABSENT: Jacobsen, Moore, Regier

APPROVAL OF MINUTES OF THE MARCH 22, 1996 BOARD MEETING

Burke made the motion (Motion #3) to approve the minutes of the March 22, 1996 board of directors meeting as distributed. Seconded by Dickinson. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Oswald, Schulz, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Siebert

ABSENT: Jacobsen, Moore, Regier

NRD EMPLOYEE RECOGNITION

Judy Sunday, NRD Secretary in the Osceola Field Office, was recognized and presented with a pen set for ten years of service to the district.

SALE OF NRD PROPERTY

Turnbull explained that he had been contacted by Ken Kunze Realty earlier in the week regarding a potential offer to purchase the property the district owns south of York. The district purchased the property in 1981 with the intention of constructing an office building on the site. The district ended up purchasing an existing office in downtown York.

The district was offered \$22,000.00 for the property in April of 1995, which the board rejected.

Martin Luther Homes made a written offer to purchase the property. Copies of their offer were distributed to the board for consideration.

Ehlers made the motion (Motion #4) to accept the conditional written offer of \$25,000.00 for the Irregular Tract #44, 7-10-2, York County, Nebraska, which is 3.23 acres, located east of the intersection of U.S. Highway 81 and South 21st Street in the City of York, from Martin Luther Homes of Nebraska, Inc., and to authorize the Chairman to sign the purchase agreement. Seconded by Austin. Question called. Motion failed.

AYE:

Burke, Dickinson, Ediger, Ehlers, Oswald

NAY:

Austin, Buller, Houdersheldt, Jackson, Moore, Schulz,

Volkmer, Hansen
E X C U S E U D :
Anderson, Siebert
ABSENT: Jacobsen, Regier

Volkmer made the motion (Motion #5) to make a counter offer accepting the \$25,000.00 purchase price for Irregular Tract #44, Section 7, Township 10 North, Range 2 West, York County, Nebraska, which is 3.23 acres located east of the intersection of U.S. Highway 81 and South 21st Street in the city of York, from Martin Luther Homes of Nebraska, Inc. and to authorize the Chairman to sign the purchase agreement provided that the cost of the environmental assessment is split 50/50 and that Martin Luther Homes assumes the full cost of the sewer assessment. Seconded by Buller. Question called. Motion carried.

AYE:
Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Schulz,

Volkmer, Hansen
NAY:
None
E X C U S E U D :
Anderson, Siebert
ABSENT: Jacobsen, Regier

PROJECTS COMMITTEE REPORT

Houdersheldt gave a report on the Projects Committee meeting held April 8, 1996 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #6) that five 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:
Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Schulz,

Volkmer, Hansen
NAY:
None
E X C U S E U D :
Anderson, Siebert
ABSENT: Jacobsen, Regier

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 \$2,787.96 for one application reviewed by the committee. Seconded by Ehlers. Question called. Motion carried.

AYE:
Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Moore, Oswald, Schulz,

Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Siebert

ABSENT: Jacobsen, Regier

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #8) that five new applications 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, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Moore, Oswald, Schulz,

Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Siebert

ABSENT: Jacobsen, Regier

LAND TREATMENT PROGRAM - STREAMBANK STABILIZATION PRACTICE

The Nebraska Natural Resources Commission (NNRC) has adopted a new practice (NC-18) Streambank Stabilization. The purpose of this practice is to restore and protect streambanks and riparian areas adjacent to minor water courses. The Projects Committee discussed the need for this practice and staff recommended that streambank stabilization be added as an eligible practice under the NRD Land Treatment Program.

Cost-share for this practice would be 65% of estimated or 65% of actual cost, whichever is least.

Houdersheldt made the motion (Motion #9) that land treatment cost-share practice NC-18, which has been adopted by the Nebraska Natural Resources Commission, be included as an eligible practice in the NRD Land Treatment Program, and that the new practice be effective July 1, 1996, and that the cost-share rate be 65% of estimated or actual cost, whichever is least, and that the \$3,500.00 per year per landowner maximum cost-share for NRD funds, and the \$5,000.00 per year per landowner maximum cost-share for NSWCP funds be applied the same as it is for other practices. Seconded by Oswald. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Ehlers, Houdersheldt, Jackson,

Moore, Oswald, Schulz, Hansen

NAY:

Dickinson, Ediger, Volkmer

E X C U S E U D :

Anderson, Siebert

ABSENT: Jacobsen, Regier

SEWARD FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

Houdersheldt made the motion (Motion #10) that payment of \$437.50 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$2,625.00 for the FEMA share of claim #1 of the Seward Flood Hazard Mitigation Project, and that the FEMA share be paid to the city when it is received by the

district. Seconded by Dickinson. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Schulz, Volkmer,
Hansen

NAY:

None

E X C U S E U D :

Anderson, Siebert

ABSENT: Jacobsen, Regier

DORCHESTER WATERSHED O & M

The Projects Committee discussed recent and past maintenance problems on Dorchester Watershed Channel #3. Staff recommended that operation and maintenance of Channel #3 be given back to the landowner to reduce maintenance costs for the district and allow the landowner more flexibility in farming operations. The NRCS must agree to this transfer of responsibility since federal funds were used to construct the project.

Houdersheldt made the motion (Motion #11) that staff be authorized to request NRCS to consider termination of Channel #3 as part of the Dorchester Watershed Project, and that staff be authorized to develop an agreement transferring operation and maintenance of Channel #3 to the landowner. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Schulz, Volkmer,
Hansen

NAY:

None

E X C U S E U D :

Anderson, Siebert

ABSENT: Jacobsen, Regier

WATER COMMITTEE REPORT

Ehlers gave a report on the Water Committee meeting held April 9, 1996 and reviewed the committee report as distributed.

CONTROL AREA VARIANCE REQUEST REGULATIONS

The district has granted variances to the well spacing provisions of Rule 5 in the past, however there is no established procedure for applying for a variance in the regulations. Legal counsel has advised us that a variance procedure should be included in Rule 5.

The following draft variance rule was forwarded from the committee to the board for review.

CHAPTER 17 - REQUEST FOR VARIANCE

01 Any person desiring a variance from the provisions of Rule 5 may request such in writing.

02 A request for a variance shall include;

0 2 0 1
A map or sketch showing the location of lands
and/or water wells that would be affected by the
variance.

0 2 0 1 a
If the request for a variance is for well
spacing, the sketch must include measured
distances from the proposed water well to
any affected water wells.

0 2 0 2
An explanation as to why the variance is needed
including;

0 2 0 2 a
how the person making applications for
the variance would be affected if the
variance is not granted, and

0 2 . 0 2 b
alternatives considered, including why

each alternative was rejected in lieu of

a variance.

0 2 . 0 3
The name and address of all landowners adjacent to

the location of the requested variance.

0 2 . 0 4
A written waiver of objections signed by adjacent

landowners or water well owners who would be

directly affected by the granting of a variance.

0 2 . 0 5
Any other information the person making the request

deems relevant.

0 2 . 0 6
Any other information the district deems necessary.

0 2 . 0 7
A \$100 non-refundable application fee payable to

the Upper Big Blue Natural Resources District.

03 The person making application for a variance shall appear before the District's Water Committee to present the reasons for the variance.

04 Requests for variance shall be considered by the board on a case by case basis.

05 If a variance is granted, the grantee shall sign an affidavit

agreeing to all terms and conditions of the variance.

0 5 0 1
The affidavit will be recorded with the Register of

Deeds by the District.

0 5 0 2
The recorded affidavit will be attached to all

properties affected by the variance.

Several other minor "housekeeping" changes were make to Rule 5 in order to be consistent with state statutes.

Volkmer made the motion (Motion #12) to approve the Chapter 17 and other minor changes to Rule 5 for the purpose of public hearing. Seconded by Ehlers.

DeBuhr informed the board that he had planned to hold the public hearing on June 20th prior to the board meeting. However, due to the passage of LB 108 the district will need to make some additional housekeeping amendments to the rules and regulations.

As a result DeBuhr wants to wait until LB 108 becomes law and then hold a public hearing for all changes at the same time. He anticipates this will be sometime in July or August.

Ehlers amended the motion to make the motion (Motion #13) that 02.07 read " A \$25.00 non-refundable application fee payable to the Upper Big Blue Natural Resources District". Seconded by Dickinson.

Several board members expressed concern about whether the lower fee would even cover staff time. DeBuhr indicated that it would not, because from past experience it can easily take two or three staff-days to take care of the matter.

Question called on the amendment. Amendment failed.

AYE:

Dickinson, Ediger, Ehlers

NAY:

Austin, Burke, Houdersheldt, Jackson, Moore, Oswald,

Schulz, Volkmer, Hansen

E X C U S E U D :

Anderson, Siebert

ABSENT: Buller, Jacobsen, Regier

Question called on the original motion. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Moore, Oswald, Schulz, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Siebert

ABSENT: Buller, Jacobsen, Regier

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

Volkmer made the motion (Motion #14) to make final payments totaling \$1,423.50 for eight decommissioned wells. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Moore, Oswald, Schulz, Volkmer, Hansen

NAY:

None

E X C U S E D :

Anderson, Siebert

ABSENT: Buller, Jacobsen, Regier

E X E C U T I V E C O M M I T T E E M E E T I N G R E P O R T

Austin gave a report on the Executive Committee Meeting held April 9, 1996 and reviewed the committee report as distributed.

FIRST QUARTER PER DIEM AND EXPENSES

Austin made the motion (Motion #15) to approve payment of first quarter directors' per diem of \$8,100.00 and expenses of \$2,616.91. Seconded by Volkmer. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Moore, Oswald, Schulz, Volkmer, Hansen

NAY:

None

E X C U S E D :

Anderson, Siebert

ABSENT: Buller, Jacobsen, Regier

AGREEMENT WITH UNITED STATES DEPARTMENT OF AGRICULTURE

The Secretary of Agriculture and the Governor have signed a mutual agreement between the USDA, the state and the Upper Big Blue. The district has been asked to sign the document which replaces the original agreement signed in 1975.

Austin made the motion (Motion #16) to approve the mutual agreement between the USDA, the State of Nebraska and the Upper Big Blue NRD; and further to authorize the chairman to sign the agreement. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Moore, Oswald, Schulz, Volkmer, Hansen

NAY:

None

E X C U S E D :

Anderson, Siebert

ABSENT: Buller, Jacobsen, Regier

NARD BUILDING FUND

The district has received a refund check from NARD for their share of the NARD building fund contributions, plus interest. The Upper Big Blue NRD received a letter from the North Platte NRD in which their district

offered to return the interest from the building fund contributions for use in a contingency fund, provided all districts do the same. In addition, the two NRDs that did not contribute to the fund would have to match the interest contribution.

Austin made the motion (Motion #17) that the district endorse the North Platte NRD's concept of creating a contingency fund for the NARD. Seconded by Burke.

After a brief discussion Moore made the motion (Motion #18) to refer the matter to the Budget Committee for further review and have the Budget Committee report back to the board. Seconded by Austin. Question called on the motion to refer back to committee. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Moore, Oswald, Schulz, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Anderson, Siebert

ABSENT: Buller, Jacobsen, Regier

COMPUTER SYSTEMS UPGRADE

The district currently has 11 computers, all of which share the use of two printers through a device called LawnNet. Staff is recommending that in the near future the printers and computers be networked through the use of a server computer and cables to all of the other computers and printers. Software programs need to be upgraded and standardized to allow the use and exchange of data.

Bitner and Turnbull are recommending that the district purchase upgraded versions of software for the following programs for \$2,705.85 from Computer Spectrum, Inc. of Aurora: Word Perfect 6.1; Lotus 5.0; D-Base 5.5; Windows for Workgroups 3.11; and DOS 6.22.

They are also recommending that nine of the eleven computers be upgraded from 486SX machines to 486DX machines and that the existing 486DX machines be upgraded to pentium machines. This proposal maximizes the use of existing components, circuit boards and chips. These upgrades are needed regardless of whether or not the district decides to network computers, but will be compatible if the decision to network is made in the future. The quote from Computer Spectrum for the hardware upgrades is \$3,604.00.

The installation of a computer network system will cost about \$6,300.00 for cabling and \$5,900.00 for a server computer for a total estimated cost of \$12,200.00. Staff is recommending that computer networking be considered in the FY 97 budget.

Austin made the motion (Motion #19) that the computer software and hardware upgrade proposal from Computer Spectrum, Inc. of Aurora for \$6,309.85 be approved. Seconded by Houdersheldt. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Moore, Oswald, Schulz, Hansen

NAY:

None

PASS:

Volkmer

E X C U S E U D :

Anderson, Siebert
ABSENT: Buller, Jacobsen, Regier

FINANCIAL STATEMENT

Burke made the motion (Motion # 20) to approve the financial statement and budget report as of March 31, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Volkmer. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Moore, Oswald, Schulz, Volkmer, Hansen

NAY:

None

E X C U S E D :

Anderson, Siebert

ABSENT: Buller, Jacobsen, Regier

Meeting adjourned at 9:37 p.m..

James K. Jackson, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MAY 16, 1996

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

W a y n e H a n s e n , C h a i r m a n

Yvonne Austin, Vice Chairman

J a m e s J a c k s o n , S e c r e t a r y

Steve Buller, Treasurer

R a y B u r k e , D i r e c t o r

Doug Dickinson, Director

E d E d i g e r , D i r e c t o r

Bob Ehlers, Director

R o g e r H o u d e r s h e l d t , D i r e c t o r

Luke Jacobsen, Director

L o u i s O s w a l d , D i r e c t o r

Kenneth Regier, Director

R o l a n d S c h u l z , D i r e c t o r

Roger Siebert, Director

M e r l i n V o l k m e r , D i r e c t o r

John Turnbull, General Manager

N a n c y S c h n e i d e r , S t a f f

Rodney DeBuhr, Staff

P r u d e n c e S a d l e r , S t a f f

Ken Feather, Staff

W m . G i l l i a m , N R C S

T e d Gale Thomsen, Exeter
 G l e i m , S t r o m s b u r g

Rebecca Oltmans, York News-Times

ROLL CALL

Thirteen directors were present during quorum call. Jacobsen and Regier 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 May 2, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

REQUESTS FOR EXCUSED ABSENCE

Volkmer made the motion (Motion #1) to excuse the absence of Larry Moore from the May 16, 1996 board of directors meeting. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Oswald, Schulz, Siebert,

Volkmer, Hansen

NAY:

None

ABSENT: Jacobsen, Moore, Regier

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the revised agenda for the May 16, 1996 board of directors meeting as distributed. Seconded by Siebert. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Oswald, Schulz, Siebert,

Volkmer, Hansen

NAY:

None

PASS: Regier

E X C U S E D :

Moore

ABSENT: Jacobsen

APPROVAL OF MINUTES OF THE APRIL 18, 1996 BOARD MEETING

Ehlers made the motion (Motion #3) to approve the minutes of the April 18, 1996 board of directors meeting as distributed. Seconded by Dickinson. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Oswald, Regier, Schulz,

Siebert, Volkmer, Hansen

NAY:

E None
X C U S E U D :

Moore
ABSENT: Jacobsen

TWIN PLATTE NRD REQUEST FOR LEGAL DEFENSE FUNDS

Ehlers made the motion (Motion #4) that the Upper Big Blue NRD request that the NARD not participate in the Twin Platte NRD's request for assistance from the legal defense fund. Seconded by Houdersheldt. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

E None
X C U S E U D :

Moore

CONTINUATION OF NARD LEGAL DEFENSE FUND

Dickinson made the motion (Motion #5) that the NARD legal defense fund be retained and that each district contribute on a strictly voluntary basis. Seconded by Austin.

Ehlers amended the motion to make the motion (Motion #6) however, before a case can be accepted for funding by the NARD legal defense fund a two-thirds majority vote by the Association Board be required. Seconded by Volkmer. Question called on the amendment. Amendment carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

E None
X C U S E U D :

Moore

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

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

E None
 X C U S E D :
 Moore

PROJECTS COMMITTEE REPORT

Burke gave a report on the Projects Committee meeting held May 6, 1996 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Burke made the motion (Motion #7) that one new application for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Austin. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

E None
 X C U S E D :
 Moore

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Burke made the motion (Motion #8) that payment of NSWCP land treatment funds be made in the amount of \$4,979.83 for four applications reviewed by the committee. Seconded by Regier. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

E None
 X C U S E D :
 Moore

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Burke made the motion (Motion #9) that two new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

E None
 X C U S E D :
 Moore

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Burke made the motion (Motion #10) that payment of NRD land treatment funds be made in the amount of \$364.80 for one application reviewed by the committee. Seconded by Dickinson. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Moore

DAVID CITY NORTHWEST DRAINAGE PROJECT

Horizons, Inc. has completed aerial photography and mapping of the David City N.W. Drainage Project area. All mylar drawings and digital terrain models have been furnished to the district as required. Staff recommends final payment to Horizons, Inc..

Burke made the motion (Motion #11) that Horizons, Inc. be paid \$16,139.00 as final payment for aerial photography and digital terrain modeling services performed on the David City N.W. Drainage Project. Seconded by Houdersheldt. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Moore

PROJECT 15-10-02W, TODD DAM

The Projects Committee reviewed final feasibility study results for two alternatives at Project 15-10-02W.

Alternative A would provide an 8 acre lake with conservation pool volume of 50 acre feet. The present value of benefits (recreation, wildlife, erosion control and flood control) is \$149,200 and the present worth of project cost (construction, land rights, O & M, engineering, legal and administration) is \$137,155. The benefit to cost ratio is 1.09.

Alternative B would provide a 14 acre lake with conservation pool volume of 118 acre feet. The present value of benefits is \$179,500 and the present worth of project cost is \$223,255. The benefit to cost ratio for this alternative is 0.80. This alternative requires reconstruction of a portion of gas main located in the tailwater of the conservation pool.

The Projects Committee felt that additional construction cost was justified on Alternative B to maximize water storage and recreation benefits, even though the benefit to cost ratio is less than 1.0.

Burke made the motion (Motion #12) that staff be authorized to proceed with final design of Project 15-10-02W, and that Alternative B, with conservation pool of 14 acres and 118 acre feet, be selected as the preferred plan. Seconded by Oswald. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Oswald, Schulz, Volkmer, Hansen

NAY:

None

PASS:

Dickinson, Regier, Siebert

E X C U S E U D :

Moore

REQUEST FOR ENGINEERING ASSISTANCE FROM SOUTHEAST COMMUNITY COLLEGE

Southeast Community College (SECC) located at Milford, has requested engineering assistance from the district to plan, design and oversee construction of a storm sewer and storm sewer outfall to the Big Blue River.

The Projects Committee discussed the request and recommended that assistance be offered in preparing a reconnaissance level engineering study of the storm sewer and outfall problem. The study will outline future engineering needs and project costs for SECC consideration. Future district involvement will be considered after SECC has determined what their administrative and financial commitment will be to this project.

Burke made the motion (Motion #13) that staff be authorized to prepare a reconnaissance level engineering study of the storm sewer and storm sewer outfall for Southeast Community College at Milford, and that the study include estimates of final design engineering and construction costs required to complete the project. Seconded by Austin.

Volkmer asked what the cost of staff time would be to develop the proposed study. Turnbull indicated that he did not have those figures before him but that they could be obtained, since Bitner did review the estimated costs with the Projects Committee.

Volkmer reminded the board that according to our Programs and Cost-share Practices policy book any study costs which will exceed \$2,500.00 are to be split 50/50 with the co-sponsor.

After some discussion it appeared that both staff and the Projects Committee had overlooked this existing policy.

Volkmer amended the motion to make the motion (Motion #14) provided Southeast Community College reimburses the district for one-half the study cost. Seconded by Jacobsen. Question called on the amendment. Amendment carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Moore

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

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

E None
X C U S E U D :
Moore

SEWARD FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

A claim has been filed by the City of Seward for reimbursement of appraisal fees on the Seward Flood Hazard Mitigation Project. The total amount of the claim is \$9,200.00; \$6,900.00 is FEMA's share, \$1,150.00 is the NRD share and \$1,150.00 is the city's share.

Burke made the motion (Motion #15) that payment of \$1,150.00 in NRD funds be made to the City of Seward and that the District file a claim in the amount of \$6,900.00 for the FEMA share of claim #2 of the Seward Flood Hazard Mitigation Project, and that the FEMA share be paid to the city when it is received by the District. Seconded by Ehlers. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

E None
X C U S E U D :
Moore

PLATTE RIVER INSTREAM FLOWS

Turnbull presented fact sheets about the Nebraska Game and Parks Commission's instream flow applications at both the Projects and Water Committee meetings. The fact sheets were prepared by the Nebraska Water Conservation Cooperative (the Coalition). Turnbull also presented a summary of the instream flow settlement proposed by the Coalition.

Burke made the motion (Motion #16) that the district manager be authorized to send a letter on behalf of the board to Nebraska Game and Parks Commissioners in support of the Nebraska Water Conservation Cooperative position on the Platte River instream flows. Seconded by Ehlers. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Siebert, Volkmer, Hansen

NAY:

None

PASS:

E Schulz
X C U S E U D :
Moore

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held May 7, 1996 and reviewed the committee report as

distributed.

SPA MONITORING STUDY QUARTERLY PAYMENT TO USGS

Volkmer made the motion (Motion #17) to pay USGS \$10,000 for SPA monitoring study work conducted from January 1, 1996 through March 31, 1996. Seconded by Austin. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz,
Volkmer, Hansen

NAY:

None

ABSENT: Siebert

E X C U S E U D :

Moore

RELEASE OF SPA MONITORING WELL EASEMENT

The district obtained an easement from Norman and Naomi Luebbe of Seward for the construction of SPA monitoring wells. After test drilling, it was decided not to construct the wells at this location, therefore, the district has no need to retain this easement. Steve Seglin has prepared a release of easement.

Volkmer made the motion (Motion #18) to approve the release of easement for the North 1/2 of the Northwest 1/4 of Section 17, Township 10 North, Range 3 East, Seward County, owned by Norman and Naomi Luebbe. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz,
Volkmer, Hansen

NAY:

None

ABSENT: Siebert

E X C U S E U D :

Moore

319 PROJECT PAYMENT TO NRCS

Volkmer made the motion (Motion #19) to pay the Natural Resources Conservation Service \$11,666.50 for work on the Recharge Lake 319 Project during the period of October 1, 1995 through March 31, 1996. Seconded by Jacobsen. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Jacobsen, Oswald, Regier,
Schulz, Volkmer, Hansen

NAY:

None

PASS:

Siebert

E X C U S E U D :

Moore

WATER SCIENCES LABORATORY RESEARCH PROJECT PAYMENT

The final payment for research conducted under Roy Spalding's direction is due.

Volkmer made the motion (Motion #20) to pay the University of Nebraska Water Sciences Laboratory \$67,000.00 for York Ground Water Demonstration Project research activities conducted from May 1, 1995 through April 30, 1996. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Moore

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM

Volkmer made the motion (Motion #21) to make final payments totaling \$4,098.02 for fifteen decommissioned wells. Seconded by Ediger. Question called. Motion carried.

AYE:

Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt,

Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert,

Volkmer, Hansen

NAY:

None

PASS:

Buller

E X C U S E U D :

Moore

STATE DECOMMISSIONING FUNDS

The state passed legislation that changed the minimum cost-share to 60 percent. This makes the district's AQWACAP program eligible for funding in FY97. If the board chooses to participate the district could receive \$5,000 to \$6,000 in FY97.

Volkmer made the motion (Motion #22) to participate in the state well decommissioning program in FY97. Seconded by Jacobsen. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

None

E X C U S E U D :

Moore

CITY OF SEWARD REQUEST FOR ASSISTANCE

The district received a letter from the mayor of Seward requesting assistance in funding a project for treatment of the city's water supply. The Water Department directed the general manager to discuss the situation with city officials to see what sort of assistance the district may be able to provide.

E X E C U T I V E C O M M I T T E E M E E T I N G R E P O R T

Austin gave a report on the Executive Committee Meeting held May 7, 1996 and reviewed the committee report as distributed.

ATTORNEY FEES

The attorney's fees for the month are \$563.70 for work on the water regulation changes and the release of easement for the SPA monitoring well.

Austin made the motion (Motion #23) to approve payment of \$563.70 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through April 20, 1996. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Oswald, Regier, Schulz,

Siebert, Volkmer, Hansen

NAY:

None

ABSENT: Jacobsen

E X C U S E D :

Moore

BOARD VACANCY

A vacancy exists on the board due to the death of Bruce Anderson. The board will need to appoint someone to serve the remainder of his term, which expires in January 1999. The Executive Committee is asking that anyone interested in serving the remainder of the term submit a letter of interest by July 1st. The committee will review the applications at their regular July committee meeting.

FOUR-WHEELER LEASE

The Water Department needs to lease a four-wheeler for the summer chemigation season to supplement the one the district already owns. Doug's Machine of Geneva will lease one to the district for four months for \$950.00.

Austin made the motion (Motion #24) to approve the four month lease of a four-wheeler, with the option to purchase, from Doug's Machine in Geneva for \$950.00. Seconded by Volkmer. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

None

E X C U S E D :

Moore

JUNE BOARD MEETING

The Executive Committee has rescheduled the June board meeting for Thursday, June 27th.

COMPUTER UPGRADES AND SOFTWARE

The computer upgrade work has been completed. Some additional parts that were not anticipated were needed to complete the upgrades. The original price approved by the board was \$3,604.00. The actual cost was \$3,920.15. The general manager recommended that payments in the amount of \$3,920.15 for equipment upgrades and \$2,705.85 for software licensing and upgrades be approved.

Austin made the motion (Motion #25) to approve payment of \$3,920.15 for computer upgrades and payment of \$2,705.85 for software to Computer Spectrum, Inc., of Aurora. Seconded by Burke. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

E None
 X C U S E D :
 Moore

DONATION TO THE NARD

Bob Ehlers presented a proposal to the Executive Committee that the district donate \$1,250.00 to the NARD for the start of a contingency fund.

Austin made the motion (Motion #26) that the Upper Big Blue NRD make an unsolicited donation of \$1,250.00 to the NARD to start a contingency fund for the purpose of funding activities other than administration and lobbying; and further that this District encourage other districts to emulate this board's actions and make voluntary donations. Seconded by Jacobsen. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Hansen

NAY:

Regier, Schulz

PASS:

E Siebert, Volkmer
 X C U S E D :
 Moore

WETLANDS CONSERVATION ALTERNATIVE

A Wetlands Conservation Alternative steering committee meeting has been scheduled for May 22nd. The board needs to appoint a representative and alternate to serve as chair of this committee. Turnbull recommended that Regier and Moore be considered because of their past involvement in this activity.

Austin made the motion (Motion #27) to appoint Larry Moore as the Upper Big Blue NRD's representative on the Wetlands Conservation Alternatives steering committee and that Ken Regier be appointed as alternate. Seconded by Regier. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ediger, Ehlers,

Houdersheldt, Jackson, Jacobsen, Oswald, Regier,

Schulz, Siebert, Volkmer, Hansen

NAY:

E None
X C U S E D :
Moore

EDUCATION AND PARKS COMMITTEE REPORT

Ehlers gave a report on the Education and Parks Committee meeting held May 9, 1996 and reviewed the committee report as distributed.

AURORA MIDDLE SCHOOL OUTDOOR CLASSROOM COST-SHARE REQUEST

The Aurora Middle School Environmental Club is creating an outdoor classroom at the middle school. The school has donated an area 170 by 150 feet that has been planted with native grasses and wildflowers. A border of shrubs was planted as a windbreak. Bill Whitney of the Prairie Plains Resources Institute has served as an advisor on this project. The club raised \$300 (dedicated to installing a sign) and received a grant of \$250 from the Nebraska Game and Parks Commission. Future installations include the sign identifying the project and completion of a fence around the classroom to prevent those attending athletic events from parking on the classroom. Estimated cost of the fencing is \$500. Cost of the sign is undetermined at this time.

Ehlers made the motion (Motion #28) that the Upper Big Blue NRD approve cost-share funding to the Aurora Middle School for improvements to its outdoor classroom in an amount not to exceed \$300 and that a grant of \$250 be given for the same purpose. Seconded by Regier. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,

Jackson, Jacobsen, Oswald, Regier, Volkmer, Hansen

NAY:

None
ABSENT: Ediger, Schulz, Siebert
E X C U S E D :
Moore

PROPOSAL TO NAME RECHARGE LAKE RECREATION AREA

Ehlers made the motion (Motion #29) In recognition of Bruce Anderson for: over 50 years of continuous service as an elected or appointed board member in the natural resources field, pioneering work and leadership in the conservation field, personal commitment to conservation by example in his own farming operation, and a lifetime of dedication to natural resources conservation at the state and local levels, the Upper Big Blue Natural Resources District names the public use area around Recharge Lake the "Bruce L. Anderson Recreation Area." Seconded by Austin. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,

Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer,

Hansen

NAY:

None
ABSENT: Ediger, Siebert
E X C U S E D :
Moore

Moore

PAYMENT TO LOWER LOUP NRD

Ehlers made the motion (Motion #30) that the Upper Big Blue NRD make payment of \$875.70 to the Lower Loup NRD for 2,450 Colorado Blue Spruce purchased through Colorado State Forestry Service. Seconded by Regier. Question called. Motion carried.

AYE:

Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt,

Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer,

Hansen

NAY:

None

ABSENT: Ediger, Siebert

E X C U S E U D :

Moore

FINANCIAL STATEMENT

Burke made the motion (Motion # 31) to approve the financial statement and budget report as of April 30, 1996; 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, Ehlers, Houdersheldt,

Jackson, Jacobsen, Oswald, Regier, Schulz, Volkmer,

Hansen

NAY:

None

ABSENT: Ediger, Siebert

E X C U S E U D :

Moore

Meeting adjourned at 9:51 p.m..

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JUNE 27, 1996

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
James Jackson, Secretary	Steve Buller, Treasurer
Ed Ediger, Director	Bob Ehlers, Director
Roger Houdersheldt, Director	Luke Jacobsen, Director
Larry Moore, Director	Louis Oswald, Director
Roland Schulz, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Troy Thompson, Staff	Jay Bitner, Staff
Rod DeBuhr, Staff	Ken Feather, Staff
Bill Gilliam, York NRCS	Rebecca Oltmans, York News-Times

ROLL CALL

Twelve directors were present during quorum call. Houdersheldt 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 June 13, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

REQUESTS FOR EXCUSED ABSENCE

Volkmer made the motion (Motion #1) to excuse the absence of Ken Regier, Doug Dickinson, Ray Burke and Roger Siebert from the June 27, 1996 board of directors meeting. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen
NAY: None
ABSENT: Burke, Dickinson, Houdersheldt, Regier, Siebert

ADOPTION OF AGENDA

Oswald made **the motion (motion #2) to approve the agenda** for the June 27, 1996 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Burke, Dickinson, Regier, Siebert ABSENT: Houdersheldt

APPROVAL OF MINUTES OF THE MAY 16, 1996 BOARD MEETING

Moore made the motion (Motion #3) to approve the minutes of the May 16, 1996 board of directors meeting as distributed. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Burke, Dickinson, Regier, Siebert ABSENT: Houdersheldt

PROJECTS COMMITTEE REPORT

Houdersheldt gave a report on the Projects Committee meeting held June 10, 1996 and reviewed the committee report as distributed.

HENDERSON DRAINAGE PROJECT

Representatives for the City of Henderson were present at the Projects Committee meeting on June 10 to request engineering assistance to plan and design storm water drainage for the city of Henderson. The city is exploring potential development of an industrial park north of town.

Staff recommended that a detailed map of the study area be prepared as part of the planning.

The Projects Committee explained that the district's policy would require Henderson to pay for one half of the direct costs, plus any overhead costs associated with the planning. Staff estimated the cost of planning and design for the industrial park would not exceed \$16,400.00. Based on this estimate the city's share would not exceed \$8,200.00. Payment to the district would be based on actual costs.

Houdersheldt made the motion (Motion #4) that the district offer to prepare a drainage study and construction drawings for the City of Henderson industrial park, and that an agreement between the city and district, stating the terms and costs, be forwarded to the City of Henderson for their approval. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Houdersheldt made the motion (Motion #5) that one new application 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, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, 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 \$20,982.33 for eleven applications reviewed by the committee. Seconded by Ediger. Question called. motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Houdersheldt 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 Ediger. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Houdersheldt made the motion (Motion #8) that payment of NRD land treatment funds be made in the amount of \$4,810.00 for eleven applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Burke, Dickinson, Regier, Siebert

SEWARD FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

Appraisals have been completed and the city is currently interviewing firms interested in providing negotiation services. The negotiator will make offers to property owners and negotiate counter offers on behalf of the city.

Claim number three has been filed by the City of Seward for reimbursement of appraisal fees on the Seward Flood Hazard Mitigation Project. The total amount of this claim is \$3,600.00. \$2,700.00 is FEMA's share, \$450.00 is the NRD share and \$450.00 is the city's share.

Houdersheldt made the motion (Motion #9) that payment of \$450.00 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$2,700.00 for the FEMA share of claim #3 of the Seward Flood Hazard Mitigation Project, and that the FEMA share be paid to the city when it is received by the district. Seconded by Oswald. Question called. motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen
NAY: None
EXCUSED: Burke, Dickinson, Regier, Siebert

CITY OF SUTTON REQUEST FOR FLOOD PLAIN MAPPING ASSISTANCE

At the March 1996 Projects Committee meeting the City of Sutton was present to request flood plain mapping. At that meeting the committee made a motion to offer "engineering assistance for preparing flood plain mapping to be submitted to FEMA for flood zone designation and that the city be responsible for out-of-pocket expenses to be approved by the city on a case-by-case basis."

On May 14, 1996 the Sutton City Council approved requesting the district to prepare and submit the documents necessary to redraw the flood plain map for School Creek within the city.

Houdersheldt made the motion (Motion #10) that the district prepare an agreement between the district and City of Sutton stating terms and cost **responsibilities for preparing** flood plain mapping on School Creek within the city of Sutton. Seconded by Ediger.

Volkmer voiced his concern that the district was not requiring Sutton to pay half of the cost of preparing the flood plain maps.

Bitner stated out-of-pocket costs for mapping should not exceed \$1,000 because the engineering work has already been done and the data has already been generated.

Turnbull reminded the board that when E.A. Engineering was hired to do the original hydrology work on School Creek they wrote the HEC-1 and HEC-2 computer models. These will be used as the basis for the flood plain mapping.

Question called. Motion carried.

AYE: Austin, Buller, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Hansen
NAY: Ediger, Ehlers, Volkmer
EXCUSED: Burke, Dickinson, Regier, Siebert

PROJECT 15-10-2W, TODD DAM

Staff is beginning final design of Project 15-10-2W. Proposals have been received from HWS, Inc. and Geotechnical Services, Inc. to perform geotechnical investigations at the dam site. Both firms were asked to

submit a proposal, including fee and work schedule, based on the scope of work defined by district staff. HWS's fee for this work was \$10,136.50 and Geotechnical Services' fee was \$5,520.00. Staff recommended that the district hire Geotechnical Services, Inc..

Houdersheldt made the motion (Motion #11) that Geotechnical Services, Inc. be awarded a contract to perform drilling, testing and geotechnical engineering on project 15-10-2W in accordance with their proposal dated May 31, 1996, for a fee not to exceed \$5,520.00. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

EDUCATION AND PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education and Parks Committee meetings held June 11, and 27, 1996 and reviewed the committee reports as distributed.

SUMMER ORIENTATION ABOUT RIVERS (SOAR)

The Summer Orientation About Rivers (SOAR) has 60 third through sixth graders signed up for its first session which begins July 8. There are 53 signed up for the second session which begins July 15.

Jacobsen made the motion (Motion #12) that the Upper Big Blue NRD make payment of \$1,500.00 to the Prairie Plains Resources Institute for the 1996 SOAR program. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

PAYMENT TO YORK COLD STORAGE

Jacobsen made the motion (motion #13) that the Upper Big Blue NRD make payment of \$1,600.00 to York Cold Storage for tree storage rental for the months of April and May 1996. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

PAYMENT TO UNIVERSITY OF NEBRASKA

Jacobsen made the motion (Motion #14) that the Upper Big Blue NRD make payment of \$17,828.01 to the University of Nebraska for the purchase of 48,000 trees through the Clarke-McNary tree program. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

PAYMENT TO LINCOLN-OAKES NURSERY

Jacobsen made the motion (Motion #15) that the Upper Big Blue NRD make payment of \$1,329.78 to Lincoln-Oakes Nursery for 4,100 trees and shrubs. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

PAYMENT TO CITY OF GENEVA - PARK RENOVATION

Jacobsen made the motion (motion #16) that the Upper Big Blue NRD make payment of \$10,000.00 to the City of Geneva for the renovation of two tennis courts and replacement of the baseball scoreboard.

Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer,
Hansen

NAY: Ediger

EXCUSED: Burke, Dickinson, Regier, Siebert

PAYMENT TO VILLAGE OF GRAFTON - PLAYGROUND EQUIPMENT

Jacobsen made the motion (Motion #17) that the Upper Big Blue NRD make payment of \$1,700.00 to the Village of Grafton for the playground equipment which has been purchased and installed on village property.

Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer,
Hansen

NAY: Ediger

EXCUSED: Burke, Dickinson, Regier, Siebert

PAYMENT TO CITY OF HENDERSON - COMMUNITY TREE RESOURCES PROGRAM

Jacobsen made the motion (motion #18) that the Upper Big Blue NRD make payment of \$1,000.00 to the City of Henderson for the trees planted at the Henderson Golf Course. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer,
Hansen

NAY: Ediger

EXCUSED: Burke, Dickinson, Regier, Siebert

LB71 FUNDS -PROJECT 15-10-2W

Jacobsen made the motion (motion #19) that the Upper Big Blue NRD apply for LB71 funds to help offset the cost of easements for project 15-10-2W. Seconded by Houdersheldt. Question called. motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

APPRAISAL OPTION FOR PROJECT 15-10-2W (TODD DAM)

Quotes were obtained for appraisals on the Smith and Rathje properties located in the W ½ of Section 15, Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska and the state school lands located in the E ½ of E ½ of SE ¼ of Section 16, Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska.

Jacobsen made the motion (Motion #20) that the Upper Big Blue NRD hire Deets Real Estate & Appraisal of Geneva, Nebraska to do the appraisals on the Smith property and the Harry and Donna Rathje property located in the W ½ of Section 15, Township 10 North, Range 2 West of the 6th P.M, York County, Nebraska and the state school lands located in the E ½ of the E ½ of the SE ¼ of Section 16, Township 10 **North, Range 2** West of the 6th P.M., York County, Nebraska. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz,
Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held June 11, 1996 and reviewed the committee report

as distributed.

PERSONNEL POLICY NO. 11 - PAY PERIOD

The district has always paid its employees on the last day of the pay period. This has become impractical because of the complexity of the payroll accounting and time needed to compute and process payroll. The accountant suggested that checks not be issued the last day of the pay period, but that sufficient time be allowed for computation and processing purposes.

The manager and office manager recommended that the issue date be on or before the 7th day after the end of the pay period.

Austin made the motion (Motion #21) that Personnel Policy No. 11 be amended as follows, and that it become effective August 1, 1996.

PERSONNEL POLICY NO. 11: PAY PERIOD

- I. ~~Each employee shall receive his or her check on or before the last working day of each month.~~ Payroll checks will be issued on or before the 7th day after the end of the pay period.
- II. The normal pay period for the District begins at 12:00 A.M. on the 1st day of the month and ends at 11:59 P.M. on the last day of the month. The pay period for seasonal and/or temporary help will be semimonthly.
- III. Employees are required to furnish the District with all payroll information requested including but not limited to withholding, social security and FICA taxes.
- IV. The District will advise employees of any material changes in the preparation of the payroll.

Seconded by Schulz. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

DISTRICT LIABILITY, FIRE AND CASUALTY INSURANCE

The liability, fire and casualty insurance is provided by INSPRO Insurance through Scott Nelson of York Insurance. INSPRO writes insurance for more than half of the districts, with Employers Mutual as the principal carrier. The premium last year was \$27,330.

Austin made the motion (Motion #22) to make payment of \$28,713.00 to York Insurance Agency of York for property, liability, inland marine, auto, errors & omissions, workers compensation and umbrella policies for FY97. Seconded by Buller. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

HEALTH INSURANCE

On June 18, 1996 the NARD Board of Directors approved the recommendation of the NARD Insurance & Retirement Committee to accept a premium increase from Blue Cross Blue Shield of Nebraska. The increase, negotiated down from 23.5%, will be 15%.

To reduce the Blue Cross Blue Shield proposal to 15% a change was made to the policy co-insurance. If employees

use the PPO, the share will be 80/20, rather than 90/10. Outside the PPO will be 70/30, rather than 80/20.

LAND SALE

The environmental phase I **report has been completed by Olsson** Environmental Services of Lincoln on the NRD property that is being sold.

Austin made the motion (Motion #23) to approve the sale of irregular tract #44, Section 7, Township 10 North, Range 2 West of the 6th P.M., a part of the City of York, York County, Nebraska, to Martin Luther Homes of Nebraska, Inc. for \$25,000.00 and in accordance with the other terms of the real estate sales agreement; and to authorize the chairman to sign the necessary documents. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

FY97 SALARIES

Turnbull recommended that the board authorize a 2% cost of living change in the payscale grades which effects the minimum, mid-point, and maximum salary paid for each grade. Turnbull requested \$13,775 for salary changes for the district staff for FY97.

Austin made the motion (Motion #24) to increase the base district payscale by 2% for cost of living changes since May of 1995, to adjust the annual salaries of the district staff, with the exception of the general manager, by an amount not to exceed \$13,775.00, resulting in a 3.55% increase over current salaries and to authorize the general manager to determine and make salary and wage adjustments. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Hansen

NAY: Schulz, Volkmer

EXCUSED: Burke, Dickinson, Regier, Siebert

Austin made the motion (Motion #25) to increase the general manager's salary by \$2,000 (3.45%) from \$57,950 to \$59,950. Seconded by Jacobsen. Question called. motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Hansen

PASS: Schulz, Volkmer

EXCUSED: Burke, Dickinson, Regier, Siebert

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held June 13, 1996 and reviewed the committee report as distributed.

SPECIAL PROTECTION AREA MID-NEBRASKA GRANT PROPOSAL

The proposed grant would be administered by the University of Nebraska if received. The grant would extend the Mid-Nebraska Project an additional five years through 2002. The total cost of the five year extension would be approximately \$873,618. The grant is for \$527,197. The district's share of matching funds would be \$10,696 over the five year period. Staff recommended that a portion of the fertilizer tax funds that the district will receive beginning July of 1997 be used for this project.

Volkmer made the motion (Motion #26) to support the Mid-Nebraska 319 grant application and participate in the project provided that fertilizer tax funds are available. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

MANAGEMENT AREA RULES AND REGULATIONS

As a result of LB 108 the Control Area and SPA become Management Areas on July 19th. Because of this housekeeping change the district's rules and regulations must be made to conform with the changes in the law. At the same time the staff has recommended consolidating the control area and SPA regulations into one set of management area regulations.

Volkmer made the motion (Motion #27) to approve the proposed Ground Water Management Area Rules and Regulations (Rule 5) for the purpose of public hearing to be held on July 18, 1996. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS

Volkmer made the motion (Motion #28) to make final payments totaling \$1,322.20 for eight decommissioned wells. Seconded by

Oswald. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

Volkmer made the motion (Motion #29) to hold all July 1996 AQWACAP final payment requests for payment consideration in August 1996. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

STATE DECOMMISSIONING FUNDS - AQWACAP PROGRAM CHANGES

Volkmer made the motion (Motion #30) to amend the Aquifer Quality Well Abandonment Cost-share Assistance Program effective July 1, 1996, to increase the maximum cost-share for wells with a casing diameter of less than 12 inches to \$300 and setting the maximum cost-share for hand dug wells at \$700. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Schulz, Volkmer, Hansen

NAY: None

EXCUSED: Burke, Dickinson, Regier, Siebert

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Moore gave a report on the Budget, Planning & Legislative Committee meeting held June 25, 1996 and reviewed the committee report as distributed.

FINANCIAL STATEMENT

Volkmer made the motion (Motion # 31) to approve the financial statement and budget report as of May 31, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Buller. Question called. Motion carried.

AYE: Austin, Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Volkmer, Hansen

NAY: None

ABSENT: Moore, Schulz

EXCUSED: Burke, Dickinson, Regier, Siebert

Meeting adjourned at 10:05 p.m..

James K. Jackson, Secretary

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JULY 18, 1996

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Wayne Hansen at 8:05 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman	Yvonne Austin, Vice Chairman
James 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
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Rodney DeBuhr, Staff
Prudence Sadler, Staff	Ken Feather, Staff
Curtis Schneider, York	Vance A. Teegerstrom, Stromsburg
Mervin Rystrom, Stromsburg	Jay Bitner, Staff
Rebecca Oltmans, York News-Times	

ROLL CALL

Nine directors were present during quorum call. Austin, Ediger, Houdersheldt, and Regier 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 July 5, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

REQUESTS FOR EXCUSED ABSENCE

Ehlers made the motion (Motion #1) to excuse the absence of Luke Jacobsen and Roger Siebert from the July 18, 1996 board of directors meeting. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen

NAY: None

ABSENT: Austin, Ediger, Houdersheldt, Jacobsen, Regier, Schulz, Siebert,

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the agenda for the July 18, 1996 board of directors meeting as distributed. Seconded by Oswald.. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ehlers, Jackson, Moore, Oswald, Volkmer Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Austin, Ediger, Houdersheldt, Regier, Schulz

APPROVAL OF MINUTES OF THE JUNE 27, 1996 BOARD MEETING

Moore made the motion (Motion #3) to approve the minutes of the June 27, 1996 board of directors meeting as distributed. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Houdersheldt, Regier, Schulz

ADOPTION OF GWMA RULES AND REGULATIONS

Burke made the motion (Motion #4) to adopt "Rule 5 Upper Big Blue Natural Resources District Control Area Groundwater Management Area Rules and Regulations". Seconded by Moore.

Ehlers made the motion (Motion #5) to delete paragraph 03 from Chapter 11 "Water Well Spacing" and renumber the remaining paragraphs. Seconded by Oswald. Question called on the amendment. Amendment carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen
NAY: None
EXCUSED: Jacobsen, Siebert
ABSENT: Ediger, Houdersheldt, Regier, Schulz

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

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen
NAY: None
EXCUSED: Jacobsen, Siebert
ABSENT: Houdersheldt, Regier, Schulz

PROJECTS COMMITTEE REPORT

Burke gave a report on the Projects Committee meeting held July 8, 1996 and reviewed the committee report as distributed.

LATE WELL PERMIT

Burke made the motion (Motion #6) to approve late well permit number UBB-1-2090 for a well drilled in the NW 1/4 of Section 12, Township 9 North, Range 2 West, York County, owned by Ralph Eggerling of Waco, Nebraska. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen
NAY: None
PASS: Buller
EXCUSED: Jacobsen, Siebert
ABSENT: Houdersheldt, Regier, Schulz

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Burke made the motion (Motion #7) that six 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: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen
NAY: None
EXCUSED: Jacobsen, Siebert
ABSENT: Houdersheldt, Regier, Schulz

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Burke made the motion (Motion #8) that payment of NSWCP land treatment funds be made in the amount of \$4,028.50 for three applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen
NAY: None
EXCUSED: Jacobsen, Siebert
ABSENT: Houdersheldt, Regier, Schulz

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Burke made the motion (Motion #10) that payment of NRD land treatment funds be made in the amount of \$3,880.67 for six applications reviewed by the committee.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Moore, Oswald, Volkmer, Hansen
NAY: None
PASS: Houdersheldt
EXCUSED: Jacobsen, Siebert

ABSENT: Regier, Schulz

SEWARD FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

Claim number four has been filed by the City of Seward for reimbursement for appraisal fees on the Seward Flood Hazard Mitigation Project. The total amount of this claim is \$2,300.00. \$1,725.00 is the FEMA share, \$287.50 is the NRD share and \$287.50 is the city's share.

Burke made the motion (Motion #11) that payment of \$287.50 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$1,725.00 for the FEMA share of claim number 4 of the Seward Flood Hazard Mitigation Project and that the FEMA share be paid to the city when it is received by the district. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Regier, Schulz

DAVID CITY NORTHWEST DRAINAGE PROJECT

The design of phase 1 of the David City Northwest Drainage Project will require a dam to be built in Section 12, Township 15 North, Range 2 East of Butler County, located northwest of David City. The original plan for phase 1 did not include a dam. Amendment number 1 to the interlocal agreement between the NRD's and Butler County is proposed to expand the scope of work on phase 1 to include the dam. Engineering costs due to this change will increase by \$14,900.00 to be split between the Upper Big Blue NRD and the Lower Platte North NRD.

Burke made the motion (Motion #12) that amendment number 1 to the interlocal agreement for the David City Northwest Drainage Project between the Upper Big Blue NRD, Lower Platte North NRD, and Butler County be approved. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Regier, Schulz

EDUCATION AND PARKS COMMITTEE REPORT

Volkmer gave a report on the Education and Parks Committee meeting held July 11, 1996 and reviewed the committee report as distributed.

ARCHERY RANGE AGREEMENT WITH NEBRASKA GAME & PARKS COMMISSION

Volkmer made the motion (Motion #13) that the Upper Big Blue NRD Board of Directors approve the archery range agreement between the Upper Big Blue Natural Resources District and the Nebraska Game & Parks Commission, and authorize the chairman of the board to sign the agreement. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Regier, Schulz

PAYMENT TO YORK COLD STORAGE

Volkmer made the motion (Motion #14) that the Upper Big Blue NRD make payment of \$800.00 to York Cold Storage for storage of nursery stock during the month of June 1996. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Moore, Oswald, Volkmer, Hansen

NAY: Austin, Ehlers

EXCUSED: Jacobsen, Siebert

ABSENT: Regier, Schulz

AGREEMENT BETWEEN NNRC & UBBNRD- LB 71 FUNDS FOR PROJECT 15-10-2W

Volkmer made the motion (Motion #15) that the Upper Big Blue NRD Board of Directors approve the agreement between the Nebraska Natural Resources Commission and the Upper Big Blue NRD for LB 71 funds and authorize the chairman of the board to sign the agreement. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Regier, Schulz

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Houdersheldt gave a report on the Budget, Planning & Legislative Committee meeting held July 17, 1996 and reviewed the committee report as distributed.

FY97 BUDGET

Turnbull reviewed the draft budget and lid limits imposed by LB 299. He also discussed the LC-3 Lid Computation Form used to determine the limit of property tax increase. The board can vote to exceed the 2% limit by an additional 1% provided three fourths of the board members vote for approval of the additional increase. Any unused budget authority can be carried forward to the next budget year.

Houdersheldt made the motion (Motion #16) for the purpose of public hearing to approve an increase in the total budgeted restricted funds by an additional 1%, as shown on Form LC-3, page 3. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Hansen

NAY: Volkmer

EXCUSED: Jacobsen, Siebert

ABSENT: Schulz

Houdersheldt made the motion (Motion #17) to approve the FY 97 Budget for the purpose of public hearing. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Hansen

NAY: Volkmer

EXCUSED: Jacobsen, Siebert

ABSENT: Schulz

Houdersheldt made the motion (Motion #18) to set the budget hearing for 8:00 p.m., Thursday, August 15, 1996 just prior to the monthly board meeting. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Schulz

The county clerks are required to compute the preliminary levy for all subdivisions by September 10 and then publish that levy by September 20th. The clerks use last years tax dollar request and divide it by this years valuation. It has to be computed to at least 5 decimal places. If there is any difference in that number and the levy the board wants a public hearing must be held and a new levy set. The budget must be filed with the county clerks and the state auditor by September 20th.

Houdersheldt made the motion (Motion #19) that a special public hearing for the FY 97 tax levy be scheduled

for 8:00 p.m., Tuesday, September 17, 1996 and that the September board meeting be scheduled to begin at the close of the hearing on the 17th. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Schulz

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held July 17, 1996 and reviewed the committee report as distributed.

SECOND QUARTER DIRECTORS' PER DIEM AND EXPENSES

Austin made the motion (Motion #20) to approve payment of second quarter directors' per diem of \$6,350.00 and expenses of \$1,927.77. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt,
Jackson, Moore, Oswald, Regier, Volkmer, Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Dickinson, Schulz

LOWER PLATTE NORTH NRD AND LITTLE BLUE NRD SALARY REIMBURSEMENTS

The Lower Platte North NRD has submitted a bill for 6 months of NRCS clerical salary for the Butler County field office in the amount of \$3,707.14. The Little Blue NRD has submitted a bill for 12 months of NRCS clerical salary for the Adams County field office in the amount of \$2,439.18. The bill also includes \$7,074.88 for 12 months of NRCS clerical salary and \$29.40 for part-time technical help for the Clay County field office. The total request from Little Blue NRD is \$9,543.46.

Austin made the motion (Motion #21) to approve payment of \$3,707.14 to the Lower Platte North NRD for reimbursement of field office clerical salary for the period January 1, 1996 to June 30, 1996 and payment of \$9,543.46 to the Little Blue NRD for reimbursement of field office clerical salaries and part-time technical assistance for the period July 1, 1995 through June 30, 1996. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Jackson, Moore, Oswald, Regier, Volkmer, Hansen

NAY: Houdersheldt

EXCUSED: Jacobsen, Siebert

ABSENT: Schulz

APPOINT DIRECTOR FOR SUBDISTRICT 7

Letters of application were received from Mervin Rystrom and Vance A. Teegersrom expressing their desire to be appointed to serve the remainder of Bruce Anderson's term, which expires in January 1999. Both applicants reside in the subdistrict and are registered voters.

Ehlers made the motion (Motion #22) to cast ballots to appoint a director to fill the vacancy in subdistrict 7. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Schulz

Ballots were distributed and tallied. Teegerstrom received 8 votes; Rystrom 5 votes. Teegerstrom will serve as a director in subdistrict 7 until January 1999.

FINANCIAL STATEMENT

Volkmer made the motion (Motion # 23) to approve the financial statement and budget report as of June 30, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers,
Houdersheldt, Jackson, Moore, Oswald, Regier, Volkmer,
Hansen

NAY: None

EXCUSED: Jacobsen, Siebert

ABSENT: Schulz

Meeting adjourned at 9:40 p.m..

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
AUGUST 15, 1996

CALL TO ORDER

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

PRESENT

Wayne Hansen, Chairman
Steve Buller, Treasurer
Doug Dickinson, Director
Bob Ehlers, Director
Luke Jacobsen, Director
Louis Oswald, Director
Roland Schulz, Director
John Turnbull, Manager
Rod DeBuhr, Staff
Jay Bitner, Staff
Wm. Gilliam, York NRCS

James Jackson, Secretary
Ray Burke, Director
Ed Ediger, Director
Roger Houdersheldt, Director
Larry Moore, Director
Kenneth Regier, Director
Vance Teegerstrom, Director
Nancy Schneider, Staff
Prudence Sadler, Staff
Ken Feather, Staff
Rebecca Oltmans, York News-Times

ROLL CALL

Thirteen directors were present during quorum call. Houdersheldt arrived later in the meeting.

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each of the members as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published August 3, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

REQUESTS FOR EXCUSED ABSENCE

Burke made the motion (Motion #1) to excuse the absence of Merlin Volkmer from the August 15, 1996 board of directors meeting. Seconded by Jacobsen. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Teegerstrom, Hansen

NAY: None

ABSENT: Austin, Houdersheldt, Siebert, Volkmer

ADOPTION OF AGENDA

Ehlers made the motion (Motion #2) to adopt the revised agenda for the board of directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Siebert

APPROVAL OF MINUTES OF THE JULY 18, 1996 GROUND WATER MANAGEMENT AREA PUBLIC HEARING

Burke made the motion (Motion #3) to approve the minutes of the July 18, 1996 Ground Water Management Area Public Hearing as presented. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Siebert

APPROVAL OF MINUTES OF THE JULY 18, 1996 BOARD OF DIRECTORS MEETING

Oswald made the motion (Motion #4) to approve the minutes of the July 18, 1996 board of directors meeting as presented. Seconded by Jacobsen. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Siebert

ADOPTION OF THE FY 97 BUDGET

Ehlers made the motion (Motion #5) to adopt the FY 97 budget as presented. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Siebert

Houdersheldt made the motion (Motion #6) to approve an increase in the total budgeted restricted funds by an additional 1%. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Moore,
Oswald, Regier, Schulz, Teegerstrom, Hansen

NAY: Ehlers

EXCUSED: Volkmer

ABSENT: Austin, Siebert

WATER COMMITTEE REPORT

Ediger gave a report on the Water Committee Meeting held August 6, 1996 and reviewed the committee report as distributed.

YORK GROUND WATER RECHARGE PROJECT

PROPOSED ABANDONMENT OF YORK COLD STORAGE WATER LINE

Staff is recommending that the district abandon the pipeline from York Cold Storage to Recharge Lake because the line is no longer used. Abandoning the line would include the removal of the air relief risers and releasing the easements. If the board passes a motion to abandon the line, staff will prepare an itemized cost estimate for the boards review.

Ediger made the motion (Motion #7) to authorize the staff to proceed with plans for the abandonment of the York Cold Storage pipeline. Seconded by Teegerstrom.

The board discussed the matter and the general consensus was that it would be prudent to allow more time before abandoning the pipeline, in order to rule out the possibility of unforeseen future use.

Question called on the motion. Motion failed.

AYE: Ediger

NAY: Buller, Burke, Dickinson, Ehlers, Houdersheldt, Jacobsen, Moore, Oswald,
Regier, Schulz, Hansen

PASS: Jackson, Teegerstrom

EXCUSED: Volkmer

ABSENT: Austin, Siebert

YORK GROUND WATER RECHARGE PROJECT

319 TECHNICAL ASSISTANCE

Ediger made the motion (Motion #8) to pay NRCS \$5,833.25 for technical assistance associated with the

Recharge Lake 319 project for the quarter ending June 30, 1996. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Siebert

GROUND WATER MANAGEMENT AREA #2

USGS MONITORING STUDY PAYMENT

Ediger made the motion (Motion #9) to pay USGS \$10,000.00 for the Ground Water Quality Management Area monitoring study activities conducted during the quarter ending June 30, 1996. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Siebert

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM - FINAL PAYMENTS

Ediger made the motion (Motion #10) to approve final payment of three well abandonment applications for a total cost of \$483.44. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Siebert

CHEMIGATION PERMIT FEES

Ediger made the motion (Motion #11) to pay the Department of Environmental Quality \$1,895.00 for their portion of the chemigation permit fees collected from January 1, 1996 through July 31, 1996 for 850 renewals and 39 new permits. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Siebert

ATV LEASE PAYMENT

Ediger made the motion (Motion #12) to pay Doug's Garage \$950.00 for the June through September 1996 ATV lease. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Siebert

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Houdersheldt gave a report on the Budget, Planning & Legislative Committee meeting held August 6, 1996 and reviewed the committee report as distributed.

NARD RESOLUTIONS

RESOLUTION #96-1: UPDATE OF NEBRASKA WELL REGISTRATION LIST

Houdersheldt made the motion (Motion #13) that the district support resolution 96-1 Update of Nebraska Well Registration List. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Siebert

RESOLUTION #96-2: EXEMPTION FROM STATE AND LOCAL SALES TAXES

Houdersheldt made the motion (Motion #14) that the district support resolution 96-2 Exemption from State and Local Sales Taxes. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Siebert

RESOLUTION #96-3: INSTREAM FLOW WATER RIGHTS

Houdersheldt made the motion (Motion #15) that the district support resolution 96-3 Instream Flow Water Rights. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen,
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Siebert

RESOLUTION 96-4: WATER CONSERVATION IN THE REPUBLICAN RIVER BASIN

Houdersheldt made the motion (Motion #16) that the district take a neutral position on resolution 96-4 Water Conservation in the Republican River Basin. Seconded by Teegerstrom. Question called. Motion failed.

AYE: Burke, Dickinson, Ediger, Jackson, Oswald, Hansen
NAY: Buller, Ehlers, Houdersheldt, Moore, Schulz
PASS: Jacobsen, Regier, Teegerstrom
EXCUSED: Volkmer
ABSENT: Austin, Siebert

Ehlers made the motion (Motion #7) that the district oppose resolution 96-4 Water Conservation in the Republican River Basin. Seconded by Houdersheldt. Question called. Motion failed.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jacobsen, Hansen
NAY: Burke, Jackson, Moore, Oswald
PASS: Regier, Schulz, Teegerstrom
EXCUSED: Volkmer
ABSENT: Austin, Siebert

Moore made the motion (Motion #18) to support resolution 96-4 Water Conservation in the Republican River Basin. Seconded by Jacobsen. Question called. Motion failed.

AYE: Jackson, Moore
NAY: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Schulz, Hansen
PASS: Jacobsen, Oswald, Regier, Teegerstrom
EXCUSED: Volkmer
ABSENT: Austin, Siebert

RESOLUTION #96-5: PUBLICATION OF NOTICES FOR RULES AND REGULATIONS UNDER THE GROUNDWATER MANAGEMENT AND PROTECTION ACT

Houdersheldt made the motion (Motion #19) that the district support resolution 96-5 Publication of Notices for Rules and Regulations Under the Groundwater Management and Protection Act. Seconded by Jacobsen. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen,
Moore, Oswald, Regier, Teegerstrom, Hansen

NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Siebert

RESOLUTION #96-6: FLOW METER TAXATION

Houdersheldt made the motion (Motion #20) that the district support resolution 96-6 Flow Meter Taxation. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Ediger, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Teegerstrom
NAY: Dickinson, Moore
PASS: Ehlers, Hansen
EXCUSED: Volkmer
ABSENT: Austin, Siebert

RESOLUTION #96-7: ENVIRONMENTAL TRUST FUND DISTRIBUTION

Houdersheldt made the motion (Motion #21) that the district support resolution 96-7 Environmental Trust Fund Distribution. Seconded by Jackson. Question called. Motion failed.

AYE: Ediger, Regier
NAY: Buller, Burke, Dickinson, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Hansen
PASS: Jacobsen, Teegerstrom
EXCUSED: Volkmer
ABSENT: Austin, Siebert

RESOLUTION #96-8: PLATTE RIVER INSTREAM FLOW

Houdersheldt made the motion (Motion #22) that the district support resolution 96-8 Platte River Instream Flow. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Schulz, Siebert

RESOLUTION #96-9: REVISE NEBRASKA EROSION AND SEDIMENT CONTROL ACT

The Lower Niobrara NRD submitted this resolution for consideration during the NARD conference. A two-thirds majority vote is required by the NARD board to bring it to the floor to be voted upon.

Ehlers made the motion (Motion #23) to direct the NARD Representative to vote to get resolution 96-9 Revise Nebraska Erosion and Sediment Control Act on the floor, and if successful, to vote in support of the resolution. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Schulz, Siebert

RESOLUTION #96-10: AUTHORITY TO PARTICIPATE IN SURFACE WATER RIGHTS APPLICATION PROCESS BEFORE THE NEBRASKA DEPARTMENT OF WATER RESOURCES

This resolution was submitted by the Twin Platte NRD for consideration at the NARD conference. It also required a two-thirds majority vote for consideration.

Burke made the motion (Motion #24) to direct the NARD Representative to vote to oppose bringing resolution 96-10 Authority to Participate in Surface Water Rights Application Process before the Nebraska Department of Water Resources to the floor. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen
NAY: None

EXCUSED: Volkmer
ABSENT: Austin, Schulz, Siebert

EXECUTIVE COMMITTEE REPORT

Jackson gave a report on the Executive Committee meeting held August 6, 1996 and reviewed the committee report as distributed.

SALARY REIMBURSEMENT - LOWER BIG BLUE NRD

The Lower Big Blue NRD has submitted a bill for the UBBNRD share of the annual clerical salary at the Saline County NRCS office in the amount of \$3,070.14.

Jackson made the motion (Motion #25) to approve payment of \$3,070.14 to the Lower Big Blue NRD for reimbursement of NRCS clerical salary for the period July 1, 1995 to June 30, 1996. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Jackson, Jacobsen, Oswald, Regier, Teegerstrom, Hansen
NAY: Ehlers, Houdersheldt, Moore
EXCUSED: Volkmer
ABSENT: Austin, Schulz, Siebert

FY 97 NARD DUES

Jackson made the motion (Motion #26) to approve payment of \$12,774.30 for FY 97 association dues to the NARD. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Houdersheldt, Schulz, Siebert

EDUCATION AND PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education and Parks Committee meeting held August 8, 1996 and reviewed the committee report as distributed.

APPRAISAL REPORT ON PROJECT 15-10-2W - TODD DAM

Jacobsen made the motion (Motion #27) that the Upper Big Blue NRD accept the appraisals prepared by Deets Real Estate and Appraisals Service for the NW 1/4 of Section 15-10-2W (Todd Dam). This appraisal will be used in negotiations. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Houdersheldt, Schulz, Siebert

PAYMENT TO DEETS REAL ESTATE AND APPRAISAL

Jacobsen made the motion (Motion #28) that the Upper Big Blue NRD make payment of \$1,425.00 for the appraisal work done on lands located in the E 1/2 of the NW1/4 and the SW 1/4 of Section 15-10-2W and the E 1/2 of the SE 1/4 of Section 16-10-2W (Todd Dam). Seconded by Regier. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Houdersheldt, Schulz, Siebert

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held August 12, 1996 and reviewed the committee

report as distributed.

NSWCP FUND APPLICATIONS

Regier made the motion (Motion #29) that seven 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: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Oswald, Regier, Teegerstrom, Hansen

NAY: Moore

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Schulz, Siebert

NSWCP FUND PAYMENTS

Regier made the motion (Motion #30) that payment of NSWCP land treatment funds be made in the amount of \$4,183.91 for three applications reviewed by the committee. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Schulz, Siebert

NRD LAND TREATMENT APPLICATIONS

Regier made the motion (Motion #31) that two 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: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Schulz, Siebert

NRD LAND TREATMENT PAYMENTS

Regier made the motion (Motion #32) that payment of NRD land treatment funds be made in the amount of \$758.68 for two applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Schulz, Siebert

CONSIDER COST-SHARE ON LAND TREATMENT PRACTICES DAMAGED BY STORMS

The committee discussed the issue and agreed that land treatment practices damaged by storms should be repaired at the landowner's expense. This type of work is considered maintenance and the NRD's current policy is not to cost-share on maintenance. No board action was recommended.

CONSIDER COST-SHARE ON REPLACEMENT OF GATES & GASKETS FOR GATED PIPE

The NSWCP program allows cost-share for replacement gates and gaskets on gated pipe if the NRD has adopted the Irrigation Water Management Practice (NC17). Since the Upper Big Blue NRD has not adopted NC17, cooperators in the district are not eligible for cost-share on replacement gates and gaskets.

Regier made the motion (Motion #33) that a program to implement cost-share on replacement gates and gaskets for gated pipe not be adopted. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Schulz, Siebert

SEWARD FLOOD HAZARD MITIGATION PROJECT PROGRESS PAYMENT

Claim no. 5 has been filed by the City of Seward for reimbursement of appraisal fees on the Seward Flood Hazard Mitigation Project. The total claim amount is \$1,420.00. The FEMA share is \$1,065.00 and the city and NRD shares are each \$177.50.

Regier made the motion (Motion #34) that payment of \$177.50 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$1,065.00 for the FEMA share of claim number 5 of the Seward Flood Hazard Mitigation Project and that the FEMA share be paid to the city when it is received by the district. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Schulz, Siebert

DAVID CITY NORTHWEST DRAINAGE PROJECT (12-15-2E)

Drilling and testing is required for dam site 12-15-2E, which is part of phase 1 of the David City Northwest Drainage Project. Proposals were received from Geotechnical Services, Inc. (GSI) for \$5,045.00 and HWS, Inc. for \$6,798.50. The staff recommends hiring GSI to perform the drilling and testing work for dam site 12-15-2E.

Regier made the motion (Motion #35) that GSI, Inc. be awarded a contract to perform drilling, testing and geotechnical engineering on project 12-15-2E in accordance with their proposal dated May 31, 1996 for a fee not to exceed \$5,045.00. Seconded by Jacobsen. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Schulz, Siebert

HENDERSON DRAINAGE PROJECT

The Projects Committee has reviewed the interlocal agreement for the Henderson Drainage Project. In the agreement, the district agrees to provide planning, engineering and design for drainage improvements at Henderson. The city agrees to reimburse the district for 50% of engineering costs and to construct, own, operate and maintain drainage improvements. The engineering cost estimate is \$16,400.00. No changes to the agreement are recommended.

Regier made the motion (Motion #36) that the chairman be authorized to execute the interlocal agreement between the district and City of Henderson for the Henderson Drainage Project. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Oswald, Regier,
Teegerstrom, Hansen

NAY: None

EXCUSED: Volkmer

ABSENT: Austin, Houdersheldt, Moore, Schulz, Siebert

HENDERSON DRAINAGE PROJECT AERIAL PHOTOGRAPHY

Staff recommends that aerial photography be used to provide a topographic map of the Henderson Drainage Project area. The total area to be mapped is four square miles in and around Henderson. Proposals were received from Western Air Maps (\$10,160) and Horizons, Inc. (\$25,420.80). Staff recommends that Western Air Maps be hired to provide aerial photography for mapping.

Regier made the motion (Motion #37) that Western Air Maps, Inc. be hired to provide aerial photography and digital terrain modeling for topographic mapping of the Henderson Drainage Project for a fee not to exceed \$10,160.00. Seconded by Jacobsen. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Houdersheldt, Schulz, Siebert

WEST FORK DAM

Proposals have been received for aerial photography services on the West Fork Dam site. The area to be mapped includes approximately 8 square miles. This mapping will be the basis for future detailed planning. Proposals were received from Horizons, Inc. (\$73,680) and Western Air Maps, Inc. (\$30,315).

After some discussion the committee decided not to proceed with aerial photography at this time. The committee requested that additional public meetings be held this winter for both the West Fork and Indian Creek projects. The Committee recommends that work currently underway to collect stream flow and water quality data be continued at both sites.

FINANCIAL STATEMENT

Moore made the motion (Motion #38) to approve the financial statement and budget report as of July 31, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Burke. Question called. Motion carried.

AYE: Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald,
Regier, Teegerstrom, Hansen
NAY: None
EXCUSED: Volkmer
ABSENT: Austin, Houdersheldt, Schulz, Siebert

Meeting adjourned at 10:30 p.m.

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
SEPTEMBER 17, 1996

CALL TO ORDER

A regular board of directors meeting was called to order by Chairman Wayne Hansen at 8:09 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Wayne Hansen, Chairman	Yvonne Austin, Vice Chairman
James Jackson, Secretary	Raymond Burke, Director
Douglas Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Roger Houdersheldt, Director
Larry Moore, Director	Kenneth Regier, Director
Teegerstrom, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Prudence Sadler, Staff	Rod DeBuhr, Staff
Ken Feather, Staff	Gary Eberle, Bradshaw
Wm. Gilliam, York NRCS	Richard Jiskra, NNRC
Rebecca Oltmans, York News-Times	Meshelle Boruch, Village of Shelby
Aileen Diersen, Village of Shelby	Kimberly K. Hoefler, Village of Shelby

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each of the members as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published September 5, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ROLL CALL

Twelve directors were present during quorum call.

REQUESTS FOR EXCUSED ABSENCE

Ehlers made the motion (Motion #1) to excuse the absence of Steve Buller and Louis Oswald from the September 17, 1996 board of directors meeting. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Buller, Jacobsen, Oswald, Schulz, Siebert

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the revised agenda for the September 17, 1996 board of directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

APPROVAL OF MINUTES OF THE AUGUST 15, 1996 BUDGET HEARING

Volkmer made the motion (Motion #3) to approve the minutes of the August 15, 1996 Budget Hearing as distributed. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None
EXCUSED: Buller, Oswald
ABSENT: Jacobsen, Schulz, Siebert

APPROVAL OF MINUTES OF THE AUGUST 15, 1996 BOARD OF DIRECTORS MEETING

Ehlers made the motion (Motion #4) to approve the minutes of the August 15, 1996 board of directors meeting as distributed. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen
NAY: None
EXCUSED: Buller, Oswald
ABSENT: Jacobsen, Schulz, Siebert

FY97 BUDGET - TAX LEVY

Moore made the motion (Motion #5) to adopt the following resolution:

Resolution 97-1

WHEREAS the FY97 Budget for the Upper Big Blue NRD, as adopted by this board of directors on August 15, 1996, has a property tax requirement of \$936,926.78;

WHEREAS the final total valuation of the NRD is \$3,528,552,961;

WHEREAS the County Clerk's preliminary levy of \$0.02064 will only generate \$918,510.87;

THEREFORE BE IT RESOLVED by this board of directors on September 17, 1996, to set the FY 97 tax levy at \$0.02638 for the Upper Big Blue Natural Resources District.

Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Hansen
NAY: None
PASS: Volkmer
EXCUSED: Buller, Oswald
ABSENT: Jacobsen, Schulz, Siebert

PROJECTS COMMITTEE MEETING REPORT

Houdersheldt gave a report on the Projects Committee meeting held September 9, 1996 and reviewed the committee report as distributed.

NSWCP FUND APPLICATIONS

Houdersheldt made the motion (Motion #6) that 17 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: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen
NAY: None
EXCUSED: Buller, Oswald
ABSENT: Jacobsen, Schulz, Siebert

NSWCP FUND PAYMENTS

Houdersheldt made the motion (Motion #7) that payment of NSWCP land treatment funds be made in the amount of \$6,845.09 for 4 applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen
NAY: None

EXCUSED: Buller, Oswald
ABSENT: Jacobsen, Schulz, Siebert

NRD LAND TREATMENT APPLICATIONS

Houdersheldt made the motion (Motion #8) that 6 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: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

NRD LAND TREATMENT PAYMENTS

Houdersheldt made the motion (Motion #9) that payment of NRD land treatment funds be made in the amount of \$4,728.18 for 7 applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

SEWARD FLOOD HAZARD MITIGATION PROJECT PROGRESS PAYMENT

Claim number 6 has been filed by the City of Seward for reimbursement of negotiator fees on the Seward Flood Hazard Mitigation Project. The total amount of this claim is \$4,517.04. The FEMA share is \$3,387.78. The NRD and City's shares are both \$564.63.

Houdersheldt made the motion (Motion #10) that payment of \$564.63 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$3,387.78 for the FEMA share of claim number 6 of the Seward Flood Hazard Mitigation Project, and that the FEMA share be paid to the City when it is received by the district. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

PROJECT 15-10-2W - TODD DAM

Previous foundation drilling at Project 15-10-2W has indicated a deep sand and gravel layer beneath the proposed lake. If seepage loss from the lake is high, recreation benefits will be reduced.

Staff has recommended additional drilling and testing to determine the expected seepage loss. The additional drilling and testing will be done on a time and materials basis. Drilling will cost \$6.50 per foot, sampling will cost \$2.50 per foot, hydraulic conductivity tests are \$200 each and mobilization is \$150. Bitner estimates that two test holes with depths of between 50 and 60 feet, and two hydraulic conductivity tests will be needed. Based on his estimate the additional cost would be approximately \$1,500.

Houdersheldt made the motion (Motion #11) that the district's agreement with Geotechnical Services, Inc. be amended to include additional drilling and testing at Project 15-10-2W, on a time and materials basis, to determine seepage loss potential. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

WEST FORK AND INDIAN CREEK DAMS

The district is proposing to hold meetings to get public input on the Indian Creek and West Fork Dams. Staff recommends that aerial photography be conducted this fall so that detailed mapping can be started following these public meetings.

A proposal to provide the aerial photography has been received from Western Air Maps, Inc. The cost of photography will be \$995.00 for Indian Creek and \$1,700.00 for the West Fork Dam.

Houdersheldt made the motion (Motion #12) that Western Air Maps, Inc. be hired to perform aerial photography at the West Fork and Indian Creek Dam sites for a fee of \$2,695.00. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

PROJECT 23-13-2E - ULYSSES DAM

This project would consist of an earth filled dam and public access area for recreation. The watershed has an area of 2,523 acres and the lake would have an area of 22 acres at normal pool. Conservation storage volume is 140 acre feet. Construction cost for the dam is estimated to be \$100,000.00.

Staff recommends that this project be activated for planning and that detailed mapping be performed using aerial photography.

Houdersheldt made the motion (Motion #13) that Project 23-13-2E, Ulysses Dam, be activated for planning. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

A proposal was received from Western Air Maps, Inc. to perform aerial photography and detailed mapping for a fee of \$4,695.00. Staff recommends that Western Air Maps, Inc. be hired to perform the mapping.

Houdersheldt made the motion (Motion #14) that Western Air Maps, Inc. be hired to perform aerial photography and detailed mapping for Project 23-13-3E for a fee of \$4,695.00. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

WATER COMMITTEE REPORT

Teegerstrom gave a report on the Water Committee Meeting held September 10, 1996 and reviewed the committee report as distributed.

YORK GROUNDWATER RECHARGE PROJECT

PAYMENT TO UNL WATER SCIENCES LABORATORY

Teegerstrom made the motion (Motion #15) to pay the University of Nebraska Water Sciences Laboratory \$4,590.25 for analysis of 35 pesticide and 35 nitrate samples collected in May, June and July. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None
EXCUSED: Buller, Oswald
ABSENT: Jacobsen, Schulz, Siebert

GROUND WATER MANAGEMENT AREA #1
LATE WELL PERMIT

Rod reported that a well was drilled by Grosch Irrigation for Beryl R. Bauer in the SE ¼ of Section 17, Township 14 North, Range 2 East, Butler County. Due to confusion between the landowner and driller no one applied for a permit. Mr. Bauer has paid the \$250.00 application fee. No other regulations were violated by the construction of this well.

Teegerstrom made the motion (Motion #16) to approve late permit UBB-1-2105 for Beryl R. Bauer of Route 3, Seward for a well drilled in the SE ¼ of Section 18, Township 14 North, Range 2 East, Butler County. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

GROUND WATER MANAGEMENT AREA #1
AUTOMATIC RECORDER WELL OPERATIONS AGREEMENT

The district shares the cost of operating 4 automatic recorder wells with the U.S. Geological Survey. These wells are located near Aurora, Burress, Rising City and Seward. These wells continuously record the ground water level. The total cost for operation in federal fiscal year 1997 will be \$2,270.00, up slightly from \$2,124.00 in the previous year. The district's share is \$1,135.00 which is 50 percent.

Teegerstrom made the motion (Motion #17) to approve the agreement with the U.S. Geological Survey for the operation of the Aurora, Burress, Rising City and Seward recorder wells for the period October 1, 1996 through September 30, 1997. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM - FINAL PAYMENTS

Teegerstrom made the motion (Motion #18) to approve the final payment of 6 well abandonment applications for a total cost of \$1,473.56. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held September 10, 1996 and reviewed the committee report as distributed.

COPIER PURCHASE

The current copier was purchased in July 1989 and needs to be replaced. Quotes for a new copier were obtained from 3 suppliers.

COPIER QUOTES

SUPPLIER	BRAND	MODEL	LIST PRICE	GSA PRICE	TRADE-IN	PURCHASE PRICE
Eakes Office Equip., Grand Island	Sharp	SD-2060	30,845	17,918	1,000	16,918
Modern Methods, Hastings	Canon	NP-6050	30,000	15,500	1,250	14,250
Solutions by Lincoln Office Equip, Lincoln	Minolta	EP-6000	23,835	15,238	1,059	14,179

Staff recommended the purchase of the Minolta EP-6000 CS/PRO copier from Solutions by Lincoln Office Equipment for \$14,179.00, with trade-in of the Sharp 9750 copier.

Austin made the motion (Motion #19) to authorize the purchase of a Minolta EP 6000 CS/PRO copier from Solutions by Lincoln Office Equipment of Lincoln, Nebraska for \$14,179.00, plus tax and trade-in of the Sharp 9750 office copier. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

ATTORNEY FEES

The district received a bill from the attorney for \$62.50 for preparing the Auditor's Opinion.

Austin made the motion (Motion #20) to approve payment of \$62.50 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through August 20, 1996. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

FORMAL HEARING FOR KUHNS VS. SPRINGER

A formal hearing before the board of directors has been requested by Mr. Eldon Kuhns. Chairman Hansen has scheduled the hearing at 8:00 p.m., Thursday, October 10, 1996 in the NRD board room, 105 Lincoln Avenue, York, Nebraska.

Hearing Examiner

The District's rules require the board to appoint a hearing examiner for any formal hearing. The rules state that "the examiner may be a board member, a member of the district staff or any other person deemed to be knowledgeable in the procedures set out in the rules and subject matter being considered at the hearing." The rules also state that "examiners have no power to take any action involving a final determination to the

proceedings."

Austin made the motion (Motion #21) to appoint Jay Bitner as the Hearing Examiner for the formal hearing for Kuhns vs. Springer. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Volkmer, Hansen

NAY: None

PASS: Teegerstrom

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

Special Board Meeting

Chairman Hansen has scheduled a special board meeting to be held at 8:00 p.m., Thursday, October 10, 1996 in the district board room. The special board meeting is being scheduled to allow the board to decide the case of Kuhns vs. Springer on the night of the hearing, if they so choose.

EDUCATION AND PARKS COMMITTEE REPORT

Volkmer gave a report on the Education and Parks Committee meeting held September 12, 1996 and reviewed the committee report as distributed.

SHELBY CITY PARK IMPROVEMENT PROJECT

Volkmer made the motion (Motion #22) that the Upper Big Blue NRD fund park improvements for the City of Shelby in the amount of 25% of the local share not to exceed \$2,500.00 for playground equipment and additional tree plantings in the city park. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

CURRENT UPPER BIG BLUE NRD PARK POLICY

The current NRD Park Policy reads 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.

Volkmer made the motion (Motion #23) to change the policy to read "NRD cost-share: The District will fund up to 25 percent of *the local share*, 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." Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

COOPERATIVE AGREEMENT WITH U.S. FISH & WILDLIFE SERVICE

Volkmer made the motion (Motion #24) that the chairman of the board sign the Cooperative Agreement between the Upper Big Blue NRD and the U.S. Fish & Wildlife Service for the period September 17, 1996 to September 30, 1997. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson,
Moore, Regier, Teegerstrom, Hansen

NAY: None

PASS: Volkmer

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

FINANCIAL STATEMENT

Volkmer made the motion (Motion #25) to approve the financial statement and budget report as of August 31, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Buller, Oswald

ABSENT: Jacobsen, Schulz, Siebert

Meeting adjourned at 9:36 p.m.

James K. Jackson, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
OCTOBER 17, 1996

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
Ray Burke, Director	Ed Ediger, Director
Bob Ehlers, Director	Roger Houdersheldt, Director
Larry Moore, Director	Buzz Oswald, Director
Roland Schulz, Director	Roger Siebert, Director
Vance Teegerstrom, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Prudence Sadler, Staff	Jay Bitner, Staff
Ken Feather, Staff	Rod DeBuhr, Staff
Ray Naber, Seward Co. Commissioner	Donna Rhoades, York News-Times

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each of the members as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published October 4, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ROLL CALL

Thirteen directors were present during quorum call. Moore arrived later in the meeting.

REQUESTS FOR EXCUSED ABSENCE

Houdersheldt made the motion (Motion #1) to excuse the absence of Doug Dickinson from the October 17, 1996 board of directors meeting. Seconded by Ehlers. Question called. Motion carried.

A YE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Dickinson, Jacobsen, Moore, Regier

ADOPTION OF AGENDA

Burke made the motion (Motion #2) to approve the revised agenda for the October 17, 1996 board of directors meeting as presented. Seconded by Teegerstrom. Question called. Motion carried.

A YE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

APPROVAL OF MINUTES OF THE SEPTEMBER 17, 1996 TAX LEVY HEARING

Oswald made the motion (Motion #3) to approve the minutes of the September 17, 1996 tax levy hearing as presented. Seconded by Burke. Question called. Motion carried.

A YE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier
EXCUSED: Dickinson

APPROVAL OF MINUTES OF THE SEPTEMBER 17, 1996 BOARD MEETING

Houdersheldt made the motion (Motion #4) to approve the minutes of the September 17, 1996 board of directors meeting as presented. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

PROJECTS COMMITTEE MEETING REPORT

Burke gave a report on the Projects Committee meeting held October 7, 1996 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Burke made the motion (Motion #5) that fourteen 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, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Burke made the motion (Motion #6) that payment of NSWCP Land Treatment funds be made in the amount of \$2,018.26 for one application reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Burke made the motion (Motion #7) that four new applications for NRD 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, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Burke made the motion (Motion #8) that payment of NRD Land Treatment funds be made in the amount of \$1,483.14 for two applications reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

PROJECT 15-10-02W - (TODD DAM)

Drilling and testing for the dam at Project 15-10-02W have been completed in accordance with our contract with Geotechnical Services, Inc.. Staff recommends that payment for drilling and testing be made to Geotechnical Services, Inc. in the amount of \$5,519.95.

Burke made the motion (Motion #9) that Geotechnical Services, Inc. be paid \$5,519.95 for drilling and testing services for the dam at Project 15-10-2W. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

WATER COMMITTEE REPORT

Siebert gave a report on the Water Committee Meeting held October 8, 1996 and reviewed the committee report as distributed.

YORK GROUND WATER RECHARGE DEMONSTRATION PROJECT

NRCS QUARTERLY PAYMENT FOR RECHARGE 319 TECHNICAL ASSISTANCE

Siebert made the motion (Motion #10) to pay the Natural Resources Conservation Service \$5,833.25 for technical assistance provided for the Recharge Lake Watershed 319 Project for the quarter which ended September 30, 1996. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Moore, Regier

EXCUSED: Dickinson

PAYMENT TO UNL WATER SCIENCES LABORATORY

Siebert made the motion (Motion #11) to pay the University of Nebraska - Lincoln Water Sciences Laboratory \$2,323.40 for eighteen pesticide and sixteen nitrate analysis completed on August 1996 water samples. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Oswald, Schulz,
Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

PASS: Moore

ABSENT: Jacobsen, Regier

EXCUSED: Dickinson

POST-PROJECT INVENTORY - EXTENSION AGREEMENT

The post-project inventory is the final phase of the Recharge Lake 319 Project. The inventory will show what changes have occurred in pesticide use as a result of the project and other factors. The inventory will be conducted by Gary Zoubek of the Cooperative Extension Office, York County. He also did the pre-project inventory. The inventory will cost \$6,000.

Siebert made the motion (Motion #12) to enter into an agreement with the University of Nebraska to conduct a post-project inventory of the pesticide use and producer attitudes in the Recharge Lake Watershed. Seconded by Burke. Question called. motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Regier

EXCUSED: Dickinson

GWMA #1 (GROUND WATER SUPPLY)

RECORDER WELL OPERATION AND MAINTENANCE PAYMENT

Siebert made the motion (Motion #13) to pay USGS \$1,062.00, which is the District's share of cost of operation and maintenance for the Aurora, Burrell, Rising City and Seward automated recorder wells. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Regier

EXCUSED: Dickinson

GWMA #2 (GROUND WATER QUALITY)

AQWACAP FINAL PAYMENTS

Siebert made the motion (Motion #14) to make final payment for two completed well abandonments for a total cost-share amount of \$800.00. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Regier

EXCUSED: Dickinson

GWMA #2 (GROUND WATER QUALITY)

MANAGEMENT AREA MONITORING STUDY - USGS CONTRACT

Siebert made the motion (Motion #15) to approve the FY97 contract with USGS for the Ground Water Quality Management Area Monitoring Study in the amount of \$52,000. The cost to be divided 50 percent USGS and 50 percent NRD. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Regier

EXCUSED: Dickinson

GWMA #2 (GROUND WATER QUALITY)

USGS QUARTERLY PAYMENT

Siebert made the motion (Motion #16) to pay USGS \$10,625.00 for work completed on the Ground Water Quality Management Area Monitoring Study during the quarter ending September 30, 1996. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Regier

EXCUSED: Dickinson

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held October 8, 1996 and reviewed the committee report as distributed.

THIRD QUARTER DIRECTORS' PER DIEM AND EXPENSES

Austin made the motion (Motion #17) to approve payment of third quarter directors' per diem of \$7,300.00 and expenses of \$2,245.78. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Jacobsen, Regier

EXCUSED: Dickinson

PORTABLE DISPLAY EQUIPMENT

The Public Information Department needs a second portable display to help meet the demand for NRD information. The existing display is a Nimlok brand, purchased seven or eight years ago, used as a traveling display for area banks and home shows. When the portable display is not being used at other locations, it is located in the NRD office entry. The second display will allow wider exposure for the district. A professional looking display is important for the public image of the District. The new display has been budgeted for in the FY97 budget.

Two quotes were received:
Exhibit Solutions, Omaha NE.
Nimlok Easy 3 portable display \$2,360.75

Midland Display Products, Shawnee, KS
Featherlite Express \$2,566.90

Austin made the motion (Motion # 18) to approve the purchase of a Nimlok Easy 3 portable display from Exhibit Solutions of Omaha, Nebraska for \$2,360.75. Seconded by Burke. Question called. Motion carried.

A YE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen
NAY: None
EXCUSED: Dickinson
ABSENT: Jacobsen, Regier

FY 97 TREE PROGRAM

Ehlers made the motion (Motion #19) that the following costs be adopted for the FY 97 tree program: trees 46 cents each , plus tax; planting 29 cents each. Seconded by Houdersheldt. Question called. Motion carried.

A YE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen
NAY: None
EXCUSED: Dickinson
ABSENT: Jacobsen, Regier

FINANCIAL STATEMENT

Volkmer made the motion (Motion #20) to approve the financial statement and budget report as of September 30, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Houdersheldt. Question called. Motion carried.

A YE: Austin, Buller, Burke, Ediger, Ehlers, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Siebert, Teegerstrom, Volkmer, Hansen
NAY: None
EXCUSED: Dickinson
ABSENT: Jacobsen, Regier

Meeting adjourned at 8:45 p.m.

James K. Jackson, Secretary
:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
NOVEMBER 21, 1996

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	Luke Jacobsen, Director
Larry Moore, Director	Louis Oswald, Director
Kenneth Regier, Director	Roland Schulz, Director
Roger Siebert, Director	Vance Teegerstrom, Director
Merlin Volkmer, Director	John Turnbull, General Manager
Nancy Schneider, Staff	Rod DeBuhr, Staff
Prudence Sadler, Staff	Ken Feather, Staff
Jay Bitner, Staff	Wm. Gilliam, York NRCS
Cindy Klein, York NRCS	Nancy Chitwood, Aurora NRCS
John B. Keller, Harvard	Richard Jiskra, NNRC

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each of the members as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published November 7, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ROLL CALL

Sixteen directors were present during quorum call. Siebert arrived later in the meeting.

ADOPTION OF AGENDA

Ehlers made the motion (Motion #1) to adopt the revised agenda for the November 21, 1996 board of directors meeting as presented. Seconded by Burke. Question called. Motion carried.

AYE:	Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Hansen
NAY:	None
ABSENT:	Siebert

APPROVAL OF MINUTES OF THE OCTOBER 10, 1996 SPECIAL BOARD MEETING

Dickinson made the motion (Motion #2) to approve the minutes of the October 10, 1996 special board of directors meeting as distributed. Seconded by Jacobsen. Question called. Motion carried.

AYE:	Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Hansen
NAY:	None
ABSENT:	Siebert

APPROVAL OF MINUTES OF THE OCTOBER 17, 1996 BOARD MEETING

Burke made the motion (Motion #3) to approve the minutes of the October 17, 1996 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, Schulz, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Siebert

NARD REPORT

Dickinson gave a report on the NARD board meeting held November 19, 1996 in Nebraska City. One item of particular note that beginning December 5 the IRS will be conducting an audit of the NARD books.

NNRC REPORT

Richard Jiskra addressed the board regarding the LB 1085 studies. He asked the board for their thoughts regarding the NRD revenue base, number of directors on each board, boundary changes and consolidation of districts.

NRCS REPORT

Bill Gilliam presented a written report of field office activities to the board. He also introduced Nancy Chitwood, who was hired in August as the secretary at the Aurora Field Office.

KUHNS VS. SPRINGER ORDER

Ehlers made the motion (Motion #4) that the board of directors issue the attached order in the matter of Eldon E. Kuhns vs. Mark and Carole Springer, which dismisses the complaint of July 19, 1996. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Moore gave a report on the Budget, Planning & Legislative Committee meeting held November 12, 1996 and reviewed the committee report as distributed.

FY 96 AUDIT

Moore made the motion (Motion #5) that the board of directors accept the FY 96 Audit as presented by Steve Wiemer of Romans, Wiemer & Associates. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

NEBRASKA NATURAL RESOURCES COMMISSION STUDY OF NATURAL RESOURCES DISTRICTS

The NNRC is required by LB 1085 to conduct a study of natural resources districts and to make two reports. The first report is due September 1, 1997 and is to include the commission's analysis of the NRD's revenue base, number of directors on each board, boundary changes, and consolidation of districts. The second report, due September 1, 1998, is to include the commission's analysis of natural resources district cost effectiveness, program effectiveness, duplication of responsibilities and authorities, and other services or areas that could facilitate property tax relief.

The Budget Committee discussed the four items to be considered by the NNRC in their first report. Lists of the various NRDs valuations, budgets, tax levies, and number of directors on each NRD board were presented. The manager reviewed a 1991 report on the population census of the election subdistricts within the Upper Big Blue NRD and a 1987 report prepared by staff on changes in boundaries of election subdistricts.

Moore made the motion (Motion #6) that the board of directors recommend no changes be made in the Upper

Big Blue NRD makeup based on the following reasoning: the revenue base is adequate, the number of directors on the board offers the best representation, there is not a pressing need to change the NRD boundary, and consolidation is not desirable. Seconded by Regier. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

NEBRASKA PUBLIC AGENCY INVESTMENT TRUST

Turnbull reported that he had been contacted by the Nebraska Public Agency Investment Trust (NPAIT). NPAIT also made a presentation to the NRD managers at a recent meeting. The Trust is a collective effort by participating Nebraska public bodies to jointly invest their short-term surplus funds through an investment program. The funds are available on demand. The monies are invested in U.S. Government and U.S. Agency securities and investments collateralized by those securities (Nebraska financial institution CD's). The interest rate changes daily, but is expected to range from between 5.4 % to 5.6 %. Currently the accounts are paying 5.592 %. Turnbull recommends that this district consider opening an account in the future with the NPAIT.

Lower Platte North NRD is currently the only NRD with deposits in the Trust. If others also deposit funds the NRDs can have a representative on the NPAIT Board of Directors. Turnbull reported that the managers committee is forwarding a recommendation to the NARD board that the NARD sponsor the Trust on behalf of the NRDs. If the NARD decides to participate, they would be the representative for the districts and annually receive one-tenth of a percent of the NRDs funds on deposit.

Moore made the motion (Motion #7) to encourage the NARD to sponsor the Nebraska Public Agency Investment Trust. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held November 12, 1996 and reviewed the committee report as distributed.

COPIER PURCHASE

The new Minolta copier has been installed and is operational. The district has been invoiced for \$14,887.95 as agreed upon.

Austin made the motion (Motion #8) to approve payment of \$14,887.95 to Minolta Corporation, Atlanta, Georgia for the purchase of a Minolta EP 6000 CS/PRO from Solutions by Lincoln Office Equipment, Lincoln, Nebraska. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

PART-TIME TECHNICAL HELP FOR BUTLER COUNTY NRCS FIELD OFFICE

Brad Sonksen, District Conservationist for the Lower Platte North, supervises the Butler County Field Office, among others in that District. Brad has requested part-time technical assistance for the Upper Big Blue's portion of Butler County. He needs the help for design and layout of practices due to a high workload. His estimate is that 100 to 120 hours a year would be sufficient. The cost of that labor is approximately \$600 to \$800. If the board approves the assistance, we would be billed on hours actually spent in our district, through the Lower Platte North NRD. The technician would be the Lower Platte North's employee, just like the clerk now located in David City.

Turnbull recommended that the request be approved because of the likelihood of increased demand for NSWCP and NRD land treatment funds. The federal ACP program has been terminated. The district has paid for other part-time technical assistance in the Little Blue and Lower Big Blue NRDs. The FY 97 Budget, based on NRCS

estimates for technical assistance, includes \$71.05 for Adams County, \$697.57 for Clay County and \$809.75 for Saline County. Payments have been made for this assistance in the past. Some funds were provided for in the payroll budget to allow for limited part-time assistance in Butler County.

Austin made the motion (Motion #9) to approve reimbursement of payroll costs to the Lower Platte North NRD for part-time technical assistance at the Butler County NRCS field office for FY 97; such part-time costs to be for actual time spent working on conservation practices in the Upper Big Blue NRD. Seconded by Moore.

The board discussed whether or not the motion should state a maximum number of hours for technical assistance reimbursement.

Moore amended the motion to make the motion (Motion #10) to approve reimbursement of payroll costs to the Lower Platte North NRD for a maximum of 120 hours of part-time technical assistance at the Butler County NRCS field office for FY 97; such part-time costs will be for actual time spent working on conservation practices in the Upper Big Blue NRD. Seconded by Austin.

Volkmer further amended the motion to make the motion (Motion #11) for a maximum of 100 hours. Seconded by Ehlers. Question called on the amendment. Amendment failed.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Regier, Volkmer

NAY: Burke, Jacobsen, Moore, Oswald, Schulz, Siebert, Teegerstrom

PASS: Jackson, Hansen

Question called on the original amendment. Amendment carried.

AYE: Austin, Burke, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen

NAY: Buller, Dickinson, Ediger, Siebert, Volkmer

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

AYE: Austin, Burke, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Teegerstrom, Hansen

NAY: Buller, Dickinson, Ediger, Ehlers, Siebert, Volkmer

OFFER TO PURCHASE EQUIPMENT

York Cold Storage has offered \$500.00 to purchase the PH meter, pump control panel, and float switches located at the east end of the Cold Storage buried pipeline. The district paid about \$4,800.00 for the equipment.

Austin made the motion (Motion #12) to reject the written offer of \$500.00 from York Cold Storage for the PH meter, pump control panel, and float switches located at the east end of the Cold Storage Pipeline. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Siebert, Volkmer, Hansen

NAY: Teegerstrom

PASS: Schulz

PROJECTS COMMITTEE MEETING REPORT

Oswald gave a report on the Projects Committee meeting held November 12, 1996 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Oswald made the motion (Motion #13) that seventeen new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Dickinson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Oswald made the motion (Motion #14) that payment of NSWCP land treatment funds be made in the amount of \$1,159.20 for one application reviewed by the committee. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Burke

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Oswald made the motion (Motion #15) that two new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Burke

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Oswald made the motion (Motion #16) that payment of NRD land treatment funds be made in the amount of \$349.60 for one application reviewed by the committee. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

LAND TREATMENT PROGRAM - JONES FARM, INC.

On October 17, 1996 the NRD approved Jones Farms, Inc. as eligible for NSWCP cost-share in the amount of \$1,451.60 on waterways in Butler County. On October 21, 1996 the NRD was notified that Jones Farms, Inc. had completed construction of the waterways in September 1996, prior to NRD review and approval of the application, and that construction was done without proper design and layout by the NRCS. On this basis, staff recommends that the NRD rescind its offer of cost-share with Jones Farms, Inc.

Oswald made the motion (Motion #17) that the Upper Big Blue NRD rescind its offer of NSWCP cost-share with Jones Farms, Inc. on their application dated October 3, 1996 in the amount of \$1,451.60 for waterways to be constructed on the SW¹/₄ SW ¹/₄ 33-13-2E in Butler County, since construction was performed prior to NRD review and approval of the application, construction was performed without proper design and layout by the NRCS and authorization to proceed with construction was not obtained from the NRD prior to beginning construction. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: Ehlers

SEWARD FLOOD HAZARD MITIGATION PROJECT

Claim number seven has been filed by the city of Seward on the Seward Flood Hazard Mitigation Project. The total amount of this claim is \$32,303.15. The FEMA share is \$24,227.36 and the NRD share is \$4,307.90; the city share is \$4,307.89. This claim includes \$8,220.65 for Kirkham and Michael negotiator services and \$24,082.50 for the purchase of one property.

Oswald made the motion (Motion #18) that payment of \$4,037.90 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$24,227.36 for the FEMA share of claim number seven of the Seward Flood Hazard Mitigation Project and that the FEMA share be paid to the city when it is received by the district. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

SEWARD REQUEST FOR ENGINEERING ASSISTANCE

City Administrator Dan Berlowitz and his planning staff attended the Projects Committee meeting to request engineering assistance on the planning and design of erosion control structures. The structures would be designed to control erosion due to runoff from agricultural land, existing residential and future residential developments near the city's North Park. The city understands the district's policy that Seward will be required to reimburse the district for half of the engineering costs.

Oswald made the motion (Motion #19) that the district offer to perform engineering and prepare designs of drainage channels and erosion control structures for the city of Seward in the vicinity of the city's North Park, and that an Interlocal Agreement between the city and the district, stating the scope, terms and costs of engineering, be forwarded to the city of Seward for their approval. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

PROJECT 15-10-2W - TODD DAM

The additional drilling and permeability testing for Project 15-10-2W have been completed. Bitner reviewed the results of the seepage analysis with the Projects Committee and recommended that the district proceed with plans to construct the project with a conservation pool elevation of 1585.5 and conservation pool volume of 118 acre feet. Seepage from the reservoir is not expected to exceed one quarter inch per day once initial saturation of the lake bottom has taken place. The reservoir is expected to support the recreation benefits previously estimated.

Oswald made the motion (Motion #20) that the district proceed with plans to construct Project 15-10-2W with conservation pool elevation 1585.5. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jacobsen, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Hansen

NAY: None

PASS: Jackson, Regier

ABSENT: Siebert

DAVID CITY NORTHWEST PROJECT

Geotechnical Services, Inc. has completed drilling and testing at dam site 12-15-2E, phase one of the David City Northwest project, in accordance with their proposal. Staff recommends that GSI be paid \$5,350.00 for the geotechnical services. The Lower Platte North NRD will reimburse the Upper Big Blue NRD for fifty percent of this fee in accordance with our previous Cooperative Agreement.

Oswald made the motion (Motion #21) that Geotechnical Services, Inc. be paid \$5,350.00 for drilling and testing services on dam site 12-15-2E, Phase 1 of the David City Northwest project. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

WATER COMMITTEE REPORT

Siebert gave a report on the Water Committee Meeting held November 13, 1996 and reviewed the committee report as distributed.

ENVIRONMENTAL QUALITY IMPROVEMENT PROGRAM (EQIP)

Bill Gilliam attended the Water Committee meeting and explained that the federal cost-share programs ACP and Great Plains no longer exist. All federal cost-share will be distributed via EQIP. EQIP funds are to be targeted to areas that are determined to have the highest conservation need. Projects throughout the state are competing

for available funds. The FY 96 projects have already been submitted. The NRCS and NRD were given only a few days to submit an application for FY 96. The application developed by the NRCS and NRD staff targets ground water quality in three townships where the aquifer is thinner than in other parts of the NRD. The final decisions for funding the FY 96 proposals have not been made.

For future grant proposals and administration of EQIP funds, a structure needs to be established. NRCS has provided an outline of possible committee structures for this to take place.

Siebert made the motion (Motion #22) to adopt the following EQIP committee structure and policy for program operations;

Environmental Quality Improvement Program

EQIP

Committee Make Up and Program Operation Policy for the Upper Big Blue NRD

(Advisory Committee)

This group will meet as needed to provide input on local conservation needs and to make recommendations to the Core Committee and NRD for EQIP funds.

Committee Membership

NRD 2 (1 director - 1 staff)
NRCS 1 (LDC)
FSA 9 (1 from each county, counties choice of committeeman or CED)
Extension 1 (Extension's choice)
Crop Consultant 1 (Independent Crop Consultants choice)

(Core Committee)

This committee will coordinate the program activities, review and prioritize the Advisory Committee recommendations, conduct the resource assessments for projects and work with the NRD projects committee to prepare annual grant proposals.

Committee Membership

NRD 1
NRCS 1
FSA 1

Program Operations

Priority Needs and Grant Application Process

The Advisory Committee will provide input to the Core Committee. The Core Committee will review and prioritize the recommendations and report to the NRD Projects Committee. The Core Committee will also draft grant proposals and present it to the NRD Projects Committee. The Projects Committee will review grant proposals and make recommendations to the Board. The Board will recommend grant proposals to the NRCS State Office.

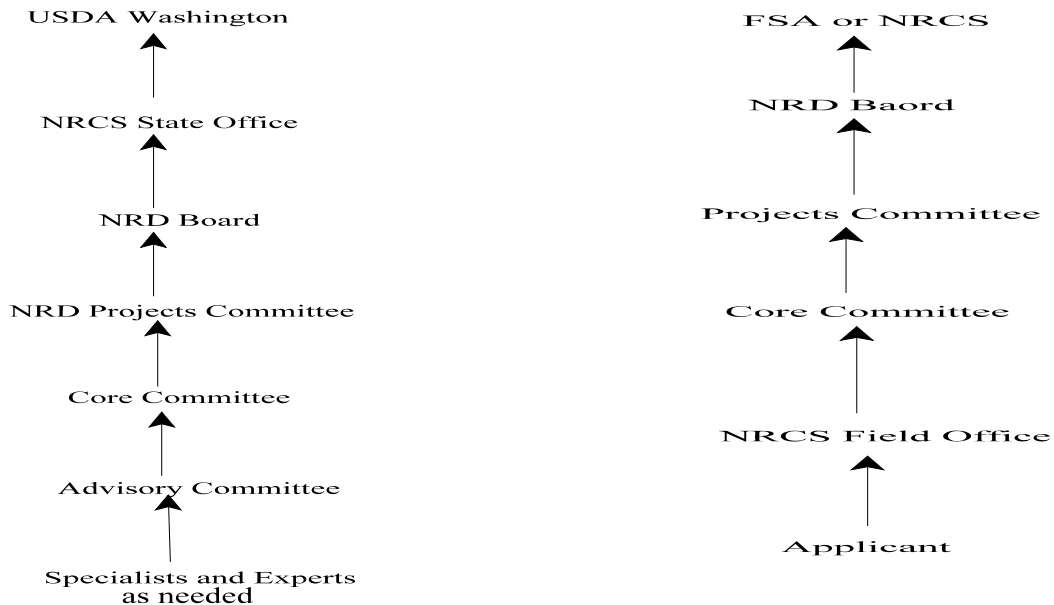
Project Implementation

Individual producer applications for funding will be prepared at the NRCS field office. The Core Committee will prioritize the applications. The NRD projects committee will review the application and recommend

acceptance or denial to the Board. The NRD Board will make final approval for payment. Payments will be made by NRCS or FSA county offices.

Flow Chart for Grant Application

Process Flow Chart for Project Implementation



Seconded by Jackson. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Hansen

NAY: None

PASS: Houdersheldt, Volkmer

GWMA #2 (GROUND WATER QUALITY)

AQWACAP FINAL PAYMENTS

Siebert made the motion (Motion #23) to make final payment for three completed well abandonments for a total cost-share amount of \$448.93. Seconded by Jacobsen. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: Ediger

EDUCATION AND PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education and Parks Committee meeting held November 13, 1996 and reviewed the committee report as distributed.

NOVEMBER WILDLIFE PAYMENTS

Jacobsen made the motion (Motion #24) that the Upper Big Blue NRD make payments of \$4,509.00 to the cooperators of the Wildlife Habitat Improvement Program for the month of November. Seconded by Ediger. Question called. Motion carried.

AYE: Austin, Buller, Burke, Ediger, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Hansen

NAY: Dickinson, Ehlers
ABSENT: Siebert

PROJECT 15-10-2W (TODD DAM) SCHOOL LANDS AND FUNDS LEGAL SURVEY

The State Educational Lands and Funds require that the lands affected by permanent and temporary waters which are located in the East Half of the Southeast Quarter of Section 16, Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska will require a metes and bounds survey before easement negotiations can begin. This is a policy of the State Educational Lands and Funds.

Jacobsen made the motion (Motion #25) that the Upper Big Blue NRD hire Kirkham, Michael and Associates to do a legal survey on the lands owned by the State Educational Lands and Funds located in the East Half of the Southeast Quarter of Section 16, Township 10 North, Range 2 West of the 6th P.M., not to exceed \$2,000.00. Seconded by Burke.

Ehlers amended the motion to make the motion (Motion #26) that the Upper Big Blue NRD hire Kirkham, Michael and Associates to do a legal survey *as required by the State Educational Lands and Funds on the lands owned by them* located in the East Half of the Southeast Quarter of Section 16, Township 10 North, Range 2 West of the 6th P.M., not to exceed \$2,000.00. Seconded by Jacobsen. Question called on the amendment. Amendment carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Siebert

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

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

PROJECT 15-10-2W (TODD DAM) EASEMENTS

Jacobsen made them motion (Motion #27) that the Upper Big Blue NRD obtain the necessary easement on the lands located in the Southwest Quarter of the Northwest Quarter of Section 15 (Roxanne M. Todd & Dirk P. Todd owners) and the North Half of the Northeast Quarter of Section 21 (David & Judy Blum; Rupert D & Denise L. Blum; Rueben G. & Diane D. Blum owners) all in Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

PROJECT 15-10-2W (TODD DAM) AGREEMENTS

Jacobsen made the motion (Motion #28) that the Upper Big Blue NRD obtain the necessary agreements with the following utility and government agencies: York County Department of Roads; Kansas Nebraska Energy, Inc.; Aliant Communications; Nebraska Public Power District; and Cellular One. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

PROJECT 15-10-2W (TODD DAM) EASEMENTS

Jacobsen made the motion (Motion #29) that the Upper Big Blue NRD make offers on the following described lands: East Half of the Northwest Quarter of Section 15 (Harry N. and Donna M. Rathje) and the Southwest Quarter of Section 15 (Donald R. and Russell D. Smith and Wilma Hemphill) and the East Half of the Southeast

Quarter of Section 16 (State Educational Lands and Funds) all in Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska. Further, that the offers be the appraised value determined by Deets Real Estate & Appraisal Service of Geneva as of August 1, 1996. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

CORNERS FOR WILDLIFE

The Education and Parks Committee discussed the Corners for Wildlife Program. It was the consensus of the committee to set the annual payment at \$75.00 per acre. A minimum of four to five pivot corners will be contracted this year. The size of the plot will determine the number of contracts accepted. One change from the 1996 sign up is that the landowner will assume 25% of the material and planting costs.

FINANCIAL STATEMENT

Houdersheldt made the motion (Motion #30) to approve the financial statement and budget report as of October 31, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald,
Regier, Schulz, Siebert, Teegerstrom, Volkmer, Hansen

NAY: None

Meeting adjourned at 4:10 p.m.

James K. Jackson, Secretary
:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
DECEMBER 19, 1996

CALL TO ORDER

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

PRESENT

Yvonne Austin, Vice Chairman
Steve Buller, Treasurer
Ed Ediger, Director
Roger Houdersheldt, Director
Larry Moore, Director
Kenneth Regier, Director
Roger Siebert, Director
Merlin Volkmer, Director
Nancy Schneider, Staff
Rodney DeBuhr, Staff
Jay Bitner, Staff
Gary Zoubek, York Co. Extension
Tim Yost, Harvard
Rebecca Oltmans, York News-Times

Jim Jackson, Secretary
Doug Dickinson, Director
Bob Ehlers, Director
Luke Jacobsen, Director
Louis Oswald, Director
Roland Schulz, Director
Vance Teegerstrom, Director
John Turnbull, Manager
Troy Thompson, Staff
Prudence Sadler, Staff
Ken Feather, Staff
Keith Keller, Harvard
Curt Friesen, Henderson

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each of the members as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published December 9, 1996 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ROLL CALL

Fourteen directors were present during quorum call. Dickinson arrived later in the meeting.

EXCUSED ABSENCE

Ehlers made the motion (Motion #1) to excuse the absence of Ray Burke and Wayne Hansen from the December 19, 1996 board of directors meeting. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Burke, Dickinson, Hansen

ADOPTION OF AGENDA

Moore made the motion (Motion #2) to adopt the agenda for the December 19, 1996 board of directors meeting as presented. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

PASS: Dickinson

EXCUSED: Burke, Hansen

APPROVAL OF MINUTES OF THE NOVEMBER 21, 1996 BOARD MEETING

Moore made the motion (Motion #3) to approve the minutes of the November 21, 1996 board of directors meeting as distributed. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held December 12, 1996 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND - NEW APPLICATIONS

Regier made the motion (Motion #4) that eight new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer.

Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

LAND TREATMENT PROGRAM - NSWCP FUND - PAYMENTS

Regier made the motion (Motion #5) that payment of NSWCP land treatment funds be made in the amount of \$15,334.76 for six applications reviewed by the committee. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

LAND TREATMENT PROGRAM - NRD 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 Volkmer.

Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

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 \$220.80 for one application reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

SEWARD FLOOD HAZARD MITIGATION PROJECT

Claim number eight has been filed by the City of Seward on the Seward Flood Hazard Mitigation Project. The total amount of this claim is \$338,493.44. The FEMA share is \$253,870.08; \$42,311.68 is the NRD share and \$42,311.68 is the city's share. Regier made the motion (Motion #8) that payment of \$42,311.68 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$253,870.08 for the FEMA share of Claim No. 8 of the Seward Flood Hazard Mitigation Project and that the FEMA share be paid to the city when it is received by the district. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

SEWARD EROSION CONTROL PLANNING

The City of Seward has requested that the Upper Big Blue NRD provide technical assistance for planning, design and construction inspection of erosion control works along the north edge of Seward. In November the board authorized the staff to provide these services, and to draft an interlocal agreement.

Regier made the motion (Motion #9) that the Vice Chairman be authorized to execute the Interlocal Agreement between the District and the City of Seward for the planning, design and construction inspection of erosion control works at Seward. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

PROJECT 15-10-2W - TODD DAM

Additional drilling and testing to determine seepage rates for the darn at Project 15-10-02W has been completed in accordance with the districts contract with Geotechnical Services Inc. Staff recommends that payment for the additional drilling and testing be made to Geotechnical Services Inc. in the amount of \$1,324.25. Regier made the motion (Motion # 10) that Geotechnical Services Inc. be paid \$1,324.25 for drilling and testing services to determine the reservoir seepage rate at Project 15-10-02W. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

AERIAL PHOTOGRAPHY

Aerial photography has been flown and proof photos furnished for the Henderson, Ulysses, Indian Creek and West Fork Projects. Western Air Maps, Inc. has invoiced the district in the amount of \$5,100.00 as partial payment for the mapping services. Regier made the motion (Motion #11) that Western Air Maps, Inc. be paid \$5,100.00 for aerial photography and mapping services completed through November 30, 1996 on the Henderson, Ulysses, Indian Creek and West Fork Projects. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

WEST FORK PROJECT

Staff has requested bids from contractors to install the gaging station on the West Fork Project. Bids were received from Huebert Land Leveling in the amount of \$5,040.00, and from Van Kirk Brothers Contracting in the amount of \$9,030.00. Staff recommends hiring Huebert Land Leveling to install the gaging station.

Regier made the motion (Motion #12) that Huebert Land Leveling be hired to install the gaging station at the West Fork Project in accordance with their bid of \$5,040.00. Seconded by Ediger.

Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

EXECUTIVE COMMITTEE REPORT

Jackson gave a report on the Executive Committee meeting held December 12, 1996 and reviewed the committee report as distributed.

ATTORNEY FEES

The attorney's fees for the month are \$590.70 for the Kuhns vs. Springer case and preparation of the order. Jackson made the motion (Motion #13) to approve payment of \$590.70 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through November 21, 1996. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

NARD VOTING DELEGATES

Jackson made the motion (Motion #14) to appoint Doug Dickinson as the NARD voting delegate and Bob Ehlers as the alternate for the January 1997 NARD conference. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

WASHINGTON, D.C. TRIP

The Executive Committee approved out-of-state travel for two directors and one staff member, April 12 - 17, 1997 for the purpose of attending the annual NARD Washington D.C. trip. Yvonne Austin and John Turnbull will attend the NARD Washington, D.C. trip in April 1997.

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held December 13, 1996 and reviewed the committee report as distributed.

YORK GROUND WATER RECHARGE DEMONSTRATION PROJECT

UNL WATER CENTER - LAKE SEDIMENT STUDY AGREEMENT

Ciba Geigy approved funding for the Recharge Lake Sediment Atrazine Study. The UNL Water Center has prepared the agreement between the District and the Water Center. The total study cost is \$117,250.00 to be divided as follows: \$57,500 payable to the Water Center in May of 1997 and \$58,750 in May 1998. Volkmer made the motion (Motion # 15) to approve the agreement with the University of Nebraska for continuation of the Recharge Lake Sediment Atrazine Study. Seconded by Dickinson. Question

called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

DISSOLUTION OF GROUND WATER CONSERVATION DISTRICTS

Staff reported that Mark Nannen, Blue River Association Manager, has notified them that the Groundwater Conservation District's will close the end of March. He will prepare a list of equipment that the Association has for sale along with estimated values. The law requires the districts to sell their surplus equipment at fair market value.

GWMA #2 (GROUND WATER QUALITY) AOWACAP FINAL PAYMENT

Volkmer made the motion (Motion # 16) to make final payment for eighteen completed well abandonments for a total cost-share amount of \$4,633.67. Seconded by Jacobsen. Question called. Motion carried.

AYE: Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Oswald, Regier, Schulz, Siebert, Teegerstrom., Volkmer, Austin

NAY: None

ABSTAIN: Moore

PASS: Buller

EXCUSED:Burke, Hansen

WELL DECOMMISSIONING DEMONSTRATION PAYMENT

Two demonstrations of well decommissioning were co-sponsored by the NRD and the Work One Taskforce of Seward County. Volkz Corporation did the actual decommissioning. The total cost was \$912.65. This is 100% reimbursable through the SPA 319 grant. Volkmer made the motion (Motion # 17) to pay Volkz Corporation \$912.65 for two well abandonment demonstrations. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

T-L IRRIGATION COMPANY FERTILIZER APPLICATION VARIANCE

T-L Irrigation Company of Hastings has requested that the fertilizer which they manufacture be exempt from the Ground Water Management Area rules which require the user to wait until March 1 to apply liquid or dry nitrogen fertilizer. This fertilizer is made to dispose of acids used in cleaning steel prior to galvanizing. Ken Frank, Director of the University of Nebraska Soil and Plant Analytical Laboratory has determined that this fertilizer is less than 5 ppm N03-N and reacts similarly to Anhydrous. Volkmer made the motion (Motion # 18) to approve the variance for T-L Irrigation Company's fertilizer (T-L,19N) Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

PASS: Schulz

EXCUSED:Burke, Hansen

EDUCATION AND PARKS COMMITTEE REPORT

Jacobsen gave a report on the Education and Parks Committee meeting held December 13, 1996 and reviewed the committee report as distributed.

GOODYEAR/NACD 1996 CONSERVATION DISTRICT APPLICATION

Every year the NACD holds a contest to recognize the leading conservation district from each state. It has been many years since the Upper Big Blue NRD entered the contest for CONSERVATION DISTRICT OF THE YEAR AWARD.

Jacobsen made the motion (Motion # 19) to submit an entry to the Goodyear/NACD Conservation District of the Year award program. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

FINANCIAL STATEMENT

Moore made the motion (Motion #20) to approve the financial statement and budget report as of November 30, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Jacobsen, Moore, Oswald, Regier, Schulz, Siebert, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED:Burke, Hansen

Meeting adjourned at 2:44 p.m.

Jim K. Jackson, Secretary

:nds,

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 16, 1997

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
Gary Eberle, Director	Bob Ehlers, Director
Curtis Friesen, Director	Roger Houdersheldt, Director
Larry Moore, Director	Louis Oswald, Director
Vance Teegerstrom, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Prudence Sadler, Staff	Troy Thompson, Staff
Rodney DeBuhr, Staff	Ken Feather, Staff
Jay Bitner, Staff	David Kohls, Aurora NRCS
Connie Tvrdy, Seward NRCS	Ivan Stiegemeier, Harvard
Keith Keller, Harvard	Carl F. Kemper, Crete
Richard Jiskra, NNRC	

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each of the members as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published January 2, 1997 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ROLL CALL

Fourteen directors were present during roll call.

EXCUSED ABSENCE

Volkmer made the motion (Motion #1) to excuse the absence of Roland Schulz, Ed Ediger and Ken Regier from the January 16, 1997 board of directors meeting. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

ABSENT: Ediger, Regier, Schulz

ADOPTION OF AGENDA

Burke made the motion (Motion # 2) to adopt the agenda for the January 16, 1997 board of directors meeting as presented. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

APPROVAL OF MINUTES OF THE DECEMBER 19, 1996 BOARD MEETING

Dickinson made the motion (Motion #3) to approve the minutes of the December 19, 1996 board of directors meeting as distributed. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

PROJECTS COMMITTEE MEETING REPORT

Oswald gave a report on the Projects Committee meeting held January 6, 1997 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND - NEW APPLICATIONS

Oswald made the motion (Motion #4) that one new application for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

ABSTAIN: Moore

EXCUSED: Ediger, Regier, Schulz

SEWARD FLOOD HAZARD MITIGATION PROJECT

Claim number nine has been filed by the City of Seward on the Seward Flood Hazard Mitigation Project. The total amount of this claim is \$5,808.34. FEMA's share is \$4,356.26; \$726.04 is the NRD share and \$726.04 is the city's share.

Oswald made the motion (Motion #5) that payment of \$726.04 in NRD funds be made to the City of Seward for the NRD's share of claim number nine of the Seward Flood Hazard Mitigation Project and that the district file a claim in the amount of \$4,356.26 for the FEMA share of claim number nine, to be paid to the city when it is received by the district. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

SEWARD EROSION CONTROL PROJECT

A proposal was requested from Horizons, Inc. for aerial photography and mapping services on 770 acres in the project area northeast of Seward. Horizons Inc. had previously flown this area in 1994, so their proposal does not include the cost of re-flying the area. Their proposal to prepare digital terrain mapping from the 1994 photography is \$6,310.00. The proposed budget for surveying and mapping on this project is \$6,500.00. Staff recommends hiring Horizons Inc. to perform the mapping services.

Oswald made the motion (Motion #6) that Horizons Inc. be hired to prepare digital terrain mapping for 770 acres of the Seward Erosion Control Project in Sections 9, 10, 15 and 16 of Township 11 North, Range 3 East for a fee not to exceed \$6,310.00. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

PROGRESS PAYMENT ON AERIAL PHOTOGRAPHY & MAPPING FOR HENDERSON, ULYSSES, INDIAN CREEK & WEST FORK PROJECTS

Western Air Maps Inc. is continuing to work on digital terrain mapping for the Ulysses dam and Henderson

drainage projects. An invoice for work completed in December has been submitted in the amount of \$6,400.00 for Henderson, and \$3,840.00 for Ulysses (\$10,240).

Oswald made the motion (Motion #7) that Western Air Maps Inc. be paid \$10,240.00 for aerial photography and mapping services completed in December 1996 for the Ulysses dam and Henderson drainage projects. Seconded by Ehlers. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore,
Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

WATER COMMITTEE REPORT

Volkmer gave a report on the Water Committee meeting held January 6, 1997 and reviewed the committee report as distributed.

GWMA #2 (GROUND WATER QUALITY)

AQWACAP FINAL PAYMENT

Volkmer made the motion (Motion #8) to make final payment for four completed well abandonments for a total cost-share amount of \$975.65. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore,
Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

KUHNS VS. SPRINGER

Eldon Kuhns has appealed the board's ruling on the Kuhns vs. Springer case. The appeal was filed in York County District Court on December 20th. The District must file a certificate, copies of the transcript and evidence within 30 days. Mr. Springer must also file papers with the court. The NRD must also file a notice to intervene in the court proceeding if they wish to defend their rules and regulations. If the NRD does not intervene the defense of the Board's decision would be up to Mr. Springer and his attorney.

Volkmer made the motion (Motion #9) to authorize the staff and attorney to file the required certificate and necessary hearing documents with the District Court of York County in the case of Kuhns vs. Springer. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore,
Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

Volkmer made the motion (Motion #10) to authorize the staff and attorney to file the required documents with the District Court of York County, requesting that the District be allowed to intervene in the case of Kuhns vs. Springer. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore,
Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

EDUCATION AND PARKS COMMITTEE REPORT

Ehlers gave a report on the Education and Parks Committee meeting held January 7, 1997 and reviewed the committee report as distributed.

PAYMENT TO KIRKHAM MICHAEL & ASSOCIATES - METES & BOUNDS SURVEY FOR SECTION

16-10-2W - (BOARD OF EDUCATIONAL LANDS & FUNDS)

Ehlers made the motion (Motion #11) to approve payment of \$1,275.05 to Kirkham Michael and Associates for metes and bounds survey of the School Lands owned by the State of Nebraska located in the E 1/2 SE 1/4 of Section 16, Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

EASEMENT - HARRY N. & DONNA M. RATHJE PROPERTY

Ehlers made the motion (Motion #12) to approve the easement on 2.3 acres more or less, owned by Harry N. & Donna M. Rathje located in the E 1/2 NW 1/4 of Section 15, Township 10 North, Range 2 West of the 6th P.M. in York County, Nebraska for a sum of \$1,734.00. Seconded by Austin. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

EASEMENT - ROXANNE M. & DIRK P. TODD PROPERTY

Ehlers made the motion (Motion #13) to approve the easement on 13.36 acres more or less, owned by Roxanne M. & Dirk P. Todd located in the SW 1/4 NW 1/4 of Section 15, Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska for the sum of \$1.00. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

EXECUTIVE COMMITTEE REPORT

Austin gave a report on the Executive Committee meeting held January 7, 1997 and reviewed the committee report as distributed.

FOURTH QUARTER DIRECTORS' PER DIEM & EXPENSES

Austin made the motion (Motion #14) to approve payment of fourth quarter directors' per diem of \$5,950.00 and expenses of \$2,066.01. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

ATTORNEY FEES

Austin made the motion (Motion #15) to approve payment of \$135.00 to Crosby, Guenzel, Davis, Kessner & Kuester, for Steve Seglin's work through December 18, 1996. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

NWRA DUES

A bill for \$1,200.00 was received from the Nebraska Water Resources Association for 1997 dues.

Austin made the motion (Motion #16) to approve payment of \$1,200.00 to the Nebraska Water Resources Association for the 1997 dues. Seconded by Burke. Question called. Motion carried.

AYE: Austin, Buller, Burke, Eberle, Ehlers, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Hansen

NAY: None

ABSTAIN: Dickinson, Friesen, Volkmer

EXCUSED: Ediger, Regier, Schulz

FINANCIAL STATEMENT

Dickinson made the motion (Motion #17) to approve the financial statement and budget report as of December 31, 1996; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

NOMINATING COMMITTEE REPORT

Ehlers gave a report on the nominating committee's recommendations for board officers and NARD Representatives.

ELECTION OF CHAIRMAN

The Nominating Committee submitted the names of Yvonne Austin and Merlin Volkmer for the office of Chairman. No other nominations were made.

Burke made the motion (Motion #18) that nominations for the office of Chairman cease and ballots be cast. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

Rod DeBuhr and Ken Feather were appointed to count the ballots. Austin received 11 votes and Volkmer received 3 votes. Austin will serve as Chairman for a term of one year.

ELECTION OF VICE CHAIRMAN

The Nominating Committee submitted the names of Roger Houdersheldt and Larry Moore for the office of Vice Chairman. No other nominations were made.

Burke made the motion (Motion #19) that nominations for the office of Vice Chairman cease and ballots be cast. Seconded by Volkmer. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

Houdersheldt received 9 votes and Moore received 5 votes. Houdersheldt will serve as Vice Chairman for a one year term.

ELECTION OF SECRETARY

The Nominating Committee submitted the names of Roland Schulz and Vance Teegerstrom for the office of Secretary. No other nominations were made.

Burke made the motion (Motion #20) that nominations for the office of Secretary cease and ballots be cast. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

Schulz received 2 votes and Teegerstrom received 12 votes. Teegerstrom will serve as Secretary for a one year term.

ELECTION OF TREASURER

The Nominating Committee submitted the names of Steve Buller and Louis Oswald for the office of Treasurer. No other nominations were made.

Volkmer made the motion (Motion #21) that nominations for the office of Treasurer cease and ballots be cast. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

Buller received 9 votes and Oswald 5 votes. Buller will serve as Treasurer for a one year term.

NARD REPRESENTATIVE

The Nominating Committee submitted the names of Doug Dickinson and Ed Ediger for NARD Representative. No other nominations were made.

Volkmer made the motion (Motion #22) that nominations for NARD Representative cease and ballots be cast. Seconded by Moore. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

Dickinson received 13 votes and Ediger received 1 vote. Dickinson will serve as NARD Representative for a period of one year.

ELECTION OF NARD ALTERNATE

The Nominating Committee submitted the names of Bob Ehlers and Jim Jackson for NARD Alternate Representative. No other nominations were made.

Volkmer made the motion (Motion #23) that nominations for the NARD Alternate cease and ballots be cast. Seconded by Oswald. Question called. Motion carried.

AYE: Austin, Buller, Burke, Dickinson, Eberle, Ehlers, Friesen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Hansen

NAY: None

EXCUSED: Ediger, Regier, Schulz

Ehlers received 6 votes and Jackson received 8 votes. Jackson will serve as NARD Alternate Representative for a period of one year.

Meeting adjourned at 2:55 p.m..

Vance Teegerstrom, Secretary
:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
FEBRUARY 20, 1997

CALL TO ORDER

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

PRESENT

Yvonne Austin, Chairman	Roger Houdersheldt, Vice Chairman
Vance Teegerstrom, Secretary	Ray Burke, Director
Doug Dickinson, Director	Gary Eberle, Director
Bob Ehlers, Director	Curtis Friesen, Director
Wayne Hansen, Director	James Jackson, Director
Larry Moore, Director	Louis Oswald, Director
Kenneth Regier, Director	Roland Schulz, Director
Merlin Volkmer, Director	John Turnbull, General Manager
Nancy Schneider, Staff	Jay Bitner, Staff
Troy Thompson, Staff	Ken Feather, Staff
Prudence Sadler, Staff	Tonya Schmidt, Harvard
Kendall Ham, Saronville	Donald Keasling, Harvard
Mary E. Keasling, Harvard	John B. Keller, Harvard
Darren Fowler, Hastings Tribune	Doug Kauk, Harvard
Larry Keasling, Harvard	Dan Engel, Harvard
Vera Bachman, Giltner	Jim Holtzen, Aurora
Doris Lovgren, Harvard	Marvin Lovgren, Harvard
Dianne K. Keller, Harvard	Dennis Schroeder, Aurora NRCS
DeLores Yost, Harvard	Diane Keller, Harvard
Burnell Aspegren, Harvard	Dave Aspegren, Harvard
Barbara Aspegren, Harvard	Doris Aspegren, Harvard
Joshua Aspegren, Harvard	Arnold Boldt, Seward
David Kohls, Aurora	Sharon Yost, Harvard
Tim Yost, Harvard	Larry Turnquist, Harvard
Sharon Steigemeier, Harvard	Ivan Steigemeier, Harvard
Bob Brown, Harvard	Cindy Brown, Harvard
Bob Kirkpatrick, Harvard	Phil Kreutz, Giltner
Dale Yost, Harvard	Dale Haselof, Harvard
Rebecca Oltmans, York News-Times	Russell H. Kreutz, Giltner
Mark Beck, Hastings	Keith Keller, Harvard
Michael Nelson, Harvard	Marvin Nelson, Harvard
Gerald D. Keller, Harvard	Glen Becker, Harvard
Kristin Morrison, Giltner	

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to each of the members as a notice of this public meeting. Public notification was made by a "Notice of Public Meeting" published February 13, 1997 in the York News-Times. The agenda is kept continually current and readily available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ROLL CALL

Fourteen directors were present during roll call. Volkmer arrived later in the meeting.

EXCUSED ABSENCE

Burke made the motion (Motion #1) to excuse the absence of Steve Buller and Ed Ediger from the February 20, 1997 board of directors meeting. Seconded by Ehlers. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald,
Regier, Schulz, Teegerstrom, Austin

NAY: None

ABSENT: Buller, Ediger, Volkmer

ADOPTION OF AGENDA

Jackson made the motion (Motion #2) to approve the agenda for the February 20, 1997 board of directors meeting as presented. Seconded by Moore. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald,
Regier, Schulz, Teegerstrom, Austin

NAY: None

EXCUSED: Buller, Ediger

ABSENT: Volkmer

APPROVAL OF MINUTES OF THE JANUARY 16, 1997 BOARD MEETING

Oswald made the motion (Motion #3) to approve the minutes of the January 16, 1997 board of directors meeting as distributed. Seconded by Jackson. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald,
Regier, Schulz, Teegerstrom, Austin

NAY: None

EXCUSED: Buller, Ediger

ABSENT: Volkmer

WEST FORK PROJECT PRESENTATION

John and Keith Keller, representing approximately 40 landowners and residents of the Harvard area who were present at the meeting, gave a presentation to the board in opposition to construction of the proposed West Fork project. The group also presented a petition opposing the dam and resolutions from the Clay County Board, Harvard City Council, Harvard School District board and the Giltner Village Board opposing the project primarily because of expected loss of tax revenues.

The West Fork dam site is one of two large dams being considered. The district proposes water quality studies be completed at both sites before making a decision about whether either site is suitable. It is expected that the water quality study will take two years to complete. In all likelihood only one of the sites will be chosen for construction of a dam.

Regier made the motion (Motion #4) to refer (the matter of continuing planning for the West Fork Project) to the March Projects Committee for review and recommendation at the March board meeting. Seconded by Ehlers. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald,
Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Buller, Ediger

PROJECTS COMMITTEE MEETING REPORT

Regier gave a report on the Projects Committee meeting held February 10, 1997 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Regier made the motion (Motion #5) that four 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: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
PASS: Oswald
EXCUSED: Buller, Ediger

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Regier made the motion (Motion #6) that payment of NRD land treatment funds be made in the amount of \$2,085.38 for three applications reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Buller, Ediger

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Regier made the motion (Motion #7) that five new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Moore. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Buller, Ediger

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Regier made the motion (Motion #8) that payment of NSWCP land treatment funds be made in the amount of \$10,158.93 for three applications reviewed by the committee. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Buller, Ediger

LAND TREATMENT PROGRAM - WINDBREAK RENOVATION PRACTICE

Staff recommended that applicants for NSWCP Practice NC 16, Windbreak Renovation, be allowed 18 months to complete their work. This is necessary since the old windbreak must be removed and the new windbreak planted before cost-share is paid. All other cost-share practices must still be completed in 90 days from the date of authorization to proceed.

Regier made the motion (Motion #9) that applicants for the NSWCP land treatment practice NC 16, Windbreak Renovation, be allowed 18 months from the authorization date to complete removal of the old windbreak and re-planting of the new windbreak, and that if the cost share payment request is received in a fiscal year later than the year of authorization, payment will be made only if sufficient NSWCP funds have been appropriated to the NRD in that fiscal year. Seconded by Burke.

Dickinson amended the motion to make the motion (Motion #10) to strike the last part of the sentence "and that if the cost share payment request is received in a fiscal year later than the year of authorization, payment will be made only if sufficient NSWCP funds have been appropriated to the NRD in that fiscal year." Seconded by Hansen. Question called on the amendment. Amendment carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None
EXCUSED: Buller, Ediger

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

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald,
Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Buller, Ediger

SEWARD FLOOD HAZARD MITIGATION PROJECT

Claim number ten has been filed by the City of Seward on the Seward Flood Hazard Mitigation Project. The total amount of this claim is \$66,184.42. FEMA's share is \$49,638.32, the City's share is \$8,273.05, and the NRD share is \$8,273.05.

Regier made the motion (Motion #11) that payment of \$8,273.05 in NRD funds be made to the City of Seward and that the district file a claim in the amount of \$49,638.32 for the FEMA share of claim number ten of the Seward Flood Hazard Mitigation Project, and that the FEMA share be paid to the city when it is received by the district. Seconded by Regier. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald,
Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Buller, Ediger

AERIAL PHOTOGRAPHY & MAPPING FOR ULYSSES AND HENDERSON PROJECTS

Mapping of the Henderson and Ulysses Projects is complete and final payment in the amount of \$2,210.00 has been requested by Western Air Maps Inc.. The total cost of mapping for Henderson is \$10,160.00, and for the Ulysses dam is \$4,695.00.

Regier made the motion (Motion #12) that Western Air Maps Inc. be paid \$2,210.00 as final payment for aerial photography and mapping on the Henderson and Ulysses Projects. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald,
Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Buller, Ediger

WATER COMMITTEE REPORT

Oswald gave a report on the Water Committee meeting held February 10, 1997 and reviewed the committee report as distributed.

GWMA #1 (GROUND WATER SUPPLY) - BOLDT WELL SPACING VARIANCE

Jeffrey Boldt and wife Barbara; Glenda, and husband Tom Chambers requested a well spacing variance for the construction of an irrigation well approximately 700 feet from a well owned by Arnold and Sharon Boldt. Jeffrey Boldt and Glenda Chambers are the children of Arnold and Sharon Boldt. Arnold Boldt was present at the meeting to answer questions. The proposed well is to be located in the E¹/₂ SW¹/₄ of Section 1-T11N-R2E Seward County.

Oswald made the motion (Motion #13) to approve the well spacing variance for Jeffrey and Barbara Boldt and Glenda and Tom W. Chambers. Seconded by Dickinson. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald,
Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Buller, Ediger

FAR-MAR-CO/ CITY OF HASTINGS RECOVERY WELL

Rod reported that the district has been approached by representatives of the Hastings Superfund. They plan to install a recovery well to extract contaminated water from a well in the Upper Big Blue NRD to be used as cooling water at the City of Hastings Power Plant, which is in the Little Blue NRD. This use will volatilize the contaminants. The clean up is expected to take 15 years. If the City is granted a transfer permit by the Department of Water Resources (DWR), this transfer would comply with the NRD's rules. If the City does not need a transfer permit from DWR, the NRD will be asked to consider a variance for the water transfer.

BLUE RIVER ASSOCIATION OF GWCD'S PAYMENTS

The Blue River Association has billed the district \$315.00 for 105 domestic well nitrate analysis and \$478.50 for 66 fall ground water level measurements for a total bill of \$793.50.

Oswald made the motion (Motion #14) to pay the Blue River Association of GWCDs \$793.50 for fall domestic well nitrate analysis and ground water level measurements. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Buller, Ediger

GWMA #2 (GROUND WATER QUALITY)

USGS PAYMENT FOR WATER QUALITY STUDY

Oswald made the motion (Motion #15) to pay the United States Geological Survey \$6,500.00 for the district's share of the cost of the Special Protection Area Water Quality Study for the period of October 1, 1996 through December 31, 1996. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Buller, Ediger

UNL WATER SCIENCES LABORATORY BILL

Oswald made the motion (Motion #16) to pay the University of Nebraska Water Sciences Laboratory \$2,473.20 for nitrate and pesticide analysis done in November and December of 1996 for the York Ground Water Recharge Demonstration Project, Indian Creek Project and the West Fork Project. Seconded by Jackson. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Buller, Ediger

EDUCATION AND PARKS COMMITTEE REPORT

Ehlers gave a report on the Education and Parks Committee meeting held February 11, 1997 and reviewed the committee report as distributed.

FEBRUARY WILDLIFE PAYMENTS

Ehlers made the motion (Motion #17) that the Upper Big Blue NRD make payment of \$7,052.50 to the cooperators of the Wildlife Habitat Improvement program for the month of February. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: Dickinson

EXCUSED: Buller, Ediger

ABSENT: Schulz

PROJECT 15-10-2W (TODD DAM) - AGREEMENT WITH ALIANT COMMUNICATIONS, INCORPORATED

Ehlers made the motion (Motion #18) that the Upper Big Blue NRD Board of Directors approve the agreement for Project 15-10-2W (Todd Dam) between Aliant Communications, Inc., 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: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Buller, Ediger

PROJECT 15-10-2W (TODD DAM) - AGREEMENT WITH GCC LICENSE CORP.

Ehlers made the motion (Motion #19) that the Upper Big Blue NRD Board of Directors approve the agreement for Project 15-10-2W (Todd Dam) between GCC License Corporation and the Upper Big Blue NRD and authorize the Chairman of the Board to sign said agreement. Seconded by Volkmer. Question called. Motion carried.

.AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Buller, Ediger

PROJECT 15-10-2W (TODD DAM) - AGREEMENT WITH YORK COUNTY RURAL PUBLIC POWER DISTRICT

Ehlers made the motion (Motion #20) that the Upper Big Blue NRD Board of Directors approve the agreement for Project 15-10-2W (Todd Dam) between York County Rural Public Power District and the Upper Big Blue NRD for the amount of \$1,631.92 and authorize the Chairman of the Board to sign said agreement. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Buller, Ediger

COMMUNITY FORESTRY - VILLAGE OF WACO

Ehlers made the motion (Motion #21) that the Upper Big Blue NRD fund the Village of Waco in the amount of \$214.00 under the Community Forestry Program II for trees to be planted along Hilda Avenue. Seconded by Oswald. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Buller, Ediger

CORNERS FOR WILDLIFE

Ehlers made the motion (Motion #22) that the Upper Big Blue NRD Board of Directors accept the Corners For Wildlife applications of Maureen Brush and Jack Softley and authorize the Chairman of the Board to sign said contracts and submit them to Pete Berthelsen, Regional Biologist with Pheasants Forever for his signature. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Buller, Ediger

HABITAT CONTRACTS - HELEN GLOCK TO DEAN GLOCK

Ehlers made the motion (Motion #23) that the Upper Big Blue NRD Board of Directors approve the existing habitat contract transfer from Helen Glock to Dean Glock and authorize the Chairman of the Board to sign said contract. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Buller, Ediger

BUDGET, PLANNING & LEGISLATIVE COMMITTEE

Moore gave a report on the Budget, Planning & Legislative Committee meeting held February 11, 1997 and reviewed the committee report as distributed.

LEGISLATION

Current legislative bills were reviewed and the following recommendations were made by the Budget, Planning & Legislative Committee.

LB 78: Ground Water Conservation District Dissolution; Introduced by Stuhr and Others.

The remaining ground water conservation districts in the state are scheduled to dissolve by the end of March of this year. Current law provides that any funds remaining after termination of the districts are to be distributed back to the taxpayers. LB 78 would provide that funds are to be paid into the General Fund of the county where the district's main office is located.

The Budget, Planning & Legislative Committee recommended the Upper Big Blue NRD support LB 78.

LB 181: In Lieu of Taxes for Public Services; Introduced by Wickersham and Others.

LB 181 is similar to legislation introduced in the past. It would allow municipalities, counties, fire protection districts and other political subdivisions which provide "(1) public safety, rescue, and emergency services, (2) road or street construction or maintenance services, or (3) public utility services" to levy payments in lieu of taxes against the owners of property which are otherwise tax exempt. For example, property owned by natural resources district or other local government would be subject to such taxation. The only exceptions would be property owned by the federal government or by religious, educational, or cemetery organizations.

The Budget, Planning & Legislative Committee recommended the Upper Big Blue NRD oppose LB 181.

LB 188: Change Publication Requirements for Ground Water Management Area Rules; Introduced by Bromm and Others.

Current law requires that the full text of all control proposed for a management area be published before their adoption in the notice of the hearing and after their adoption before the order becomes effective. LB 188 would allow both of those notices to provide a "general description of the text of the controls". The notice would also have to identify where a complete copy of the proposed or adopted controls could be obtained.

On January 30, 1997 LB 188 advanced to Select File without any dissenting votes. Senator Bromm has proposed the addition, on Select File, of the emergency clause. Without the emergency clause, NRDs publishing notice of proposed or adopted rules prior to mid-September would still have to publish the full text rather than the summary provided for in LB 188.

The Budget, Planning & Legislative Committee recommended the Upper Big Blue NRD support LB 188.

LB 221: Multiple Office Holding; Introduced by Schimek and Others.

Several years ago, the Legislature eliminated the prohibitions against dual office holding for all but the highest of state officials (Legislature, Governor, Lt. Governor, Secretary of State, Auditor, Treasurer, etc.). LB 221 would add to the list of office holders who could not hold more than one elective office or run for more than one

position on the same ballot. The expanded list would include members of the Public Service Commission, State Board of Education, Board of Regents, and county, city, and school district officers.

The Budget, Planning & Legislative Committee recommended the Upper Big Blue NRD oppose LB 221 as introduced.

LB 271: Motor Vehicle Fees and Distribution of Proceeds; Introduced by Warner and Others.

LB 271 is similar to legislation introduced but not passed last year. It would eliminate the current valuation based motor vehicle taxes and replace them with motor vehicle fees still based in part on original value and on age of the vehicle. The bill would also distribute funds received from the motor vehicle fees differently from the current distribution of motor vehicle taxes. Instead of being shared proportionately among all taxing entities, 65% of the fees would go to state school aid, 20% would go to counties, and 15% would go to municipalities. The amounts going to the counties and to municipalities could be used only for road and bridge purposes.

LR 45 CA: Consolidations, Motor Vehicle Taxes, and Tax Exempt Property; Introduced by Revenue Committee.

LR 45CA is either identical to or nearly identical to LR 292CA which was defeated by the voters last fall. It would require that tax proceeds from motor vehicles be allocated only to counties, townships, cities, villages, and school districts; under current law, all taxing entities share proportionately. It would also authorize the Legislature to provide for the merger or consolidation of counties or other local governments and would allow the Legislature to remove the property tax exemption on property owned by the state or governmental subdivisions to the extent the property was not used for public purposes.

The Budget, Planning & Legislative Committee recommended that the Upper Big Blue NRD oppose LB 271 and LR45CA.

LB 308: Tax Credit for Vegetative Filter Strips; Introduced by Stuhr and Others.

LB 308 would authorize a tax credit for the installation of vegetative filter strips which meet requirements established by the natural resources district in which the land is located. The purpose of the bill is to promote installation of vegetative filter strips to protect surface water from pesticides. The vegetative filter strip would have to be at least 65 ft. in width and contain sufficient vegetation of a type tolerant of the pesticides used in the farm field.

Each natural resources district would be required to assist landowners in completing necessary forms prescribed by the Department of Revenue (in cooperation with NRC) and in developing conservation plans for the vegetative filter strips for their land. The credit authorized would be \$100 per acre in the filter strip, not to exceed \$500 per year (unused credit could be carried over for up to five years).

If enacted, the provisions would be available for tax years beginning on or after January 1, 1997. The bill would terminate on December 31, 2006 and the Departments of Agriculture and NRC would provide the Legislature with a joint report concerning the effect and impact of the vegetative filter strips by March 1, 2006.

The Budget, Planning & Legislative Committee recommended that the Upper Big Blue NRD oppose LB 308.

LB 357: Accepting Lowest Bids; Introduced by Jensen.

LB 357 would amend the public bidding statutes to require that "any contract for supplies or work [advertised for public bidding] and costing more than \$40,000 shall be awarded to the lowest responsible bidder."

The Budget, Planning & Legislative Committee recommended that the Upper Big Blue NRD oppose LB 357.

LB 382: Prohibition Against Multiple Office Holding; Introduced by Will.

LB 382 is similar to LB 339. It would prohibit any individual from holding more than one elective office. The

office first held would be vacated on the date the election to the second office is certified by the canvassers.

The Budget, Planning & Legislative Committee recommended that the Upper Big Blue NRD oppose LB 382.

LB 416: Registration and Permitting of Replacement Wells; Introduced by Elmer.

LB 416 makes some language changes in the statutes pertaining to replacement wells and registration of those replacement wells. It would provide that the timing of the registration of replacement wells would no longer be tied to the notice of abandonment of the well being replaced. Instead, replacement wells, like all other wells, would have to be registered within thirty days of their completion.

Beginning in 1993, Nebraska law has required that wells to be drilled within 50 feet of the banks of any natural stream were to be first permitted by DWR and treated as surface water appropriations. When that law was passed, the legislature exempted wells drilled before September 9, 1993. LB 416 would extend the same protection to replacement wells.

A proposed amendment, by Senator Elmer to LB 416, would allow but not require NRDs to temporarily suspend drilling of new wells in alluvial valley areas where the NRDs had requested a joint action plan for conjunctive use management. The suspension would not apply to test wells, wells designed to pump less than 50 gpm, or replacement wells. Variances could be allowed by the NRD to alleviate an emergency situation involving water supply for human consumption. The initial suspension would be for 3 years or less, with an extension of 2 years to allow for the implementation of a management area and the adoption of an action plan. The suspension would cease if the action plan took effect earlier, or if the plan was not adopted by the NRD, or DWR determined no joint action plan was needed.

The Budget, Planning & Legislative Committee recommended that the Upper Big Blue NRD support the proposed amendment to LB 416 to allow NRDs to temporarily suspend drilling in alluvial valley areas in proposed conjunctive use management areas.

LB 540: NRD Election Subdistricts; Introduced by Beutler.

Current law allows natural resources districts which nominate by subdistrict but elect at-large to have a maximum disparity of 3 to 1 in the population of those subdistricts. LB 540 would change that maximum disparity to 1.5 to 1 and would eliminate the existing non-population related criteria for subdistricts, i.e. location of works of improvement and the distribution of population and taxable values within the district.

The Budget, Planning & Legislative Committee recommended that the Upper Big Blue NRD oppose LB 540.

LB 596: Restrict NRD Use of Eminent Domain; Introduced by Robinson and Janssen

LB 596 would add a new subsection to the NRD eminent domain statute to provide as follows:

"(2) no district shall exercise the power of the eminent domain for development and management for fish and wildlife habitat or development and management of recreational and park facilities within the zoning jurisdiction of any municipality except with the consent of the governing body of the municipality."

The Budget, Planning & Legislative Committee recommended that the Upper Big Blue NRD oppose LB 596.

LB 657: Platte River Water Rights; Introduced by Beutler.

LB 657 would remove from the Department of Water Resources the final authority for approval of any new water rights in the Platte River and its tributaries. DWR would still receive the applications for such water rights and would still consider them in the same manner as they are considered now. However, even if DWR found that all criteria were satisfied, it would not approve the right but would recommend its approval to the Legislature. Final action would be reserved to the Legislature. The water right process in river basins not tributary to the Platte would not be affected.

The Budget, Planning & Legislative Committee recommended that the Upper Big Blue NRD oppose LB 657.

LB 682: Large Drainage Districts with NRDs; Introduced by Beutler.

LB 682 would require that drainage districts organized pursuant to Articles 3 and 4 of Chapter 31 merge with NRDs by June 30, 2004. The currently authorized tax levy for Article 4 drainage district would exist only until July 1, 1998.

The Budget, Planning & Legislative Committee recommended that the Upper Big Blue NRD oppose LB 682.

LB 691: Preliminary Tax Levy Established by Taxing Entity Introduced by Vrtiska.

LB 691 would amend the process by which preliminary property tax rates would be established each year. Current law assigns that responsibility to the county clerk. LB 691 would place that responsibility with the taxing entity, beginning in 1998. The preliminary levy would have to be established by September 10, and notice of it would have to be published in such newspapers as were necessary to provide general circulation within the taxing entity's jurisdiction. The process for adopting a final levy different from the preliminary levy would not be changed. A hearing would have to first be held.

The Budget, Planning & Legislative Committee recommended that the Upper Big Blue NRD support LB 691.

LB 701: Amendments to the Law Governing NGPC Conservation Officers; Introduced by Beutler.

LB 701 is like LB 1388 in last year's legislative session. When last year's bill was introduced, it was in response to a late 1995 district court ruling which made the NGPC conservation officers unable to enforce the laws of the state on lands other than those owned by NGPC. For example, those officers would have no authority to enforce laws on recreation areas owned by NRDs.

The urgency of last year's LB 1388 and this year's LB 701 has been reduced as the Nebraska Supreme Court overturned the 1995 district court ruling. However, NGPC has indicated that the bill is still necessary as it would eliminate any remaining doubt about those officers' jurisdiction and would make a number of other desirable amendments to the law concerning those officers.

The Budget, Planning & Legislative Committee recommended that the Upper Big Blue NRD support LB 701.

LB 718: Interim Instream Flows; Introduced by Preister.

LB 718 has three objectives, all of which are related to instream flows. The first would require DWR to establish base flows in all of the gaged streams in the state. Those base flows would be equal to the monthly medium flow for each stream involved and would serve as interim instream flow appropriations until permanent instream flow appropriations could be granted to either Game and Parks or the NRDs through the existing statutory process. The second objective would allow the conversion of the existing natural flow or storage appropriations to instream flow appropriations. Those changes in the nature of use could occur through donations or through purchase by Game and Parks or by a natural resources district. The third objective is to allow holders of out-of-stream surface appropriations to conserve surface water and use at least part of that water conserved on other land or for further uses. At least 50% of the water conserved would have to remain in or to be returned to the stream for the beneficial uses of fish, recreation, or wildlife.

The Budget, Planning & Legislative Committee recommended that the Upper Big Blue NRD oppose LB 718.

LB 877: Instream Flow Amendments; Introduced by McKenzie and Others.

LB 877 would make a number of changes in instream flow law. First, the appropriation of water for instream flows would have to be reviewed by the Director of Water Resources every ten years to determine if that was still in the public interest; and that all of the water appropriated has been necessary and has provided the beneficial uses for which the permit was granted. Secondly, it would permit an industrial or manufacturing development that has been denied the use of water because insufficient unappropriated water was available, to request a hearing to determine if the instream flow appropriation is still in the public interest or should be modified or cancelled so that the industrial or manufacturing development could proceed. Thirdly, instream

flow appropriations could not be construed to interfere with (1) the ability to obtain future public water supplies; (2) future construction or operation of reservoirs with a net annual consumption of less than 200 a.f.; (3) changes in senior natural flow water rights if the changes would not increase the authorized diversion for such rights; (4) changes in storage, storage use, or appropriations of water from storage permits; or (5) the transfer of existing senior water rights for power generation.

The instream flow appropriations could also not be used to: (1) require regulation of the quantity of water withdrawn or the timing of withdrawals from ground water wells; or (2) preclude de minimis uses of water.

The bill would also change the criteria for approval of applications for instream flows appropriations, including those pending on January 1, 1997. Such appropriations could be approved if: (1) there was unappropriated water available to provide the requested instream flow rate at least 50% of the time during the period requested; (2) the appropriation was necessary to maintain the existing recreational use or existing fish and wildlife species in the stream; (3) the appropriation would not interfere with any senior surface water appropriation; (4) the rate and timing of the flow was the minimum necessary to maintain the existing recreational use or existing fish and wildlife species in the stream; (5) unappropriated natural flows would remain available in the stream for future beneficial uses; and (6) the application would be in the public interest.

Lastly, LB 877 would require that before parties in a dispute over an instream flow appropriation filed a court action, they would have to attempt mediation or non-binding arbitration.

The Budget, Planning & Legislative Committee recommended that the Upper Big Blue NRD support LB 877.

LR 2CA: Unfunded Mandates; Introduced by Coordsen.

If approved by the voters in November, 1998, LR 2CA would require that the Legislature provide sufficient state aid to cover the cost of any additional requirements or expansion of requirements imposed on political subdivisions. Funding would not be required if the political subdivision requested the creation, expansion, or change in a program or service.

The Budget, Planning & Legislative Committee recommended that the Upper Big Blue NRD support LR 2CA.

Moore made the motion (Motion #24) to accept the committee recommendations for legislative bills. Seconded by Jackson.

Jackson amended the motion to make the motion (Motion #25) to divide the question by pulling LB 221 and LB 308 to be voted upon separately. Seconded by Hansen. Question called on the amendment. Amendment carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Austin
NAY: None
PASS: Volkmer
EXCUSED: Buller, Ediger

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

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Austin
NAY: None
PASS: Volkmer
EXCUSED: Buller, Ediger

LB 221: Multiple Office Holding; Introduced by Schimek and Others.

Houdersheldt made the motion (Motion #26) to support LB 221. Seconded by Jackson. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer
NAY: Friesen, Austin
EXCUSED: Buller, Ediger

LB:308: Tax Credit for Vegetative Filter Strips; Introduced by Stuhr and Others.

Jackson made the motion (Motion #27) to support LB 308. Seconded by Regier. Question called. Motion failed.

AYE: Houdersheldt, Jackson, Regier, Schulz, Austin
NAY: Dickinson, Ehlers, Friesen, Hansen, Oswald, Volkmer
PASS: Burke, Eberle, Moore, Teegerstrom
EXCUSED: Buller, Ediger

Dickinson made the motion (Motion #28) to oppose LB 308. Seconded by Volkmer. Question called. Motion failed.

AYE: Dickinson, Ehlers, Friesen, Hansen, Oswald, Volkmer
NAY: Jackson, Schulz, Austin
PASS: Burke, Eberle, Houdersheldt, Moore, Regier, Teegerstrom
EXCUSED: Buller, Ediger

LB 747: Provision for the Creation of New Natural Resources Districts; Introduced by Tyson and Wesely.

Dickinson made the motion (Motion #29) to oppose LB 747. Seconded by Moore. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Buller, Ediger

EXECUTIVE COMMITTEE REPORT

Houdersheldt gave a report on the Executive Committee meeting held February 11, 1997 and reviewed the committee report as distributed.

OUT-OF-STATE TRAVEL

Houdersheldt made the motion (Motion #30) that in accordance with the General Section, paragraph II, of the District's Operating Policies, this Board authorizes a second out-of- state trip in FY 97 for the Chairman, Yvonne Austin, so that she may attend the NARD Washington, D.C. government contact trip, by waiving the restrictions on out-of-state travel listed in Operating Policy #7, paragraph IV. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Regier, Schulz, Teegerstrom, Volkmer
NAY: None
PASS: Austin
EXCUSED: Buller, Ediger
ABSENT: Moore

ATTORNEY FEES

Houdersheldt made the motion (Motion #31) to approve payment of \$1,423.90 to Crosby, Guenzel, Davis, Kessner & Kuester, for Steve Seglin's work through January 20, 1997. Seconded by Oswald. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Buller, Ediger

ABSENT: Moore

FISCAL YEAR 97 NACD DUES

Houdersheldt made the motion (Motion #32) to approve payment of \$1,500.00 to the National Association of Conservation Districts for 1997 dues. Seconded by Burke. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Buller, Ediger

ABSENT: Moore, Regier

NRCS COOPERATIVE WORKING AGREEMENT

Turnbull and Bill Gilliam reviewed the draft Cooperative Working Agreement with the NRCS which replaces the existing memorandum of understanding.

Houdersheldt made the motion (Motion #33) to approve the Cooperative Working Agreement between the Natural Resources Conservation Service, the Natural Resources Commission, and the Upper Big Blue Natural Resources District. Seconded by Jackson. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Buller, Ediger

ABSENT: Moore, Regier

APRIL BOARD MEETING DATE CHANGE

The chairman and general manager will not return from the Washington D.C. trip until April 17th, which is the day of the regularly scheduled board meeting. They have requested the meeting be held the following Thursday.

The Executive Committee has rescheduled the April board meeting to Thursday, April 24th, at 8:00 p.m..

LOWER PLATTE NORTH NRD CLERICAL SALARIES

The Lower Platte North has billed the Upper Big Blue NRD \$3,824.00 for our share of the Butler County field office clerk's salary for the first 6 months of FY 97. The \$3,824.00 includes FICA and retirement, and is 44.673% of the total, which is our share of the area of Butler County. That full time clerk is hired and supervised by the Lower Platte North. The committee is concerned about paying for a full time clerk in Adams, Butler, Clay, and Saline counties when we have only a part time clerk in Fillmore, Hamilton, Polk, and Seward counties. York is full time because the position supports the District Conservationist. An obligation exists to pay the salaries for all of FY 97 so the bill needs to be paid.

Houdersheldt made the motion (Motion #34) to approve payment of \$3,824.00 to the Lower Platte North NRD for Butler County field office clerical salary for the period July 1 through December 31, 1996. Seconded by Hansen. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Buller, Ediger

ABSENT: Moore, Regier, Schulz

GMDA TRIP EXPENSES - EDIGER

Houdersheldt made the motion (Motion #35) to approve payment of \$329.51 to Ed Ediger for reimbursement of expenses for attending the GMDA conference in December. Seconded by Volkmer. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Buller, Ediger
ABSENT: Moore, Regier, Schulz

COMMITTEE ASSIGNMENTS FOR 1997-98

Budget Committee

Buller
Burke
Dickinson
Friesen
Moore
Oswald
Teegerstrom
Volkmer

Education & Parks Committee

Eberle
Ediger
Hansen
Houdersheldt
Jackson
Oswald
Regier
Schulz

Projects Committee

Buller
Burke
Dickinson
Ehlers
Hansen
Houdersheldt
Schulz
Volkmer

Water Committee

Eberle
Ediger
Ehlers
Friesen
Jackson
Moore
Regier
Teegerstrom

Houdersheldt made the motion (Motion #36) to approve the committee assignments for the two year term ending in 1999. Seconded by Ehlers. Question called. Motion carried.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Buller, Ediger
ABSENT: Moore, Regier, Schulz

FINANCIAL STATEMENT

Volkmer made the motion (Motion # 37) to approve the financial statement and budget report as of January 31, 1997; to make payment of the accounts payable and approve the expenditures for publication.

AYE: Burke, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Buller, Ediger
ABSENT: Moore, Regier, Schulz

Meeting adjourned at 4:15 p.m.

Vance Teegerstrom, Secretary
:nd

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MARCH 20, 1997

CALL TO ORDER

Chairman Yvonne Austin called a regular board of directors meeting to order at 1:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chair	Roger Houdersheldt, Vice Chairman
Vance Teegerstrom, Secretary	Steve Buller, Treasurer
Doug Dickinson, Director	Gary Eberle, Director
Ed Ediger, Director	Bob Ehlers, Director
Curtis Friesen, Director	Wayne Hansen, Director
Jim Jackson, Director	Larry Moore, Director
Louis Oswald, Director	Kenneth Regier, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Joyce Wattles, Staff
Prudence Sadler, Staff	Ken Feather, Staff
Rodney DeBuhr, Staff	Jay Bitner, Staff
Kent Norquest, Geneva NRCS	Wm. Gilliam, York NRCS
Jim Holtzen, Aurora	Allen Brandt, Harvard
Kendall Ham, Saronville	Tonya Schmidt, Harvard
Jerry Schmidt, Harvard	Gayle Shore, Harvard
Burnell Aspegren, Harvard	Clarence Farrand, Harvard
Marvin Nelson, Harvard	Rebecca Oltmans, York News-Times
Darren Fowler, Hastings Tribune	Gary L. Samuelson, Harvard
Sandra K. Samuelson, Harvard	Marge Keasling, Harvard
Max Keasling, Harvard	Tim Yost, Harvard
Sharon Yost, Harvard	Bruce Keasling, Harvard
Bill Brown, Sutton	John B. Keller, Harvard
Keith Keller, Harvard	Mark D. Beck, Hastings
Ron Fleecs, Lower Big Blue NRD	

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published March 13, 1997 in the York News-Times. The agenda is kept current and is available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ROLL CALL

Fifteen directors were present during roll call. Schulz was absent.

ADOPTION OF AGENDA

Volkmer made the motion (Motion #1) to adopt the agenda for the March 20, 1997 board of directors meeting as presented. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: Schulz

APPROVAL OF MINUTES OF THE FEBRUARY 20, 1997 BOARD MEETING

Ediger made the motion (Motion # 2) to approve the minutes of the February 20, 1997 board of directors meeting as distributed. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Schulz

CHANGE ORDER OF AGENDA ITEMS

Houdersheldt made the motion (Motion #3) to move agenda items seven, eight, nine and ten to follow item eleven, which is the Projects Committee Report. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Schulz

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held March 10, 1997 and reviewed the committee report as distributed.

WEST FORK PROJECT

The Projects Committee reviewed information previously presented on the West Fork Project. Staff answered questions about methods for deciding recreation benefits, water quality parameters and tax considerations. Due to difficulty raising outside funding, the necessity of a major increase in NRD property taxes to finance the district's share of the project, and lack of public support, the Committee felt the West Fork Project should be suspended.

Hansen made the motion (Motion #4) that the District suspend the West Fork Project effective March 21, 1997. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Hansen, Jackson, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: Ehlers, Friesen, Houdersheldt

PASS: Moore

ABSENT: Schulz

WATER QUALITY STUDY - WEST FORK OF THE BIG BLUE RIVER

The Projects Committee discussed the need for a water quality study of the West Fork of the Big Blue River. Questions were raised concerning the scope and cost of such a study. Staff advised that a preliminary scope would be presented at the April Projects Committee meeting.

Hansen made the motion (Motion #5) that the District conduct a water quality study of the West Fork of the Big Blue River, and ask the people of the Harvard area for their support of that study; further that the staff prepare a plan of work for the water quality study, including a time schedule and cost estimate, for the April committee meeting. Seconded by Volkmer.

Ehlers amended the motion (Motion #6) to strike "for the April committee meeting." Seconded by Hansen.

Buller expressed his concern about the motion authorizing a water quality study before the board reviews the cost of the study.

Ehlers and Hansen withdrew their amendment to the motion.

Buller amended the motion to make the motion (Motion #7) to strike "that the district conduct a water quality study of the West Fork of the Big Blue River, and ask the people of the Harvard area for their support of that

study" and "for the April committee meeting." Seconded by Moore.

After further discussion, Moore made the motion (Motion #8) to refer to committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer
NAY: Dickinson, Ediger, Austin
ABSENT: Schulz

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Hansen made the motion (Motion #9) that nine new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer.

Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: Schulz

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Hansen made the motion (Motion #10) that two 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: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: Schulz

LAND TREATMENT PROGRAM WINDBREAK PLANTING

The Projects Committee reviewed the details of NSWCP Practice NC-12, Windbreak Planting and recommended the board adopt this practice. The District has already adopted NSWCP Practice NC-16 that includes removal of old windbreaks and ground preparation for planting a replacement windbreak. Cost-share applicants will be allowed 18 months from the time of authorization to complete windbreak renovation and replanting. Practice NC-12 can also be used for planting new windbreaks. The NRCS service life for windbreaks is 20 years. Cost-share applicants must agree to maintain the windbreak for this time, or repay the cost share.

Hansen made the motion (Motion #11) that the district adopt Nebraska Soil and Water Conservation Program Practice NC-12, Windbreak Planting, as part of the district land treatment program. Seconded by Houdersheldt.

Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: Schulz

SEWARD FLOOD HAZARD MITIGATION PROJECT

Claim number eleven was filed by the City of Seward on the Seward Flood Hazard Mitigation Project. The total amount of this claim is \$12,400.00. FEMA's share is \$9,300.00, the City's share is \$1,550.00, and the NRD share is \$1,550.00.

Hansen made the motion (Motion #12) that payment of \$1,550.00 in NRD funds be made to the City of Seward and that the District file a claim in the amount of \$9,300.00 for the FEMA share of claim number eleven of the Seward Flood Hazard Mitigation Project and that the FEMA share be paid to the City when it is received by the District. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None
ABSENT: Schulz

SEWARD FLOOD HAZARD MITIGATION PROJECT

Bitner requested authorization to obtain aerial photography and digital terrain modeling for the Seward Flood Hazard Mitigation Project. The photography and modeling will be used to map approximately 2,000 acres as shown on the map attached to these minutes. The purpose of the map is to accurately show the boundaries and areas of lands being considered for no-construct easement in the Plum Creek flood plain. The mapping is to be completed by Horizons, Inc. for a fee of \$20,876. The cost of mapping to be shared 75% by FEMA (\$15,657), 12.5% by the City of Seward (\$2,609.50), and 12.5% by the NRD (\$2,609.50).

Hansen made the motion (Motion #13) that Horizons, Inc. be hired to perform aerial photography and digital terrain mapping on the Seward Flood Hazard Mitigation Project, in accordance with their proposal for a fee not to exceed \$20,876. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None
ABSENT: Schulz

PROJECT 23-12-02E - ULYSSES DAM FINAL DESIGN

Staff discussed the status of the Ulysses Dam. A meeting with the landowners was held on February 19, 1997 at the Ulysses Coop. No opposition to the project was raised then. Landowners are interested in finding out the compensation to them in return for land to be used for the project. Staff requested authorization to proceed with final design.

Hansen made the motion (Motion #14) that staff be authorized to proceed with final design on Project 23-12-02E, Ulysses Dam. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None
ABSENT: Schulz

PROJECT 23-12-02E - ULYSSES DAM DRILLING & TESTING

Staff presented proposals from Terracon Consultants, Inc. (\$6,434.00) and Geotechnical Services, Inc. (\$6,850.00) to perform geotechnical engineering, including drilling and testing at Project 23-12-02E. Staff recommends that Terracon Consultants Inc. be hired to perform the drilling and testing.

Hansen made the motion (Motion #15) that Terracon Consultants Inc. be hired to perform geotechnical engineering on Project 23-12-02E, Ulysses Dam, including drilling and testing, in accordance with their proposal for a fee not to exceed \$6,434.00. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None
ABSENT: Schulz

LINCOLN CREEK PARKWAY TRAIL - FOOT BRIDGE DESIGN

The Prairie Plains Institute, located in Aurora, has requested that the NRD consider participating in redesign of the foot bridge over Lincoln Creek. The original design was prepared by the NRD in 1992 as part of the Lincoln Creek Parkway Trail Project. A firm by the name of Kansas Structural Composites, Inc. is working with the University of Nebraska Civil Engineering Department to design and build a fiber reinforced plastic (FRP) foot bridge over Lincoln Creek to show FRP technology. Construction costs for the bridge will be shared by the City of Aurora, Kansas Structural Composites, Inc., and grants obtained by UNL. Prairie Plains Institute is asking that the NRD provide engineering design for the bridge supports. Staff recommends that the District help in this

effort.

Geotechnical Services, Inc. has submitted a proposal to provide geotechnical engineering including drilling and testing for the bridge supports and foundations, for a fee not to exceed \$1,537.50.

Hansen made the motion (Motion #16) that the District provide engineering assistance to Prairie Plains Institute, in cooperation with the University of Nebraska Civil Engineering Department and Kansas Structural Composites, Inc., for the purpose of designing foundations and supports for a footbridge over Lincoln Creek, and that Geotechnical Services, Inc. be hired to provide geotechnical engineering including drilling and testing, for the bridge foundation for a fee not to exceed \$1,537.50. Seconded by Regier.

Buller amended the motion to make the motion (Motion #17) to add "100 percent of which is to be reimbursed if they do not proceed to construction within two years." Seconded by Volkmer. Question called on the amendment. Amendment carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: Schulz

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

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: Schulz

PROJECT 15-10-02W - TODD DAM

York County has requested that the District provide engineering assistance to design a new culvert between Sections 15 and 16, Township 10 North, Range 2 West. This work is at the upstream end of the new lake proposed as part of Project 15-10-2W, Todd Dam. York County would be responsible for all construction and right-of-way costs concerning the culvert upgrade, and would reimburse the District for engineering costs incurred. Staff reviewed the proposed Interlocal Agreement with the Projects Committee.

Hansen made the motion (Motion #18) that the District enter into an Interlocal Agreement with York County for the purpose of performing engineering design of a roadway culvert, subject to approval of the York County Engineer, this work being located between Sections 15 & 16, Township 10 North, Range 2 West, at the intersection of the County road and the lake created by the District's Project 15-10-02W, Todd Dam. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: Schulz

WATER COMMITTEE REPORT

Jackson reported on the Water Committee meeting held March 10, 1997 and reviewed the committee report as distributed.

GWMA #1 (Ground Water Supply)

FAR- MAR- CO / CITY OF HASTINGS RECOVERY WELL

Rod reported that the clean up for the Far-Mar-Co subsite of the Hastings Superfund site will be done by installing a high capacity well and pumping water to the Welan Energy Center where it will be used for evaporative cooling. Normally such a well would be subject to the NRD's regulations and the State of Nebraska's Industrial Ground Water Regulatory Act. However, the District was notified that Federal law grants superfund clean up efforts waivers from all state and local permits. The Department of Water Resources has

requested an Attorney General's opinion on the federal statutes. Rod recommended that if the opinion confirms that the project is waived from state and local permits, that the district inform the project sponsors that after the cleanup is complete the well and use of water must comply with NRD requirements then or be decommissioned.

Jackson made the motion (Motion #19) to authorize the staff to inform the Far-Mar-Co subsite Recovery Plan sponsors of the requirements for post project use of the recovery well and to request annual progress reports on the clean up effort. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: Schulz

GWMA #2 (Ground Water Quality)

PAYMENT FOR THE 1996 MID NEBRASKA STICKY TRAP STUDY

The district agreed to fund four sticky trap study sites in 1996 at a total cost of \$2,000. The NRD has been billed.

Jackson made the motion (Motion #20) to pay the Mid Nebraska Water Quality Demonstration Project \$2,000 of the district's share of the 1996 Sticky Trap Study. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
PASS: Ehlers
ABSENT: Schulz

GWMA #2 (Ground Water Quality)

1997 FUNDING FOR CONTINUATION OF THE STICKY TRAP STUDY

Bob Wright, coordinator for the Sticky Trap project, has requested that the NRD fund continuation of the study for 1997 at a cost of \$2,000. The staff feels that these types of demonstrations attract a greater audience to the demonstration tours by providing a wider range of information.

Jackson made the motion (Motion #21) to cosponsor the 1997 Mid Nebraska Sticky Trap Study at a cost of \$2,000 to the district. Seconded by Ehlers. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: Buller, Schulz

EDUCATION AND PARKS COMMITTEE REPORT

Oswald reported on the Education and Parks Committee meeting held March 13, 1997 and reviewed the committee report as distributed.

SUMMER ORIENTATION ABOUT RIVERS (SOAR) - FUNDING REQUEST

The Prairie Plains Resources Institute of Aurora has requested \$1,500 from the district to support the Summer Orientation About Rivers, a natural resources focused day camp for 120 elementary school children. This is the same amount of funding that the district has provided in past years.

Oswald made the motion (Motion #22) that the Upper Big Blue NRD provide \$1,500 to the Prairie Plains Resources Institute for the 1997 SOAR program. Seconded by Regier.

Some board members expressed concern that this day camp was not open to children from across the district. The board instructed Prudence Sadler to talk to the Prairie Plains Resources Institute of Aurora about expanding

the program to include children from across the Upper Big Blue NRD.

Ediger made the motion (Motion #23) to table the matter until next month. The motion died for lack of a second.

Question called on the previous motion. Motion carried.

AYE: Buller, Eberle, Ehlers, Friesen, Hansen, Jackson, Moore, Oswald, Regier, Teegerstrom
NAY: Dickinson, Ediger, Houdersheldt, Volkmer, Austin
ABSENT: Schulz

MARCH WILDLIFE PAYMENTS

Oswald made the motion (Motion #24) that the Upper Big Blue NRD make payment of \$5,547.50 to the cooperators of the Wildlife Habitat Improvement program for the month of March. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: Dickinson, Ehlers
PASS: Moore
ABSENT: Schulz

CORNERS FOR WILDLIFE CONTRACTS

Oswald made the motion (Motion #25) that the Upper Big Blue NRD Board of Directors accept the Corners For Wildlife applications of Roland R. Hall and Shawn St.Louis and authorize the Chairman of the Board to sign said contracts and submit them to Pete Berthelsen, Regional Biologist with Pheasants Forever for his signature. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: Dickinson
ABSENT: Schulz

PROJECT 15-10-02W (Todd Dam) - AGREEMENT WITH YORK COUNTY

Oswald made the motion (Motion #26) that the Upper Big Blue NRD Board of Directors approve the agreement between York County and the Upper Big Blue NRD for Project 15-10-02W (Todd Dam) and authorize the Chairman of the Board to sign said Agreement. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: Ediger, Schulz

NEW WILDLIFE HABITAT IMPROVEMENT PROGRAM CONTRACTS - RECOMMENDATIONS FOR FY97

Richard Maresh, 220 North 16th Geneva, Nebraska
Site (1) location SW1/4 3-6-1W 24 Ac's
Site (2) location W1/4 NE 1/4 9-6-1W 17 Ac's

Practice III - Protecting Existing Habitat
Annual payment \$717.50
Contract Term 10 years
Total Contract Payment \$7,175.00

Dale Stengel, Rt 1 Box 72 Shickley, Nebraska
Site (1) location SW1/4 28-6-4W

Practice III - Protecting Existing Habitat	6.5 Ac's
Annual Payment	\$113.75
Contract Terms	10 years
Total Contract Payment	\$1,137.50

Oswald made the motion (Motion #27) that the Upper Big Blue NRD Board of Directors accept the new Wildlife Habitat Improvement Program contracts between the Upper Big Blue NRD and the cooperators Richard Maresh and Dale Stengel. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
 NAY: Dickinson, Ehlers
 ABSENT: Schulz

EXECUTIVE COMMITTEE REPORT

Buller reported on the Executive Committee meeting held March 13, 1997 and reviewed the committee report as distributed.

INVESTMENTS

Buller made the motion (Motion #28) to authorize the General Manager to reinvest the District's investments at the best rate and term, consistent with the expected cash flow as the district's investments mature, and to provide a monthly report to the Executive Committee of the actions taken. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
 NAY: None
 ABSENT: Schulz

ATTORNEY FEES

The attorney's fees for the month are \$794.40. \$238.32 for Kuhns vs. Springer and \$556.08 for the Todd Dam easements.

Buller made the motion (Motion #29) to approve payment of \$794.40 to Crosby, Guenzel, Davis, Kessner & Kuester, for Steve Seglin's work through February 20, 1997. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
 NAY: None
 ABSENT: Schulz

NIGHT COMMITTEE MEETING SCHEDULES

At the request of several board members the Executive Committee is scheduling two committee meetings a night. To complete committee work without running late, the committee meetings and board meetings are to begin at 7:30 p.m..

BUDGET, PLANNING & LEGISLATIVE COMMITTEE

Moore reported on the Budget, Planning & Legislative Committee meeting held March 18, 1997 and reviewed the committee report as distributed.

ELECTION OF BUDGET COMMITTEE CHAIRMAN & VICE-CHAIRMAN

Doug Dickinson was elected Chairman and Larry Moore was elected Vice-Chairman of the Budget Committee.

Dickinson was not present at the Budget, Planning & Legislative Committee meeting held March 18, 1997 at

Beatrice. Because of his position on the NARD Board, his farming operation and other NRD board duties he said he did not want to serve as Chairman of the Budget Committee.

Dickinson made the motion (Motion #30) to move Moore into the committee chairman's position and vote at the next Budget Committee meeting to elect another Vice-Chairman. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: Hansen, Houdersheldt
PASS: Jackson
ABSENT: Schulz

TURKEY CREEK JOINT PROJECT

The Lower Big Blue is interested in constructing flood control structures in the Turkey Creek Watershed to prevent downstream flooding in Turkey Creek, the DeWitt area, and downstream. The Lower Big Blue is also interested in water quality work in the Turkey Creek Watershed. The Upper Big Blue committee members were asked if they were interested in some type of joint project. The Upper Big Blue members expressed an interest and suggested a joint project be explored. The Environmental Trust Fund was mentioned. It was felt that a joint application by two NRDs would carry considerable strength. The two staffs will begin discussions to see what is practical.

Ron Fleecs was present and expressed the Lower Big Blue NRDs desire to work with the Upper Big Blue NRD on the development of a joint project on Turkey Creek.

Ediger made the motion (Motion #31) to pursue a joint project on Turkey Creek with the Lower Big Blue NRD. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Austin
NAY: None
PASS: Regier
ABSENT: Schulz

FINANCIAL STATEMENT

Volkmer made the motion (Motion # 32) to approve the financial statement and budget report as of February 28, 1997; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: Schulz

Meeting adjourned at 4:35 p.m..

Vance A. Teegerstrom, Secretary

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MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
April 24, 1997

CALL TO ORDER

Chairman Yvonne Austin called a regular board of directors meeting to order at 7:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chairman	Roger Houdersheldt, Vice Chairman
Vance Teegerstrom, Secretary	Steve Buller, Treasurer
Doug Dickinson, Director	Gary Eberle, Director
Ed Ediger, Director	Bob Ehlers, Director
Curtis Friesen, Director	Wayne Hansen, Director
Jim Jackson, Director	Louis Oswald, Director
Roland Schulz, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Rod DeBuhr, Staff	Jay Bitner, Staff
Prudence Sadler, Staff	Ken Feather, Staff
Bill Gilliam, York NRCS	Rebecca Oltmans, York News-Times

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published April 17, 1997 in the York News-Times. The agenda is kept current and is available for public inspection at the principal office of the Upper Big Blue NRD, during normal business hours.

ROLL CALL

Twelve directors were present during roll call. Friesen and Schulz arrived later in the meeting.

REQUESTS FOR EXCUSED ABSENCE

Ehlers made the motion (Motion #1) to excuse the absence of Larry Moore and Ken Regier from the April 24, 1997 board of directors meeting, as requested. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Oswald, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Friesen, Moore, Regier, Schulz

ADOPTION OF AGENDA

Volkmer made the motion (Motion #2) to adopt the revised agenda for the April 24, 1997 board of directors meeting as presented. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Oswald, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Friesen, Schulz

EXCUSED: Moore, Regier

APPROVAL OF MINUTES OF THE MARCH 20, 1997 BOARD MEETING

Jackson made the motion (Motion #3) to approve the minutes of the March 20, 1997 board of directors meeting as distributed. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Oswald, Teegerstrom, Volkmer, Austin

NAY: None
ABSENT: Friesen, Schulz
EXCUSED: Moore, Regier

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held April 15, 1997 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Hansen made the motion (Motion #4) that five applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Teegerstrom, Volkmer, Austin

NAY: None
ABSENT: Schulz
EXCUSED: Moore, Regier

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Hansen made the motion (Motion #5) that payment of NRD land treatment funds be made in the amount of \$1,210.70 for three applications reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Teegerstrom, Volkmer, Austin

NAY: None
ABSENT: Schulz
EXCUSED: Moore, Regier

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Hansen made the motion (Motion #6) that twelve 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: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Teegerstrom, Volkmer, Austin

NAY: None
ABSENT: Schulz
EXCUSED: Moore, Regier

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Hansen made the motion (Motion #7) that payment of NSWCP land treatment funds be made in the amount of \$1,166.39 for two applications reviewed by the committee. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Teegerstrom, Volkmer, Austin

NAY: None
ABSENT: Schulz
EXCUSED: Moore, Regier

SEWARD FLOOD HAZARD MITIGATION PROJECT

The total expenditure for claim number 12 of the Seward Flood Hazard Mitigation Project Buyout Phase, is \$164,658.75. FEMA's share is \$123,494.06, of which \$123,336.92 is to be paid to the City. The NRD share is \$20,582.35; \$20,559.90 of which is to be paid to the City. The City's share is \$20,582.34.

Hansen made the motion (Motion #8) that payment of \$20,559.90 in NRD funds be made to the City of Seward, and that the District file a claim in the amount of \$123,494.06 for the FEMA share of claim number 12 of the Seward Flood Hazard Mitigation Project, Buyout Phase, and that

\$123,336.92 of the FEMA share be paid to the City when it is received by the District. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Schulz

EXCUSED: Moore, Regier

SEWARD FLOOD HAZARD MITIGATION PROJECT

The total expenditure for claim number one of the Seward Flood Hazard Mitigation Project, Demolition Phase, is \$1,531.47. The FEMA share is \$1,378.32. The City's share is \$76.57, none of which is to be paid to the City, and the NRD share is \$76.58.

Hansen made the motion (Motion #9) that the district file a claim in the amount of \$1,378.32 for the FEMA share of claim number one of the Seward Flood Hazard Mitigation Project Demolition Phase. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Schulz

EXCUSED: Moore, Regier

WATER COMMITTEE MEETING REPORT

Jackson reported on the Water Committee meeting held April 17, 1997 and reviewed the committee report as distributed.

FY97 PAYMENT TO UNL FOR WEATHER STATION OPERATION AND MAINTENANCE

The agreement with UNL for installation and operation of the York weather station calls for the district to pay UNL \$1,000.00 annually for operation and maintenance costs. The FY97 payment is due. The weather station has functioned very well this past year.

Jackson made the motion (Motion #10) to pay the UNL High Plains Climate Center \$1,000.00 for the operation and maintenance of the York automated weather station as per our agreement. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None

EXCUSED: Moore, Regier

CITY OF HARVARD LATE PERMIT

A new municipal well was constructed for the City of Harvard. No permit was obtained. The city has applied for a late permit and Sargent Irrigation has paid the late permit fee. There are no other conflicts with the district's regulations.

Jackson made the motion (Motion #11) to approve the late permit for the City of Harvard's municipal well, drilled November 1, 1996. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald,

Schulz, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: None
EXCUSED: Moore, Regier

KUHNS VS. SPRINGER APPEAL

On April second the first court hearing was held on the Kuhns vs. Springer appeal. At that hearing Mr. Springer's attorney filed a motion for dismissal on the basis that Mr. Kuhns' petition failed to show his interest in this matter because his wife owned the land, not him.

At the same hearing the district filed a petition to be made a party to the court action because it is the district's regulations that are at issue in the case.

A few days after the hearing the judge made the following rulings: 1) The judge upheld Mr. Springer's petition, however, he granted Mr. Kuhns' attorney 14 days to file a revised petition;
2) The judge denied the district's petition, finding that, because the district did not bring action against either party, the law defines the district as a "fact finding body". The law says that an agency acting solely as a fact finding body may not be a party to such an appeal.

Staff advised the board that Mr. Kuhns was given until April 28, 1997 to refile a revised petition. As of April 24, 1997 he had not done so.

Staff asked the board what they felt should be done if Mr. Kuhns refiles a petition by the April 28th deadline. The staff and board discussed the options of appealing the judge's ruling or refiling to be made a party to the hearing. Since the district's rules and regulations are the reason for this hearing, staff feels we should be able to defend our decision. A major concern is the risk that the judge may rule the district's rules and regulations are invalid.

Rod DeBuhr indicated that no decision needs to be made until we know whether or not Mr. Kuhns' attorney refiles a petition by April 28th. However, if a new petition is filed the district has only 14 days to respond.

Ehlers made the motion (Motion #12) to authorize the Water Committee to make the necessary decisions regarding the Kuhns vs. Springer Hearing on an emergency basis. Seconded by Buller.

Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald,
Schulz, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: None
EXCUSED: Moore, Regier

USGS GROUND WATER MONITORING STUDY PAYMENT

Jackson made the motion (Motion #13) to pay USGS \$6,500.00 as per our agreement for study work completed during the period of January 1, 1997 to March 31, 1997. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald,
Schulz, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: None
EXCUSED: Moore, Regier

USGS GROUND WATER MONITORING STUDY CONTRACT MODIFICATION

USGS has requested a contract modification to add three months to the current contract for completing the specified work. This would change the ending date of the current contract to December 31, 1997. The contract

for the final year will not be affected and the final study report is expected to be on time.

Jackson made the motion (Motion #14) to approve the USGS Ground Water Monitoring Study contract modification. Seconded by Friesen. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom

NAY: Buller, Volkmer, Austin

ABSENT: None

EXCUSED: Moore, Regier

MONITORING WELLS ON NEW HIGHWAY 34 RIGHT-OF-WAY

The site #1 monitoring wells, 10 miles west of Aurora are located on the new R.O.W. The district has been contacted by the Department of Roads (DOR). It looks like we can keep the wells at the current location. If they do need to be moved it will be at DOR's expense.

AQWACAP FINAL PAYMENTS

Jackson made the motion (Motion #15) to approve final payment for sixteen well abandonments at a total cost of \$4,536.01. Seconded by Hansen. Question called. Motion carried.

AYE: Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

PASS: Buller, Dickinson

ABSENT: None

EXCUSED: Moore, Regier

AQWACAP FUNDING

Jackson made the motion (Motion #16) to increase authorized spending from \$15,000 to \$20,000 for AQWACAP payments during FY97. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None

EXCUSED: Moore, Regier

WETLANDS WATER QUALITY STUDY PROPOSAL

USGS has asked the district to cooperate on a wetlands study. The staff recommends that the district not participate. The other agencies involved could cover the cost of the study if it is really needed.

Jackson made the motion (Motion #17) to decline participation in the USGS Wetlands Water Quality Study. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None

EXCUSED: Moore, Regier

EDUCATION AND PARKS COMMITTEE REPORT

Oswald reported on the Education and Parks Committee meetings held April 15 and 24, 1997 and reviewed the committee reports as distributed.

TRAILBLAZER RC&D REQUEST FOR FUNDS

The Trailblazer RC&D asks that the district contribute \$50.00 towards its operation, as we have in the past.

Oswald made the motion (Motion #18) that the Upper Big Blue NRD provide \$50.00 to the Trailblazer RC & D. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None

EXCUSED: Moore, Regier

PROJECT 15-10-2W (Todd Dam) AGREEMENT WITH KANEB PIPE LINE OPERATING PARTNERSHIP, L.P.

Oswald made the motion (Motion #19) that the Upper Big Blue NRD Board of Directors approve the agreement between Kaneb Pipe Line Operating Partnership, L.P. and the Upper Big Blue NRD for Project 15-10-2W (Todd Dam) for the amount of \$22,000 and authorize the chairman of the board to sign said agreement. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None

EXCUSED: Moore, Regier

CORNERS FOR WILDLIFE CONTRACTS

Oswald made the motion (Motion #20) that the Upper Big Blue NRD Board of Directors accept the corners for Wildlife application of Marlene A. DuBois and authorize the chairman of the board to sign said contract and submit it to Pete Berthelson, Regional Biologist with the Pheasants Forever for his signature. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None

EXCUSED: Moore, Regier

WILDLIFE HABITAT CONTRACT - (OLGA STRUEBING TRANSFERRED TO ROBERT STRUEBING)

Oswald made the motion (Motion #21) that the Upper Big Blue NRD board of directors approve the Wildlife Habitat contract transfer from Olga Struebing to Robert Struebing and authorize the chairman of the board to sign said contract. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None

EXCUSED: Moore, Regier

PROJECT 15-10-2W (TODD DAM) EASEMENT WITH BLUM BROTHERS

(David Blum, Judy Blum, Rupert D. Blum, Denise L. Blum, Reuben G. Blum and Diane D. Blum).

Oswald made the motion (Motion #22) that the Upper Big Blue NRD Board of Directors approve the easement between David L. Blum, Judy Blum, Rupert D. Blum, Denise L. Blum, Reuben G. Blum and Diane D. Blum and the Upper Big Blue Natural Resources District for project 15-10-2W (Todd Dam) for the amount of \$1.00. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None
EXCUSED: Moore, Regier

EXECUTIVE COMMITTEE REPORT

Houdersheldt reported on the Executive Committee meeting held April 24, 1997 and reviewed the committee report as distributed.

ATTORNEY FEES

The attorney fees for the month are \$1,193.30 for the easements on the Todd Structure.

Houdersheldt made the motion (Motion #23) to approve payment of \$1,193.30 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through March 20, 1997. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: None
EXCUSED: Moore, Regier

FIRST QUARTER DIRECTORS' PER DIEM AND EXPENSES

Houdersheldt made the motion (Motion #24) to approve payment of first quarter per diem of \$7,850.00 and expenses of \$2,262.12. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: None
EXCUSED: Moore, Regier

FINANCIAL STATEMENT

Volkmer made the motion (Motion # 25) to approve the financial statement and budget report as of March 31, 1997; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: None
EXCUSED: Moore, Regier

Meeting adjourned at 9:08 p.m.

Vance A. Teegerstrom, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MAY 15, 1997

CALL TO ORDER

Chairman Yvonne Austin called a regular board of directors meeting to order at 7:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chairman	Vance Teegerstrom, Secretary
Steve Buller, Treasurer	Gary Eberle, Director
Ed Ediger, Director	Bob Ehlers, Director
Curtis Friesen, Director	Jim Jackson, Director
Larry Moore, Director	Louis Oswald, Director
Kenneth Regier, Director	Roland Schulz, Director
Merlin Volkmer, Director	Linda Luebbe, Director
John Turnbull, Manager	Nancy Schneider, Staff
Prudence Sadler, Staff	Rodney DeBuhr, Staff
Ken Feather, Staff	Jay Bitner, Staff
Richard Maresh, Geneva	Carl Wolfe, Beaver Crossing
Ron Sedlak, Ulysses	Glade Snoberger, Aurora
Ray Naber, Seward County Commissioners	

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published May 8, 1997 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Thirteen directors were present during roll call.

REQUESTS FOR EXCUSED ABSENCE

Regier made the motion (Motion #1) to excuse the absence of Wayne Hansen and Doug Dickinson from the May 15, 1997 board of directors meeting as requested. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Dickinson, Hansen, Houdersheldt

ADOPTION OF AGENDA

Volkmer made the motion (Motion #2) to adopt the agenda for the May 15, 1997 board of directors meeting as presented. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

APPROVAL OF MINUTES OF THE APRIL 24, 1997 BOARD MEETING

Ediger made the motion (Motion #3) to approve the minutes of the April 24, 1997 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

APPOINTMENT OF AT-LARGE DIRECTOR

Advertisements for the at-large vacancy were placed in several newspapers around the district. The following individuals submitted letters of application for the Board's consideration: Linda Luebbe of Beaver Crossing, Richard Maresh of Geneva, Ron Sedlak of Rising City, Glade Snoberger of Aurora and Carl Wolfe of Beaver

Crossing.

All five candidates are registered voters and reside in the Upper Big Blue NRD. The Executive Committee found that the candidates met the legal requirements for membership on the board and forwarded all five names for the board's consideration.

Operating Policy # 3: Directors Vacancies paragraph V states "The Board shall then, by secret ballot, appoint one of the applicants forwarded by the Executive Committee to fill the existing vacancy. A Director is appointed when a majority of the Directors present vote for the applicant."

Buller made the motion (Motion #4) that secret ballots be cast to select two candidates from the five applicants for membership on the board. The two applicants receiving the most votes will be candidates. In case of a tie, the top three applicants shall be candidates. A director is appointed when the majority of directors present vote for a candidate by secret ballot. If more balloting is necessary, the two candidates with the largest number of votes from the most recently cast ballots will be considered for appointment. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

Ballots were distributed and Chairman Austin selected Rod DeBuhr and Jay Bitner to count the ballots.

In the first round of balloting Luebbe received four votes, Maresh received one vote, Sedlak received three votes, Snoberger received three votes and Wolfe received two votes. Luebbe, Sedlak and Snoberger advanced to the second round of balloting.

Ballots were distributed and board members instructed to cast their votes for either Luebbe, Sedlak or Snoberger. Luebbe received five votes, Sedlak received four votes and Snoberger received four votes.

Ballots were redistributed and the board instructed to recast their ballots for one candidate. Luebbe received seven votes, Sedlak received four votes and Snoberger received two votes. Linda Luebbe was appointed by majority vote and will serve the remainder of Raymond Burke's term, which expires January of 1999.

PROJECTS COMMITTEE MEETING REPORT

Volkmer reported on the Projects Committee meeting held May 6, 1997 and reviewed the committee report as distributed.

PROJECT 15-10-2W - TODD DAM

Staff informed the board that landrights on the Todd Dam will be completed within the next several months. The current schedule calls for the June advertisement of bids, July award of contract, and August construction.

Volkmer made the motion (Motion #5) that staff be authorized to advertise for construction bids on Project 15-10-2W. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

LAND TREATMENT PROGRAM - NSWCP FUNDS - NEW APPLICATIONS

Volkmer made the motion (Motion #6) that five 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: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

LAND TREATMENT PROGRAM - NSWCP FUNDS - PAYMENTS

Volkmer made the motion (Motion #7) that payment of NSWCP land treatment funds be made in the amount of \$ 2,282.80 for two applications reviewed by the committee. Seconded by Friesen. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

LAND TREATMENT PROGRAM - NRD FUNDS - NEW APPLICATIONS

Volkmer made the motion (Motion #8) that four new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

LAND TREATMENT PROGRAM - NRD FUNDS - PAYMENTS

Volkmer made the motion (Motion #9) that payment of NRD land treatment funds be made in the amount of \$ 679.40 for two applications reviewed by the committee. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

ENVIRONMENTAL QUALITY IMPROVEMENT PROGRAM - COST SHARE DOCKET

Staff reviewed the *EQIP Information Handbook and Cost-share Docket* at the May 6 Projects Committee meeting. The docket was developed and forwarded to the Projects Committee by the EQIP Advisory Committee that consists of representatives from the NRD, NRCS, FSA, UNL Extension, and Crop Consultants.

The cost-share docket is to be used by the NRCS when preparing cost-share applications for the EQIP Program. The EQIP Advisory Committee requested that the NRD approve the handbook and docket to be used for priority and non priority areas. The Projects Committee reviewed the cost-share docket and forwarded it to the board for approval.

Volkmer made the motion (Motion #10) that the Environmental Quality Improvement Program (EQIP) Information Handbook and Cost-share Docket, reviewed by the committee, be approved for use in preparing

EQIP cost-share applications. Seconded by Schulz.

Turnbull handed out a new EQIP Organization Flow Chart. He explained to the board that the EQIP Advisory Committee met earlier in the day to again review the EQIP Information Handbook and Cost-share Docket. The EQIP Committee members approved of everything except the EQIP Organization Flow Chart.

FSA personnel from approximately five counties were present at the meeting. They were adamant that they did not want the NRD board to review and approve the applications. Because the EQIP applications are federal contracts, paid for with federal funds, they did not feel the NRD board had the authority to disapprove an application. Turnbull questioned the NRD involvement in the review process if they did not have the authority to disapprove an application.

After further discussion the committee developed the new EQIP Flow Chart that Turnbull handed out.

Jackson amended the motion to make the motion (Motion #11) to replace Figure 1 "EQIP Program Organization Chart" with the new Figure 1 "EQIP Program Flow Chart." Seconded by Regier. Question called on the amendment. Amendment carried.

AYE: Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Austin
NAY: Buller, Ediger, Volkmer
ABSTAIN: Luebbe
PASS: Eberle
EXCUSED: Dickinson, Hansen
ABSENT: Houdersheldt

There was considerable discussion regarding EQIP cost-share practices, the criteria for ranking the applications, appropriations of funds, and the procedure for application, review and approval.

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

AYE: Jackson, Moore, Regier, Schulz, Teegerstrom, Austin
NAY: Buller, Ediger, Ehlers, Friesen, Oswald, Volkmer
ABSTAIN: Luebbe
PASS: Eberle
EXCUSED: Dickinson, Hansen
ABSENT: Houdersheldt

SEWARD FLOOD HAZARD MITIGATION PROJECT

Claim number thirteen has been filed by the City of Seward on the Seward Flood Hazard Mitigation Project Buyout Phase. The total amount of the claim is \$14,743.00. FEMA's share is \$11,057.25, the City's share is \$1,842.88, and the NRD share is \$1,842.87.

Volkmer made the motion (Motion #12) that payment of \$1,842.87 in NRD funds be made to the City of Seward, and that the district file a claim in the amount of \$11,057.25 for the FEMA share of claim number thirteen of the Seward Flood Hazard Mitigation Project, and that the FEMA share be paid to the City when it is received by the District. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
ABSTAIN: Luebbe
EXCUSED: Dickinson, Hansen
ABSENT: Houdersheldt

PROJECT PRIORITIES

The Projects Committee reviewed a list of thirteen projects currently being worked on by the Projects

Department.

Volkmer made the motion (Motion #13) that the project priority list, reviewed by the committee, be approved as a guide for the NRD staff to use when allocating time and resources to projects. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

EDUCATION AND PARKS COMMITTEE REPORT

Ediger reported on the Education and Parks Committee meeting held May 6, 1997 and reviewed the committee report as distributed.

PROJECT 15-10-2W (Todd Dam) - SMITH /HEMPHILL EASEMENT

Ediger made the motion (Motion #14) that the Upper Big Blue NRD Board of Directors approve the easement between Donald R. Smith and Winona G. Smith, husband and wife; individually and as trustees for the Smith Joint Revocable Living Trust and Wilma Hemphill, formerly known as Wilma Smith, a single person (Life Estate) and the Upper Big Blue Natural Resources District for project 15-10-2W (Todd Dam) in the amount of \$15,435. The said amount is to be divided as follows: \$4,193.54 Wilma Hemphill; \$11,241.96 Donald R & Winona G. Smith. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

COMMUNITY TREE RESOURCES - VILLAGE OF WACO

Ediger made the motion (Motion #15) that the Upper Big Blue NRD make payment of \$169.98 to the Village of Waco for the trees planted on the north side of Hilda's Avenue at the ball field. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

PAYMENT TO YORK COLD STORAGE

Ediger made the motion (Motion #16) that the Upper Big Blue NRD make payment of \$800.00 to York Cold Storage for rent for the month of April 1997. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Ehlers, Luebbe

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

PAYMENT TO LINCOLN- OAKES NURSERY

Ediger made the motion (Motion #17) that the Upper Big Blue NRD make payment of \$751.25 to Lincoln-Oakes

Nursery for 2,200 trees and shrubs. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
ABSTAIN: Luebbe
EXCUSED: Dickinson, Hansen
ABSENT: Houdersheldt

WATER COMMITTEE MEETING REPORT

Moore reported on the Water Committee meeting held May 8, 1997 and reviewed the committee report as distributed.

MOISTURE BLOCK SALES

The Blue River Association of GWCDs sold moisture blocks. The NRD has received some inquiries about purchasing moisture blocks. The Association's price was \$4.60 per block plus shipping, which just covered their cost. The retail price for buying blocks directly from Delmhorst is \$6.50 per block. Delmhorst will give the district the same discount it gave to the Blue River Association.

Moore made the motion (Motion #18) to sell moisture blocks on an order basis, with no inventory, at a cost of \$5.00 per block plus shipping cost. Seconded by Volkmer. Question called. Motion carried.

AYE: Eberle, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer
NAY: Buller, Ediger, Austin
ABSTAIN: Luebbe
EXCUSED: Dickinson, Hansen
ABSENT: Houdersheldt

MID-NEBRASKA WATER QUALITY DEMONSTRATION PROJECT - FUTURE FUNDING

The current funding for the Mid-Nebraska Water Quality Demonstration Project runs out at the end of 1997. The 319 grant submitted last year was not approved. The reason given was the large funding request and the belief the project was duplicating efforts in part of the project area. Staff met with University of Nebraska, Little Blue NRD and Lower Republican NRD representatives to look at modifying the 319 proposal and resubmitting it. The Tri-Basin NRD is not interested in continuing because they have similar activities going on with another 319 grant and funds from Central Nebraska Public Power and Irrigation. The first draft budget for the revised project was reviewed. The district's proposed share is \$76,361 for the three-year extension of the project.

Moore made the motion (Motion #19) to support the Mid-Nebraska Water Quality Demonstration 319 grant application with the intent of using Natural Resources Enhancement Funds to pay for the district's share if other grant funds cannot be secured. Seconded by Friesen. Question called. Motion carried.

AYE: Buller, Eberle, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin
NAY: Ediger, Volkmer
ABSTAIN: Luebbe
PASS: Schulz
EXCUSED: Dickinson, Hansen
ABSENT: Houdersheldt

AQWACAP FINAL PAYMENTS

Moore made the motion (Motion #20) to approve final payment for ten well abandonments at a total cost of \$2,879.01. Seconded by Volkmer. Question called. Motion carried.

AYE: Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
ABSTAIN: Luebbe
PASS: Buller

EXCUSED: Dickinson, Hansen
ABSENT: Houdersheldt

PITLESS REUSE SYSTEM DEMONSTRATION

Steve Moran, Rainwater Basin Joint Venture Coordinator, has secured a grant from the EPA for four pitless reuse systems. One in each of the following NRDs: Tri-Basin, Central Platte, Little Blue and the Upper Big Blue. He has requested the district's participation in this project. The total construction cost of the demonstration site in the Upper Big Blue NRD is estimated at \$8,560.00. The districts proposed share is \$1,400.00.

Moore made the motion (Motion #21) to contribute \$1,400.00 to the pitless variable flow tailwater return system. Seconded by Oswald. Question called. Motion failed.

AYE: Buller, Eberle, Ehlers, Jackson, Moore, Oswald, Austin
NAY: Ediger, Friesen, Schulz
ABSTAIN: Luebbe
PASS: Regier, Teegerstrom, Volkmer
EXCUSED: Dickinson, Hansen
ABSENT: Houdersheldt

NATURAL RESOURCES ENHANCEMENT FUND AGREEMENT

The Water Committee reviewed the agreement with the Natural Resources Commission for receiving NREF funds and recommended approval of the agreement.

Moore made the motion (Motion #22) to approve the Natural Resources Enhancement Fund Agreement. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
ABSTAIN: Luebbe
EXCUSED: Dickinson, Hansen
ABSENT: Houdersheldt

YORK GROUND WATER RECHARGE DEMONSTRATION PROJECT

PAYMENT TO UNL WATER SCIENCE LABORATORY FOR RESEARCH ACTIVITIES

Moore made the motion (Motion #23) to pay the University of Nebraska Water Science Laboratory \$57,500.00 for work completed in fiscal year 97 on the atrazine fate and transport study. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
ABSTAIN: Luebbe
EXCUSED: Dickinson, Hansen
ABSENT: Houdersheldt

BUDGET, PLANNING & LEGISLATIVE COMMITTEE

Moore reported on the Budget, Planning and Legislative Committee meeting held May 8, 1997 and reviewed the committee report as distributed.

ELECTION OF VICE-CHAIRMAN

The Projects Committee elected Curt Friesen as the vice-chairman of the Budget, Planning and Legislative Committee.

EXECUTIVE COMMITTEE REPORT

Buller reported on the Executive Committee meeting held May 8, 1997 and reviewed the committee report as distributed.

ATTORNEY FEES

The attorney fees for the month are \$475.50; \$413.00 for Kuhns vs. Springer and \$62.50 for easements on the Todd Structure.

Buller made the motion (Motion #24) to approve payment of \$475.50 to Crosby, Guenzel, Davis, Kessner & Kuester, for Steve Seglin's work through April 20, 1997. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

PER DIEM AND EXPENSES - SCHULZ

Schulz turned in his expense voucher after the payroll taxes were deposited last month, therefore his claim was held until this month.

Buller made the motion (Motion #25) to approve payment of first quarter directors' per diem of \$100.00 and expenses of \$24.36 for Roland Schulz. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Luebbe, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

PASS: Schulz

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

ALL-TERRAIN VEHICLE LEASE

The water department needs to lease an all-terrain vehicle from June through September for the 1997 chemigation and water sampling season. Doug's Garage of Geneva has leased an all-terrain vehicle to NRD the past two years. He is a dealer for Star City Kawasaki, which has changed owners recently. Doug's Garage thinks a lease can be arranged, but does not have details yet. The 1995 lease was \$900.00 and the 1996 lease was \$950.00.

Buller made the motion (Motion #26) to authorize the lease of an all-terrain vehicle for up to one year at a lease price not to exceed \$1,000.00 with an option to purchase at the conclusion of the lease. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Dickinson, Hansen

ABSENT: Houdersheldt

FINANCIAL STATEMENT

Volkmer made the motion (Motion # 27) to approve the financial statement and budget report as of April 30, 1997; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe
EXCUSED: Dickinson, Hansen
ABSENT: Houdersheldt

Meeting adjourned at 10:22 p.m..

Vance A. Teegerstrom, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JUNE 19, 1997

CALL TO ORDER

Chairman Yvonne Austin called a regular board of directors meeting to order at 7:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chairman	Roger Houdersheldt, Vice Chairman
Vance Teegerstrom, Secretary	Steve Buller, Treasurer
Doug Dickinson, Director	Gary Eberle, Director
Ed Ediger, Director	Bob Ehlers, Director
Curtis Friesen, Director	Wayne Hansen, Director
James Jackson, Director	Linda Luebbe, Director
Larry Moore, Director	Louis Oswald, Director
Kenneth Regier, Director	Merlin Volkmer, Director
Jay Bitner, Staff	Nancy Schneider, Staff
Prudence Sadler, Staff	Ken Feather, Staff
Rodney DeBuhr, Staff	William Gilliam, NRCS
Anthony Greder, York News-Times	

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published June 12, 1997 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Fourteen directors were present during roll call. Dickinson and Volkmer arrived late.

REQUESTS FOR EXCUSED ABSENCE

Hansen made the motion (Motion #1) to excuse the absence of Dick Schulz from the June 19, 1997 board of directors meeting as requested. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

ABSENT: Dickinson, Schulz, Volkmer

ADOPTION OF AGENDA

Regier made the motion (Motion #2) to adopt the revised agenda for the June 19, 1997 board of directors meeting as presented. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

EXCUSED: Schulz

ABSENT: Dickinson, Volkmer

APPROVAL OF MINUTES OF THE MAY 15, 1997 BOARD MEETING

Ediger made the motion (Motion #3) to approve the minutes of the May 15, 1997 board of directors meeting as distributed. Seconded by Eberle. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None
PASS: Hansen, Houdersheldt
EXCUSED: Schulz
ABSENT: Dickinson, Volkmer

EDUCATION AND PARKS COMMITTEE REPORT

Ediger reported on the Education and Parks Committee meetings held June 10 and 19, 1997 and reviewed the committee reports as distributed.

RAYMOND A. BURKE SCHOLARSHIP

Ray Burke's family has given the NRD \$500.00 to be used as a scholarship to assist a student from the district who wants to study "hands on" natural resources at a two or four year Nebraska college or university. The program is funded for one year by the Burke family. Funding for the future can be considered by the board at a later date.

Ediger made the motion (Motion # 4) that the Upper Big Blue NRD adopt the Raymond A. Burke Scholarship Program. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Austin
NAY: None
PASS: Volkmer
EXCUSED: Schulz

OTHER SCHOLARSHIP PROGRAMS

It is likely that the district will have more requests in the future from families wanting to establish scholarships in someone's memory. Prudence recommends that the district establish a framework of unfunded scholarships, that we could use to guide the families. This would included the Burke Scholarship.

Ediger made the motion (Motion #5) that the Upper Big Blue NRD adopt the scholarship program as reviewed. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Schulz

OUTDOOR CLASSROOM PAYMENT - AURORA MIDDLE SCHOOL

The Aurora Middle School has completed its outdoor classroom. In May of 1996, the district gave the school a grant for \$250 for fencing, walkway and plant materials. At that time, the district authorized a \$300 matching grant for a sign. The class of 2000 has raised the matching money and installed a limestone marker at a total cost of \$850.

Ediger made the motion (Motion #6) that payment of \$300.00 be made to the Aurora Middle School as part of the districts's outdoor classroom program. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Schulz

PAYMENT TO YORK COLD STORAGE

Ediger made the motion (Motion #7) that the Upper Big Blue NRD make payment of \$346.71 to York Cold Storage for the rental of storage space for tree stock during the period of May 10 - 23, 1997. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe,

Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Schulz

PAYMENT TO LINCOLN-OAKES NURSERY

Ediger made the motion (Motion #8) that the Upper Big Blue NRD make payment of \$61.87 to Lincoln-Oakes Nursery for the payment of 155 trees and shrubs. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Schulz

PAYMENT TO LOWER LOUP NRD

Ediger made the motion (Motion #9) that the Upper Big Blue NRD make payment of \$885.05 to the Lower Loup NRD for 2,425 Blue Spruce trees purchased through the Colorado State Nursery. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Schulz

PAYMENT TO UNIVERSITY OF NEBRASKA

Ediger made the motion (Motion #10) that the Upper Big Blue NRD make payment of \$12,344.39 to the University of Nebraska for the purchase of 33,100 trees, wood shavings and shipping through the Clarke McNary tree program. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Schulz

CORNERS FOR WILDLIFE PROGRAM PAYMENTS

Ediger made the motion (Motion #11) that the Upper Big Blue NRD make payment of \$5,932.50 to the cooperators of the Corners For Wildlife program. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
ABSTAIN: Hansen
EXCUSED: Schulz

FAIRMONT PARK - PARKS PROGRAM

Ediger made the motion (Motion #12) that the Upper Big Blue NRD fund the park improvement for the Fairmont Public School in the amount of 25% of the local share not to exceed \$609.40 for picnic tables, bird feeder, bird bath, concrete steps, trash receptacles and additional tree plantings. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: Dickinson
PASS: Luebbe
EXCUSED: Schulz

PAYMENTS FOR TODD DAM EASEMENTS

STATE OF NEBRASKA EDUCATIONAL LANDS AND FUNDS

Ediger made the motion (Motion #13) that the Upper Big Blue NRD make payment of \$4,000.00 to the State of Nebraska Educational Lands and Funds for the easement on 14.59 acres, more or less, located in the Ease Half of the Southeast Quarter of Section 16, Township 10 North, Range 2 West of the 6th P.M., York County,

Nebraska for Project 15-10-2W (Todd Dam). Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Moore, Oswald,
Regier, Teegerstrom, Volkmer, Austin

NAY: Jackson

ABSTAIN: Luebbe

EXCUSED: Schulz

DONNA M. & HARRY N. RATHJE

Ediger made the motion (Motion #14) that the Upper Big Blue NRD make payment of \$1,734.00 to Donna M. Rathje and Harry N. Rathje, husband and wife for the easement on 2.3 acres, more or less, located on the East Half of the Northwest Quarter of Section 15, Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska, for Project 15-10-2W (Todd Dam). Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore,
Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Schulz

DONALD R. SMITH AND WINONA G. SMITH AND WILMA HEMPHILL

Ediger made the motion (Motion #15) that the Upper Big Blue NRD make payment of \$11,241.96 to Donald R. Smith and Winona G. Smith husband and wife; individually and as trustees for the Smith Joint Revocable Living Trust and \$4,193.54 to Wilma Hemphill formerly known as Wilma Smith a single person (Life Estate) for the easement on 19.74 acres more or less, located in the North Half of the Southwest Quarter of Section 15, Township 10 North, Range 2 West of the 6th P.M. York County, Nebraska for Project 15-10-2W. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore,
Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Schulz

ROXANNE M. TODD & DIRK P. TODD

Ediger made the motion (Motion #16) that the Upper Big Blue NRD make payment of \$1.00 to Roxanne M. & Dirk P. Todd, husband and wife for the easement on 13.36 acres, more or less, located in the Southwest Quarter of the Northwest Quarter of Section 15, Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska for Project 15-10-2W (Todd Dam). Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore,
Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Schulz

DAVID L. BLUM, JUDY BLUM, RUPERT D. BLUM, DENISE L. BLUM, REUBEN G. BLUM & DIANE D. BLUM

Ediger made the motion (Motion #17) that the Upper Big Blue NRD make payment of \$1.00 to David L. Blum and Judy Blum, husband and wife; Rupert D. Blum and Denise L. Blum, husband and wife; and Reuben G. Blum and Diane D. Blum, husband and wife; for the easement on .5 acres more or less, located in the North Half of the Northeast Quarter of Section 21, Township 10 North, Range 2 West of the 6th P.M., York County, Nebraska for Project 15-10-2W (Todd Dam). Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore,
Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

ABSENT: Schulz

PROJECT 15-10-2W AGREEMENT WITH HARRY N & DONNA M. RATHJE

Ediger made the motion (Motion #18) that the Upper Big Blue NRD Board of Directors approve the agreement between Harry N. Rathje and Donna M. Rathje and the Upper Big Blue NRD for Project 15-10-2W (Todd Dam) and authorize the chairman of the board to sign the agreement. Seconded by Hansen.

Houdersheldt amended the motion to make the motion (Motion #19) after changing the wording in Paragraph D of the agreement to read "to dispose of" instead of "to bury" and replacing the word "buried" in Item 3 with the words "disposed of". Seconded by Hansen. Question called on the amendment. Amendment carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Schulz

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

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Schulz

PROJECT 15-10-2-W (TODD DAM) AGREEMENT WITH ROXANNE M. & DIRK P. TODD

Ediger made the motion (Motion #20) that the Upper Big Blue NRD Board of Directors approve the agreement between Roxanne M. Todd and Dirk P. Todd and the Upper Big Blue NRD for Project 15-10-2W (Todd Dam) and authorize the chairman of the board to sign the agreement. Seconded by Hansen.

Houdersheldt amended the motion to make the motion (Motion #21) after changing the agreement to read "to dispose of" instead of "to bury" in Paragraph D and "dispose of" instead of "bury" in Item 3. Seconded by Buller. Question called on the amendment. Amendment carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Schulz

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

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Schulz

PROJECT 15-10-2W (TODD DAM) AGREEMENT WITH SHIRLEY J. & DONALD N. WITTE

Ediger made the motion (Motion #22) that the Upper Big Blue NRD Board of Directors approve the agreement between Shirley J. Witte and Donald N. Witte and the Upper Big Blue NRD for Project 15-10-2W (Todd Dam) and authorize the chairman of the board to sign the agreement. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Schulz

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held June 10, 1997 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Hansen made the motion (Motion #23) that two 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: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Schulz

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Hansen made the motion (Motion #24) that payment of NSWCP land treatment funds be made in the amount of \$45,836.19 for nineteen applications reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSTAIN: Luebbe

EXCUSED: Schulz

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Hansen made the motion (Motion #25) that payment of NRD land treatment funds be made in the amount of \$1,790.29 for two applications reviewed by the committee. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: Moore

ABSTAIN: Luebbe

EXCUSED: Schulz

ENVIRONMENTAL QUALITY IMPROVEMENT PROGRAM

Bitner reviewed the EQIP Information Handbook And Cost Share Docket with the Projects Committee. The docket has been revised from last month's version to include NRD approval of the conservation plans prior to development of any contract. The plan allows staff to approve

conservation plans rather than processing all plans through the Committee and Board; this will save time for the Board and cost share applicants. The Cost Share Docket will be used by the NRCS when preparing five year contracts for the EQIP Program.

Staff recommends that the Board of Directors support the EQIP program, approve the Handbook and Docket to be used for priority areas, and authorize staff to approve conservation plans.

Hansen made the motion (Motion #26) that the Upper Big Blue NRD participate in the Environmental Quality Improvement Program (EQIP), approve the EQIP Information Handbook and Cost Share Docket reviewed by the Committee, and authorize NRD staff to approve EQIP Conservation Plans to be used in preparing EQIP cost share applications, provided that neither NRD nor NSWCP Land Treatment Program funds are used for cost share on EQIP contracts. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Dickinson, Eberle, Ehlers, Hansen, Houdersheldt, Jackson, Regier, Teegerstrom, Austin

NAY: Buller, Ediger, Friesen, Moore, Oswald, Volkmer
PASS: Luebbe
EXCUSED: Schulz

LINCOLN CREEK PARKWAY TRAIL - FOOT BRIDGE DESIGN

Drilling and testing for the bridge foundation has been completed by Geotechnical Services, Inc., in accordance with our agreement. Staff recommends that Geotechnical Services, Inc. be paid for their services.

Hansen made the motion (Motion #27) that Geotechnical Services, Inc. be paid \$1,482.50 for geotechnical engineering on the Lincoln Creek Parkway Trail foot bridge over Lincoln Creek at Aurora. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None
EXCUSED: Schulz

PIONEER TRAILS

At the May Projects Committee meeting, Hamilton County and the City of Aurora requested that the NRD consider some method for maintaining lake water level for recreation and fishing at Pioneer Trails. Two methods were considered: (1) Sealing the lake bottom with a dispersing agent, such as Sodium Carbonate, to reduce the seepage rate, and (2) pumping ground water into the lake to provide enough water to offset the seepage rate. Either method would maintain an adequate lake water level for recreation and fishing.

The initial cost of a ground water pumping system is estimated to be \$35,000, while the cost of sealing the lake bottom is estimated to be \$68,000. The annual cost of operating and maintaining a pumping system is expected to be at least \$5,000. There should be no annual cost for maintaining a sealed lake bottom.

Hansen made the motion (Motion #28) that the Upper Big Blue NRD take a position as not in favor of pumping ground water or sealing the lake bottom to maintain the lake water level at Pioneer Trails. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None
EXCUSED: Schulz

PROJECT 15-10-2W - TODD DAM

The current schedule for Project 15-10-02W calls for advertising bids in June, awarding contract in July, and beginning construction in August. At the May meeting, the NRD Board authorized staff to advertise for bids. Staff is requesting that authorization be given for KANEB Pipeline Company to install protective measures for the portion of their gas main which crosses the flood pool at Project 15-10-02W. KANEB estimates the cost of protective measures to be \$22,000.

Hansen made the motion (Motion #29) that KANEB Pipeline Company be authorized to construct protective measures for the portion of their gas main which crosses the flood pool at Project 15-10-02W, and that the District agree to pay KANEB Pipeline Company for the cost of time and materials to install the protective measures. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None
ABSTAIN: Luebbe
EXCUSED: Schulz

WATER COMMITTEE MEETING REPORT

Jackson reported on the Water Committee meeting held June 12, 1997 and reviewed the committee report as distributed.

GWMA #2 (GROUND WATER QUALITY)

AQWACAP FINAL PAYMENTS

Jackson made the motion (Motion #30) to approve final payment for ten well abandonments, reviewed by the committee, at a total cost of \$3,239.16. Seconded by Oswald. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
PASS: Buller, Houdersheldt
EXCUSED: Schulz

PITLESS REUSE SYSTEM DEMONSTRATION

Staff requested that the Pitless Reuse System, which the board did not approve in May, be reconsidered. In May the board did approve the NSWCP cost-share portion of the system.

Steve Moran, Rainwater Basin Joint Venture Coordinator, has secured a grant from EPA for three pitless reuse systems. One in each of the following NRDs. The Tri-Basin, Central Platte and Upper Big Blue. He has requested the district's participation in this project. The total construction cost of the demonstration site in the Upper Big Blue NRD is estimated at \$8,560. A break down of costs and contributions is attached. The district's proposed share is \$1,400.00. Staff reminded the board that it took three years of negotiation with the state and federal agencies that have jurisdiction over wetland activities to allow the NRD and others to do this type of research and demonstration.

Jackson made the motion (Motion #31) to contribute \$1,400 to the pitless variable flow tailwater return system. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin
NAY: Dickinson, Ediger
ABSTAIN: Luebbe
PASS: Volkmer
EXCUSED: Schulz

YORK GROUND WATER RECHARGE PROJECT

PAYMENT TO UNL WATER SCIENCE LABORATORY

The district has been billed \$2,098.40 for sixteen nitrate and sixteen pesticide analysis samples taken in April.

Jackson made the motion (Motion #32) to pay the UNL Water Sciences Laboratory \$2,098.40 for analysis of water samples collected in April for the York Ground Water Recharge Demonstration Project. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Schulz

EXECUTIVE COMMITTEE MEETING REPORT

Houdersheldt reported on the Executive Committee meeting held June 12, 1997 and reviewed the committee report as distributed.

ATTORNEY FEES

The attorney's fees for the month are \$152.00. The district was billed \$62.50 for Kuhns vs. Springer and \$89.50 for work on the Todd Dam easements.

Houdersheldt made the motion (Motion #33) to approve payment of \$ 152.00 to Crosby, Guenzel, Davis, Kessner & Kuester, for Steve Seglin's work through May 20, 1997. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Schulz

COMPUTER NETWORKING

The district owns twelve computers, one laser printer, two dot matrix printers, and a pen plotter, in the main office. Three of the computers have been networked for about a year. The small workgroup is working well and should be expanded to include all of the computers. Turnbull recommends that the district network its computers and printers for speed and efficiency of work for all departments. Bitner and DeBuhr explained the need for the improvements and how the system would work. Networking the computers allows for file and data transfer, as well as access to individual files by several employees. A security system in the network software prevents unauthorized access. The networking will replace the LawnNet system currently in use. The LawnNet system is a series of small low powered radios hooked to each computer and two of the printers. The LawnNet system simply cannot handle large computer files.

Computer Spectrum, Inc. of Aurora has provided a quote for the network wiring, equipment, and installation. Computer Spectrum, Inc. is providing the service on the systems.

Network hardware

Cabling, drops & wallplates (25 cents @ ft)\$1,650.000
Connecting Hub, 16 port, 10 Mega-byte 400.00
8 Network cards (10/100) \$169 each 1,352.00

Network installation

Cabling installation labor 960.00
Network setup on each system 360.00
Total Quote for Network \$ 4 , 7 2 2 . 0 0 plus tax

The price may vary slightly due to changes in cable length. Funds are available in the current budget under office equipment.

Houdersheldt made the motion (Motion #34) to approve the purchase and installation of the computer Network by Computer Spectrum, Inc. of Aurora for an estimated cost of \$4,722.00, plus tax. Seconded by Eberle. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

EXCUSED: Schulz

ALL-TERRAIN VEHICLE

DeBuhr explained that the District has been unable to find a suitable lease for the second all- terrain vehicle, therefore purchase is necessary. Quotes have been received from several dealers on a purchase.

Houdersheldt made the motion (Motion #35) to approve the purchase of a Yamaha Big Bear 350 4x4 from Superior Outdoor Power Center, Superior, Nebraska for \$ 4,545.00, plus tax. Seconded by Hansen.

DeBuhr advised the board that since the Executive Committee met staff has been in contact with Superior Outdoor Power Center and there is some concern about whether or not they can make delivery in time to use this chemigation season. DeBuhr asked the board to set a time limit on the delivery of the all terrain vehicle.

Volkmer amended the motion to make the motion (Motion #36) if they can deliver within five working days from June 20th. Seconded by Friesen. Question called on the amendment. Amendment carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Regier, Teegerstrom, Volkmer, Austin
NAY: Hansen, Houdersheldt, Luebbe, Oswald
PASS: Jackson, Moore
EXCUSED: Schulz

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

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Regier, Teegerstrom, Volkmer
NAY: Dickinson, Hansen, Houdersheldt, Luebbe, Oswald, Austin
PASS: Jackson, Moore
EXCUSED: Schulz

Ehlers made the motion (Motion #37) to purchase a Kawasaki Bayou 4x4 from Curry Brothers, Inc. of Columbus, Nebraska for \$ 4,598, plus tax. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
EXCUSED: Schulz

LOWER PLATTE NORTH NRD TECHNICIAN SALARY REIMBURSEMENT

The Lower Platte North has submitted a bill for \$ 614.90 for part-time technician salaries in Butler County for FY 97. The board approved 120 hours of technical time for the Butler County field office at the November board meeting. Eighty-five and one quarter hours were actually used, all working on land treatment field work in the Upper Big Blue NRD.

Houdersheldt made the motion (Motion #38) that the payment of \$ 614.90 be paid to the Lower Platte North NRD for reimbursement of part-time technical wages for work completed in Butler County in FY 97. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
PASS: Luebbe
EXCUSED: Schulz

DISTRICT LIABILITY, FIRE & CASUALTY INSURANCE

The liability, fire and casualty insurance is provided by INSPRO Insurance through Scott Nelson of York Insurance. INSPRO writes insurance for more than half of the districts, with Employers Mutual as the principal carrier. The quote for the new policy is \$ 27,409.00. The existing policy expires on July 1, 1997.

Houdersheldt made the motion (Motion #39) to approve the renewal of the liability, fire and casualty insurance for FY 98 and approve payment of \$ 27,409 to York Insurance. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
ABSENT: Moore
EXCUSED: Schulz

FINANCIAL STATEMENT

Ehlers made the motion (Motion #40) to approve the financial statement and budget report as of May 31, 1997; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Volkmer.

Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe,
Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Moore

EXCUSED: Schulz

Meeting adjourned at 10:07 p.m.

Vance A. Teegerstrom, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JULY 17, 1997

CALL TO ORDER

Chairman Yvonne Austin called a regular board of directors meeting to order at 7:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chairman	Roger Houdersheldt, Vice Chairman
Vance Teegerstrom, Secretary	Steve Buller, Treasurer
Doug Dickinson, Director	Gary Eberle, Director
Ed Ediger, Director	Bob Ehlers, Director
Curtis Friesen, Director	Wayne Hansen, Director
James Jackson, Director	Linda Luebbe, Director
Larry Moore, Director	Louis Oswald, Director
Kenneth Regier, Director	Roland Schulz, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Prudence Sadler, Staff
Jay Bitner, Staff	Rodney DeBuhr, Staff
Kenneth Feather, Staff	William Gilliam, York NRCS
Richard Jiskra, NNRC	Anthony Greder, York News-Times

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published July 10, 1997 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Sixteen directors were present during roll call. Dickinson arrived following roll call.

ADOPTION OF AGENDA

Jackson made the motion (Motion #1) to adopt the revised agenda for the July 17, 1997 board of directors meeting as presented. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Dickinson

APPROVAL OF MINUTES OF THE JUNE 19, 1997 BOARD MEETING

Ediger made the motion (Motion #2) to approve the minutes of the June 19, 1997 board of directors meeting as distributed. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Dickinson

NNRC REPORT

Jiskra reported on five proposed recommendations for change that will be presented by the Commission to the legislature in September under the first part of the LB 1085 study.

1 - Current statutes allow natural resources district the flexibility to make changes in board size and

cooperatively changes its boundaries or merge. That flexibility should be retained.

2 - Each natural resources district should be encouraged to re-examine its board size, boundaries and merger potential and individually or collectively work for change as appropriate. Districts which reduce their board size should consider ending the at-large director position.

3 - It is appropriate the State continue to assign the natural resources districts new responsibilities as resource needs arise. However, state government should also provide funds to accomplish those newly mandated activities.

4 - Remove limitations in natural resources districts ability to charge for services. The limitations in chemigation charges is one example.

5 - Change or remove the sunset date for fertilizer fee. Institute a fee similar to the fertilizer tax for wholesale chemicals.

Jiskra sought input from the Upper Big Blue NRD Board members on such issues as reduction in board size, elimination of the at-large subdistrict, and the fertilizer tax.

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held July 8, 1997 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Hansen made the motion (Motion #3) that one new application for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Schulz

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Hansen made the motion (Motion #4) that payment of NRD land treatment funds be made in the amount of \$1,100.05 for three applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Hansen made the motion (Motion #5) that eight new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Hansen made the motion (Motion #6) that payment of NSWCP land treatment funds be made in the amount of \$18,209.17 for twelve applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore,

Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
 NAY: None
 ABSENT: None

PROJECT 15-10-02W - TODD DAM

Bids were received on July 3 for construction of Project 15-10-02W. The bids were as follows:

Contractor	Base Bid (\$)	Alternate Bid (\$)
Van Kirk Brothers	122,830.05	122,182.07
Hartmann Construction Co.	137,077.17	137,432.11
Huebert Land Leveling	142,091.11	139,832.51
Hooker Brothers, Inc.	193,484.43	191,442.53
Engineer's Estimate	133,330.29	131,147.29

The base bid includes rip rap lining of the principal spillway outlet channel. The alternate bid allows use of an erosion control fabric instead of rip rap. Staff recommends that Van Kirk Brothers be awarded the construction contract.

The current schedule for Project 15-10-02W calls for awarding contract in July, and beginning construction in August. Construction of the dam is to be completed by October 1, 1997.

Hansen made the motion (Motion #7) that Van Kirk Brothers be awarded the contract to construct the dam at Project 15-10-02W in accordance with their alternate bid of \$122,182.07. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None
 ABSENT: None

PROJECT 15-10-02W - AMENDMENT OF AGREEMENT WITH YORK COUNTY

Due to heavier than expected workload, the final design of York County's culvert at Project 15-10-02W is behind schedule. Final design will be completed in mid July. The Cooperative Agreement between York County and the NRD specifies that construction of the culvert is to be

completed by July 1, 1997; therefore the Agreement requires an amendment to allow York County adequate time to complete construction.

Hansen made the motion (Motion #8) that the construction completion date specified in the Cooperative Agreement with York County, dated March 20, 1997, be amended to September 30, 1997. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None
 ABSENT: None

PROJECT 23-12-02E - ULYSSES DAM

Terracon, Inc. has completed geotechnical engineering, including foundation drilling and laboratory testing.

Staff recommends that Terracon be paid \$6,434.00 in accordance with their proposal. The geotechnical engineering report shows that soil and foundation conditions are favorable for dam construction.

Hansen made the motion (Motion # 9) that Terracon, Inc. be paid \$6,434.00 for geotechnical engineering at Project 23-12-02E, in accordance with their proposal dated February 26, 1997. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None

SEWARD FLOOD HAZARD MITIGATION PROJECT

Horizons, Inc. has completed aerial photography of the Plum Creek flood plain at Seward. Staff recommends that Horizons be paid \$20,876 for the aerial photography and mapping, in accordance with their proposal.

Hansen made the motion (Motion # 10) that Horizons, Inc. be paid \$20,876.00 for aerial photography and digital terrain mapping of the Plum Creek flood plain at Seward, in accordance with their proposal dated March 11, 1997. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None

DAVID CITY N.W. DRAINAGE PROJECT

The Cooperative Agreement between Lower Platte North NRD (LPNNRD) and Upper Big Blue NRD (UBBNRD) requires that LPNNRD reimburse the UBBNRD for 50% of engineering costs, not to exceed \$16,450 (LPNNRD share based on estimated engineering costs of \$32,900). Final design and construction of Phase I are completed, and preliminary design of Phase II is nearly complete; however the actual engineering cost to-date is \$31,712. Staff requests that the allowable engineering cost be revised to \$36,900 to allow for completion of final design and construction engineering on Phase II. The LPNNRD Projects Committee is recommending approval of this increase to their Board of Directors.

Hansen made the motion (Motion # 11) that the estimated engineering costs specified in the David City N.W. Drainage Project Cooperative Agreement between Lower Platte North NRD and Upper Big Blue NRD, be revised to \$36,900. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Ehlers, Moore

EXECUTIVE COMMITTEE MEETING REPORTS

Buller and Houdersheldt reported on the Executive Committee meetings held July 8 and 10 , 1997 and reviewed the committee reports as distributed.

SECOND QUARTER DIRECTORS' PER DIEM & EXPENSES

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

Buller made the motion (Motion # 12) to approve payment of second quarter directors' per diem of \$5,200.00 and expenses of \$1,366.64. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None

COMPUTER NETWORK

Networking of the NRD computers is complete and the system is working. The bill from Computer Spectrum is \$4,774.00, plus tax of \$160.70, for a total of \$4,934.70. Their quote was for \$ 4,722.00 plus tax. The difference is the length of cabling required to link the computers.

Buller made the motion (Motion # 13) to approve payment of \$4,934.70 to Computer Spectrum Inc., of Aurora, for parts and installation of the computer network system. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None

LOWER PLATTE NORTH AND LOWER BIG BLUE NRD SALARY REIMBURSEMENTS

The Lower Platte North NRD has submitted a bill for six months of NRCS clerical salary for the Butler county office in the amount of \$3,824.00, which is 45 percent of the total; our share of the area of Butler county. The Lower Big Blue has submitted a bill for twelve months of NRCS clerical salary for the Saline county office in the amount of \$2,812.20, which is 11 percent of the total; our share of the area of Saline county.

Houdersheldt made the motion (Motion # 14) to approve payment of \$3,824.00 to the Lower Platte North NRD for reimbursement of field office clerical salary for the period January 1, 1997 through June 30, 1997, and payment of \$2,812.20 to the Lower Big Blue NRD for reimbursement of field office clerical salaries for the period July 1, 1996 through June 30, 1997. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: None

NARD DUES

The NARD dues for FY98 are \$13,093.66. The dues were \$12,774.30 in FY96, and \$12,774.30 in FY97.

Houdersheldt made the motion (Motion # 15) to pay the Nebraska Association of Resources Districts \$13,093.66 for FY98 dues. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Austin

NAY: Volkmer

ABSENT: None

FY98 SALARIES

Turnbull reviewed the staff salaries with the board. Some of the district employees salaries are in need of adjustment to remain competitive with similar jobs in this area and the state.

Houdersheldt made the motion (Motion #16) to increase the base district payscale by 1.5% for cost of living changes since May of 1996; further to adjust the annual salaries of the district staff, with the exception of the General Manager, by an amount not to exceed \$25,130, which includes competitive salary increases for the engineering and water resource technicians, public information specialist, and the maintenance worker; and to authorize the General Manager to determine and make salary and wage adjustments. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: Schulz, Volkmer

ABSENT: None

Houdersheldt made the motion (Motion #17) to increase the General Manager's salary by 3.42 % from \$59,950 to \$62,000. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: Volkmer

PASS: Luebbe, Schulz

ABSENT: None

WATER COMMITTEE MEETING REPORT

Jackson reported on the Water Committee meeting held July 10, 1997 and reviewed the committee report as distributed.

GWMA #2 (GROUND WATER QUALITY)

AQWACAP FINAL PAYMENTS

There were eleven final payments totaling \$3,223.89. The staff recommended payment out of FY97 funds.

Jackson made the motion (Motion # 18) to approve final payment for eleven well abandonments, as reviewed by the committee, at a total cost of \$3,223.89. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Schulz

EDUCATION AND PARKS COMMITTEE REPORT

Oswald reported on the Education and Parks Committee meeting held July 10, 1997 and reviewed the committee report as distributed.

OUTDOOR CLASSROOM AND MODEL AQUIFER COST-SHARE PROGRAMS REVIEW

Both of these programs list a cost-share rate (50 percent) but do not address whether we match only the local share or any funds raised (up to a specified cap.) Most of our other cost-share programs specify that we match only the local share.

Oswald made the motion (Motion #19) that the Upper Big Blue NRD's Outdoor Classroom and Model Aquifer Cost-Share Programs be amended to specify that district funds be used to match only the local share of funds raised for a project. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Schulz

SHELBY VILLAGE PARK IMPROVEMENT PROJECT

Oswald made the motion (Motion #20) that the Upper Big Blue NRD Board of Directors approve payment of \$2,325.38 to the Village of Shelby for the playground equipment and additional tree planting in the Village Park. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Schulz

PROJECT 15-10-2W (Todd Dam) Agreement with Roger D. Klone and Karen K. Klone

Oswald made the motion (Motion #21) that the Upper Big Blue NRD Board of Directors approve the agreement between Roger D. Klone and Karen K. Klone and the Upper Big Blue Natural Resources District for crop damage that may occur during construction of Project 15-10-2W (Todd Dam) and authorize the chairman of the

board to sign said agreement. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

PASS: Moore

ABSENT: Schulz

PROJECT 15-10-2W (Todd Dam) Agreement with Roxanne M. Todd & Dirk P. Todd, Shirley J. Witte & Donald N. Witte

Oswald made the motion (Motion #22) that the Upper Big Blue NRD Board of Directors approve the agreement between Roxanne M. Todd and Dirk P. Todd and Shirley J. Witte and Donald N. Witte and the Upper Big Blue Natural Resources District for construction of Project 15-10-2W (Todd Dam) and authorize the chairman of the board to sign said agreement. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Schulz

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Moore reported on the Budget, Planning & Legislative Committee meeting held July 15, 1997 and reviewed the committee report as distributed.

RESOLUTIONS

Two resolutions were presented by the staff for consideration.

CONSERVATION RESERVE PROGRAM FOR PIVOT CORNERS

Moore made the motion (Motion #23) to adopt the conservation reserve resolution and present it to the NARD at the fall conference for their consideration. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Luebbe, Moore, Oswald, Teegerstrom, Volkmer

NAY: Dickinson, Ehlers, Houdersheldt, Jackson, Regier, Austin

ABSENT: Schulz

NEBRASKA ENVIRONMENTAL TRUST

Moore made the motion (Motion #24) to adopt the Nebraska Environmental Trust resolution and present it to the Nebraska Environmental Trust Board for their consideration; and further to present it to the NARD fall conference if the Trust Board does not take favorable action. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Schulz

FY 1998 - 2003 LONG RANGE PLAN

The Budget, Planning & Legislative Committee reviewed the draft of the Long Range Plan. The long range plan is the basis for the annual budget for this year and sets the trend for future years.

The priority list developed by the Projects Committee has been taken into account in the draft long range plan. The plan calls for mapping of the Indian Creek Dam site to begin in FY 98 followed by the feasibility study in FY 99, 2000, and 01. Final design is scheduled to begin in 2002, with land rights acquisition underway by 2004, and possible construction start by 2008.

The medium size dam construction program is to continue with the Todd structure this year. Construction of the Ulysses structure is planned for FY 99, followed by two \$250,000 structures in the next four-year period.

Other activities of the District remain fairly constant throughout the plan. However, for the construction schedule to occur as planned, an annual tax increase of 4.5% a year is necessary even with a 75% grant for Indian Creek.

The sinking fund will need to be managed carefully to fund the District's share of Indian Creek. The project is in the \$5,000,000 range. The Budget Committee is redesignating the West Fork sinking fund to Indian Creek in the FY 98 budget. This will bring the total to \$409,716.00 in the Indian Creek sinking fund. If \$409,716.00 is set aside in the sinking fund for Indian Creek, that would be one-third of the District's share. The balance could be saved over the next eight years in order to fund the project.

The Budget, Planning & Legislative Committee discussed the planned project schedule at length. After considerable discussion the committee decided to recommend that the district only attempt four medium size dams instead of the six listed in the plan. This change would allow for the Todd structure, the Ulysses structure, and two more structures of about the same cost by FY 2003. In order to better manage long term savings for sinking funds and tax increases the committee is recommending that the construction of the Indian Creek Dam not begin until 2008, two years later than in the original draft. However, the study work for Indian Creek should begin now in order to allow the district to work with the public and funding agencies. The committee

changes move the planned hiring of a construction engineer back one year to FY 2002. The changes also allow for a lower annual tax increase to fund the Indian Creek Project. The committee changes are included in the draft of the Long Range Plan.

The board reviewed the draft long range plan. Following thorough discussion Moore made the motion (Motion #25) to adopt the FY 98 - 03 Long Range Plan as amended by the committee; and further that the tax increase necessary to fund Indian Creek be reduced at the end or termination of the Indian Creek Project. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Schulz

FINANCIAL STATEMENT

Volkmer made the motion (Motion # 26) to approve the financial statement and budget report as of June 30, 1997; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ABSENT: Schulz

Meeting adjourned at 10:33 p.m.

Vance A. Teegerstrom, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
AUGUST 21, 1997

CALL TO ORDER

Chairman Yvonne Austin called a regular board of directors meeting to order at 7:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chairman	Roger Houdersheldt, Vice Chairman
Vance Teegerstrom, Secretary	Steve Buller, Treasurer
Gary Eberle, Director	Ed Ediger, Director
Curt Friesen, Director	Wayne Hansen, Director
James Jackson, Director	Linda Luebbe, Director
Larry Moore, Director	Louis Oswald, Director
Kenneth Regier, Director	Roland Schulz, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Rodney DeBuhr, Staff
Jay Bitner, Staff	Ken Feather, Staff
William Gilliam, York NRCS	Anthony Greder, York News-Times
Ray Naber, Seward Co. Commissioner	

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published August 14, 1997 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Fourteen directors were present during roll call. Moore arrived later in the meeting.

REQUEST FOR EXCUSED ABSENCE

Ediger made the motion (Motion #1) to excuse the absence of Bob Ehlers from the August 21, 1997 board of directors meeting as requested. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers, Moore

ADOPTION OF AGENDA

Jackson made the motion (Motion #2) to adopt the agenda for the August 21, 1997 board of directors meeting as presented. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers, Moore

APPROVAL OF MINUTES OF THE JULY 17, 1997 BOARD MEETING

Volkmer made the motion (Motion #3) to approve the minutes of the July 17, 1997 board of directors meeting as

distributed. Seconded by Eberle. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers, Moore

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held August 12, 1997 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Hansen made the motion (Motion #4) that three new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers, Moore

LAND TREATMENT PROGRAM - NRD FUND PAYMENT

Hansen made the motion (Motion #5) that payment of NRD land treatment funds be made in the amount of \$472.12 for one application reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers, Moore

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Hansen made the motion (Motion #6) that seventeen new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers

NOT VOTING: Moore

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Hansen made the motion (Motion #7) that payment of NSWCP land treatment funds be made in the amount of \$3,319.13 for three applications reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers

SEWARD FLOOD HAZARD MITIGATION PROJECT

Claim number 14 includes expenditures by the City of Seward and the District on the Flood Hazard Mitigation Project Buyout Phase. The total claim is \$64,080.50. FEMA's share is \$48,060.38, the City's share is \$8,010.06, and the NRD share is \$8,010.06.

Hansen made the (Motion #8) that payment of \$2,791.06 in NRD funds be made to the City of Seward, and that the district file a claim in the amount of \$48,060.38 for the FEMA share of

claim number 14 of the Seward Flood Hazard Mitigation Project, and that \$32,403.38 of the FEMA share be paid to the City when it is received by the District. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers

PROJECT 23-12-02E - ULYSSES DAM

Staff reviewed preliminary design information for Project 23-12-02E with the Committee. Engineering work completed to date includes mapping, flood routing, determination of structure size, and geotechnical engineering. Staff recommends proceeding with Project 23-12-02E up to advertisement for bids; this includes final design, acquisition of land rights, and obtaining permits. The Projects Committee recommended designing the project according to the following size specifications:

Conservation pool elevation = 1546.0

Conservation pool area = 43 acres

Conservation pool volume = 274 acre feet

Flood pool elevation (100 yr.) = 1549.5

Flood pool area (100 yr.) = 59 acres

Initial development at the site will include an access road, parking area and boat ramp. Staff will begin work on land rights and final design this fall. Project cost is estimated to be \$364,000, including construction, land rights and engineering.

Hansen made the motion (Motion #9) that the district proceed with development of Project 23-12-02E, Ulysses Dam, including final design, acquisition of land rights, and obtaining permits, up to the advertisement for construction bids, and that the reservoir be designed for conservation pool elevation 1546.0 (feet above mean sea level) and 100 year flood pool elevation of 1549.5. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers

EDUCATION AND PARKS COMMITTEE REPORT

Oswald reported on the Education and Parks Committee meeting held August 12, 1997 and reviewed the committee report as distributed.

CORNERS FOR WILDLIFE PROGRAM FY99 - PHEASANTS FOREVER

Pete Berthelson representing Pheasants Forever, is currently preparing a grant application to be submitted to the Nebraska Environmental Trust Fund for financing of the Corners For Wildlife program in FY99. The application will be submitted in September. If approved, the sign-up will begin in the Spring of 1999.

The overall program will continue as it currently exists: a. Landowners are responsible for 25% cost-share on material costs (50% on fabric weed barrier); b. Pheasants Forever pays for 75% of the material cost-share (50% on fabric weed barrier); c. Landowners receive a 5 year rental payment of up to \$75 per acre; d. NRD's plant the trees at no cost when 400 or more trees are planted; e. NRD's bill Pheasants Forever 100% for the trees and fabric weed barrier, landowners are then billed their share by Pheasants Forever; f. Landowner rental payments are administered by the local NRD from funds forwarded by Pheasants Forever.

Oswald made the motion (Motion #10) that the Upper Big Blue NRD participate in the Corners For Wildlife Program in FY99. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers

WATER COMMITTEE MEETING REPORT

Jackson reported on the Water Committee meeting held August 14, 1997 and reviewed the committee report as distributed.

GWMA #1 - LATE WELL PERMIT

The staff recommended approval of a late permit for a livestock well constructed for Midwest Feeding by Earnest Well Drilling, both of Milford. The well is not in violation of any other district regulations and the late permit application fee has been paid.

Jackson made the motion (Motion #11) to approve late permit UBB-1-2232 for a livestock well constructed in the SE¹/₄ of Section 26-T10N-R3E, Seward County, owned by Midwest Feeding. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ediger

GWMA #2 AQWACAP FINAL PAYMENTS

Jackson made the motion (Motion #12) to approve final payment for twelve well abandonments at a total cost of \$3,977.98. Seconded by Volkmer. Question called. Motion carried.

AYE: Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers

NOT VOTING: Buller

PAYMENTS FOR WATER QUALITY ANALYSIS UNL WATER SCIENCE LABORATORY

Jackson made the motion (Motion #13) to pay the University of Nebraska Water Science Laboratory \$374.80 for two nitrate and two pesticide samples for Recharge Lake and one pesticide sample for the Indian Creek Water Quality Study. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ediger

SERVI-TECH INC. LABORATORY

Jackson made the motion (Motion #14) to pay Servi-Tech Inc. laboratory \$1,704.00 for water analysis conducted for the Indian Creek Water Quality Study during the month of July. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ediger

BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT

Moore reported on the Budget, Planning & Legislative Committee meeting held August 14, 1997 and reviewed

the committee report as distributed.

FY98 BUDGET

The board reviewed the draft budget and lid limits. Turnbull outlined the changes on the new state budget form. He also explained the change in motor vehicle taxes and how it impacts the overall assessed valuations.

Turnbull explained the meaning of restricted funds, which are under a lid limitation. Restricted funds are the planned revenue from property tax, pro-rate motor vehicle, government subdivision aid, and homestead allocation. The law allows exceptions to the restriction, which means that the exceptions are not subject to the 0% lid this year. The exceptions are limited to capital improvements.

Turnbull reviewed the LC-3 Lid Computation form which determines the limit of property tax increase. The board can vote to exceed the 0% limit by an additional 1%, however it takes three-fourths of the board members to vote for approval of the additional increase. Any unused budget authority can be carried forward to next year. The unused portion of the restricted percent increase and balance forward of the exceptions become the unused budget authority. It is the board's choice whether or not to use the unused budget authority next year.

Moore made the motion (Motion #15) for the purpose of public hearing, to approve an increase in the total budgeted restricted funds by an additional 1%, as shown on Form LC-3, line 21. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers

Moore made the motion (Motion #16) to approve the FY98 Budget for the purpose of public hearing. Seconded by Friesen.

Volkmer amended the motion to make the motion (Motion #17) to reduce the machinery and equipment capital line item by \$8,000.00. Seconded by Buller. Question called on the amendment. Amendment failed.

AYE: Ediger, Luebbe, Schulz, Volkmer

NAY: Buller, Eberle, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NOT PRESENT: Dickinson, Ehlers

Question called on the original motion. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers

NOT VOTING: Volkmer

Moore made the motion (Motion #18) to schedule the FY98 Budget Hearing for 7:30 p.m., Thursday, September 18, 1997, and to conduct the hearing during the monthly board meeting. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers

The county clerks are required to compute the preliminary levy for all subdivisions by September 10, and to publish that levy by September 20th. The clerks take last year's tax dollar request and divide it by this year's valuation. If there is any difference in that number and the levy the board wants, a public hearing must be held and a new levy set.

Moore made the motion (Motion #19) to schedule a special Public Hearing for the FY98 Tax Levy for 8:00 p.m., Thursday, September 18, 1997, and to conduct the Levy Hearing during the monthly board meeting. Seconded by Luebbe. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers

CLERKS - OTHER NATURAL RESOURCES DISTRICTS

The board discussed the arrangement for reimbursing other NRDs for field office clerks.

District with responsibility for Field Office Clerks

County	Upper Big Blue	Little Blue	Lower Big Blue	Lower Platte North
Adams		Full Time		
Butler				Full Time
Clay		Full Time		
Fillmore	Part Time			
Hamilton	Part Time			
Polk	Part Time			
Saline			Full Time	
Seward	Part Time			
York	Full Time			

Reimbursements for Field Office Clerks to Hiring NRDs

County	Upper Big Blue	Little Blue	Lower Big Blue	Lower Platte North
Adams		Upper Big Blue		
Butler				Upper Big Blue
Clay		Upper Big Blue		
Fillmore	Little Blue			
Hamilton	Central Platte			
Polk	Central Platte			
Saline			Upper Big Blue	
Seward	Lower Platte South			

York				
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The board discussed inequities in having part time clerks for the counties we staff, and paying for full time clerks in the counties other districts staff.

Moore made the motion (Motion #20) that after September 1, 1997, the Upper Big Blue only reimburse the Little Blue, Lower Big Blue, and Lower Platte North NRDs for field office clerks duties in our portion of Adams, Butler, Clay, and Saline counties, the equivalent of 60% time, rather than full time. Seconded by Buller.

Volkmer amended the motion to make the motion (Motion #21) that the York County Field Office clerk position be reduced to part time (60%). Motion died for lack of a second.

Question called on the original motion. Motion failed.
 AYE: Buller, Eberle, Ediger, Friesen, Houdersheldt, Oswald, Regier
 NAY: Hansen, Jackson, Moore, Teegerstrom, Volkmer, Austin
 NOT PRESENT: Dickinson, Ehlers
 NOT VOTING: Luebbe, Schulz

RESOLUTIONS FOR THE NARD FALL CONFERENCE

Moore made the motion (Motion #21) to support the Tri-Basin NRD Consolidation Resolution. Seconded by Hansen. Question called. Motion carried.
 AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Austin
 NAY: None
 NOT PRESENT: Dickinson, Ehlers
 NOT VOTING: Volkmer

Moore made the motion (Motion #22) to oppose the Tri-Basin Weather Modification Resolution. Seconded by Luebbe.

Regier amended the motion to make the motion (Motion #23) to support the introduction of Tri-Basin's weather modification resolution for the purpose of discussion. Seconded by Hansen. Question called on the amendment. Amendment carried.
 AYE: Buller, Eberle, Hansen, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
 NAY: Ediger, Friesen, Houdersheldt, Jackson, Luebbe
 NOT PRESENT: Dickinson, Ehlers

Question called on the original motion as amended. Motion carried.
 AYE: Buller, Eberle, Ediger, Hansen, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
 NAY: Friesen, Houdersheldt, Jackson, Luebbe
 NOT PRESENT: Dickinson, Ehlers

EXECUTIVE COMMITTEE MEETING REPORTS

Buller reported on the Executive Committee meeting held August 14, 1997 and reviewed the committee report as distributed.

AUTOMOBILE BID

Turnbull recommends replacing the 1985 Ford LTD station wagon with a mid-size 4 door sedan. The money is included in the proposed FY98 Budget. The 85 Ford has about 160,000 miles on it and repairs will be needed if it is driven much more. The demand warrants replacing the vehicle.

Buller made the motion (Motion #24) to authorize the advertising for bids for a mid-size 4 door sedan to replace the 85 Ford LTD station wagon. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers

NOT VOTING: Schulz

ATTORNEY FEES

Buller made the motion (Motion #25) to approve payment of \$50.00 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through July 20, 1997. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers

NRD SALARY REIMBURSEMENT - LITTLE BLUE

The Little Blue has submitted a bill for twelve months of NRCS clerical salary for the Adams and Clay county offices in the amount of \$9,267.34. Our portion of Adams county clerical salaries is 12.633% (2,579.90), and Clay county clerical salaries is 43.158% (6,515.67). The bill also includes \$171.77 for part time technician time.

Buller made the motion (Motion #26) to reimburse the Little Blue NRD \$9,267.34 for clerical and technical time in Adams and Clay counties for the period July 1, 1996 through June 30, 1997. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers

NARD VOTING DELEGATES

Buller made the motion (Motion #27) to appoint Bob Ehlers as the NARD voting delegate for the September conference and to appoint Merlin Volkmer as the alternate. Seconded by Friesen. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Ehlers

NARD REPRESENTATIVE

It appears at this time that neither the NARD Representative or Alternate will be able to attend the NARD fall conference and board meeting.

Moore made the motion (Motion #28) that in the absence of the NARD Representative and official Alternate, the Executive Committee members present at the NARD fall conference have the authority to appoint an alternate NARD Representative for the September 1997 NARD board meeting. Seconded by Hansen. Question called. Motion carried.

AYE: Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Dickinson, Ehlers

FINANCIAL STATEMENT

Volkmer made the motion (Motion #29) to approve the financial statement and budget report as of July 31, 1997; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Moore. Question called. Motion carried.

AYE: Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Dickinson, Ehlers

Meeting adjourned at 9:20 p.m..

Vance A. Teegerstrom, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
SEPTEMBER 18, 1997

CALL TO ORDER

Acting Chairman, Roger Houdersheldt, called a regular board of directors meeting to order at 7:40 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Roger Houdersheldt, Vice Chairman	Vance Teegerstrom, Secretary
Doug Dickinson, Director	Gary Eberle, Director
Ed Ediger, Director	Bob Ehlers, Director
Wayne Hansen, Director	Jim Jackson, Director
Linda Luebbe, Director	Larry Moore, Director
Louis Oswald, Director	Kenneth Regier, Director
Roland Schulz, Director	John Turnbull, Manager
Nancy Schneider, Staff	Jay Bitner, Staff
Prudence Sadler, Staff	Rodney DeBuhr, Staff
Ken Feather, Staff	Wm. Gilliam, NRCS
Anthony Greder, York News-Times	Ray Naber, Seward Co. Commissioner

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published September 11, 1997 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Eleven directors were present during roll call. Luebbe and Moore arrived following the approval of the minutes.

REQUEST FOR EXCUSED ABSENCE

Ehlers made the motion (Motion #1) to excuse the absence of Austin, Buller, Friesen and Volkmer from the September 18, 1997 board of directors meeting as requested. Seconded by Jackson. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Luebbe, Moore, Volkmer, Austin

ADOPTION OF AGENDA

Jackson made the motion (Motion #2) to approve the agenda for the September 18, 1997 board of directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Luebbe, Moore, Volkmer, Austin

APPROVAL OF MINUTES OF THE AUGUST 21, 1997 BOARD MEETING

Regier made the motion (Motion #3) to approve the minutes of the August 21, 1997 board of directors meeting as distributed. Seconded by Ediger. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Luebbe, Moore, Volkmer, Austin

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held September 9, 1997 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Hansen made the motion (Motion #4) that eight new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Jackson. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Hansen made the motion (Motion #5) that four new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Ehlers.

Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Hansen made the motion (Motion #6) that payment of NRD land treatment funds be made in the amount of \$866.09 for one application reviewed by the committee. Seconded by Jackson. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

PROJECT 15-10-02W - CONTRACTOR PROGRESS PAYMENT

Van Kirk Brothers Contracting has begun work on the dam at Project 15-10-02W. Work completed to date includes mobilization, 1,051 feet of fence removal and placement of 3,477 cubic yards of earth fill. The total earned for August work is \$3,678.67.

Hansen made the motion (Motion #7) that Van Kirk Brothers Contracting be paid \$3,678.67, \$367.87 of which is to be withheld as retainage, for work completed in August 1997 on Project 15-10-02W. Seconded by Ediger. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

SEWARD FLOOD HAZARD MITIGATION PROJECT

Claim number 15 includes expenditures by the City of Seward on the Flood Hazard Mitigation Project Buyout Phase. The total amount of this claim is \$1,471.50. The FEMA share is \$1,103.63. The City's share is \$183.94 and the NRD share is \$183.93.

Hansen made the motion (Motion #8) that payment of \$183.93 in NRD funds be made to the City of Seward, and that the District file a claim in the amount of \$1,103.63 for the FEMA share of Claim number 15 of the Seward Flood Hazard Mitigation Project, and that \$1,103.63 of the FEMA share be paid to the City when it is received by the District. Seconded by Luebbe. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

INDIAN CREEK PROJECT

Staff recommends that the NRD proceed with detailed digital terrain modeling and mapping of the Indian Creek project site. The mapping is necessary to accurately locate conservation pool, flood pool, dam centerline, roads, bridges, and other features effected by the project. The detailed maps will have a two-foot contour interval and will be computer ready. Western Air Maps was hired by the District in 1996 to do the aerial photography at Indian Creek. Western Air Maps proposes to do the DTM and mapping for a fee of \$11,980.

Hansen made the motion (Motion #9) that the District proceed with detailed mapping of the Indian Creek Project. Seconded by Oswald. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Luebbe, Moore, Oswald, Regier, Teegerstrom, Houdersheldt

NAY: Jackson, Schulz

NOT PRESENT: Buller, Friesen, Volkmer, Austin

Hansen made the motion (Motion #10) that Western Air Maps be hired to prepare digital terrain modeling and detailed mapping on Indian Creek for a fee not to exceed \$11,980, in accordance with their proposal dated September 8, 1997. Seconded by Moore. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Luebbe, Moore, Oswald, Regier, Teegerstrom, Houdersheldt

NAY: Jackson

NOT VOTING: Schulz

NOT PRESENT: Buller, Friesen, Volkmer, Austin

FY 98 BUDGET HEARING

FY 98 BUDGET HEARING
September 18, 1997 - 7:40 P.M.
NRD Office, York, Nebraska

Roger Houdersheldt: This Public Hearing is for the purpose of hearing support, opposition, criticism, suggestions, or observations of tax payers relating to the District's FY 98 Budget. Since this is a Public Hearing, comments will be asked for from the Public.

First I would like to enter into the Hearing record that Public Notice of this Hearing appeared once in the York News-Times on September 8, 1998.

I have asked John Turnbull, General Manager of the District, to be the Hearing Officer and to review the proposed FY 98 Budget.

John Turnbull: The property valuations of the NRD for FY 98, provided by the County Assessors, are:

Adams County	\$170,666,535
Butler County	236,624,197
Clay County	226,776,643
Fillmore County	403,807,256
Hamilton County	689,416,651
Polk County	274,705,111
Saline County	43,471,657
Seward County	675,847,997
York County	<u>856,499,815</u>
TOTAL VALUATION	\$3,577,815,862

This year's valuation figures do not include motor vehicle valuations. The total tax requirement for FY 98 is \$906,523.10. The NRD tax levy for FY 98 needs to be \$0.02534 per \$100 Valuation. Last year's levy was \$0.02638.

The proposed levy of \$0.02534 is a decrease from last year. The property tax requirement has also decreased. Last year's property tax asking was \$936,926. What you need to remember is that last year's figures included the motor vehicle taxes. This year the motor vehicle taxes are listed in another section of revenue. When you take this into account the overall tax revenue from motor vehicles and property tax is higher than one year ago.

REVENUES:

Cash on hand as of June 30, 1997 in the General Fund was \$560,918.90. Federal grants expected for FY 98 are \$569,628.75. The subtotal of state receipts, which include government subdivision aid, motor vehicle prorate and state grants and funds, is \$224,780.31. The subtotal for local receipts is \$165,788.39. This includes motor vehicle tax, labor on tree sales, customer charges, investment income, special projects, income from cities & counties, miscellaneous income, income from other NRDs, sale of district property and private grants.

I now return the hearing to Roger Houdersheldt for comments from the public.

Roger Houdersheldt: I would now ask for any comments from the Public concerning the proposed budget.

There being no comments, I would declare this Public Hearing closed on the FY 98 Budget at 8:04 P.M..

FY 98 LEVY HEARING

FY 98 SPECIAL LEVY HEARING September 18, 1997 - 8:05 P.M. NRD Office, York, Nebraska

Roger Houdersheldt: This Public Hearing is for the purpose of hearing support, opposition, criticism, suggestions, or observations of tax payers relating to the amount to be levied for the 1997-98 Budget. Since this is a Public Hearing, comments will be asked for from the Public.

First I would enter into the record of this Hearing that Public Notice has appeared once in the York News-Times on September 11, 1997. I have asked John Turnbull, General Manager of the District, to be the Hearing Officer and to explain the proposed FY 98 Levy.

John Turnbull: The Budget Act states that the County Clerk is to set a preliminary tax rate based on the previous year's tax requirement and the current year's valuation.

The County Clerk has certified that the preliminary tax rate is 2.619 cents per \$100 valuation for a tax requirement of \$936,926.78 and a 1997-98 valuation of \$3,577,815,862.

The act states that if the district sets a different rate than the preliminary tax rate of 2.619 cents, then a public hearing has to be held before certifying to the county clerk a tax rate for FY 98. Based on a tax requirement for the FY 98 Budget of \$906,523.10, our tax rate would be 2.534 cents/\$100 with a valuation of \$3,577,815,862.

Following the hearing the board will take official action to set the tax levy for the FY 98 Budget. I now return the hearing to Roger Houdersheldt for comments from the Public.

Roger Houdersheldt: I would now ask for any comments the Public would have concerning the Proposed Levy. There being no comments, I would declare this Special Public Hearing for the FY 98 Levy closed at 8:30 P.M..

Hansen made the motion (Motion #11) to adopt the FY 98 Budget as presented. Seconded by Oswald. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

RESOLUTION #98-1

WHEREAS § 13-519 Nebraska Statutes states that no governmental unit shall adopt a budget containing a total of budgeted restricted funds more than the last prior year's total of budgeted restricted funds;

WHEREAS § 13-519 Nebraska Statutes also states that a governmental unit may exceed the budget limit for a fiscal year by up to an additional 1 percent upon the affirmative vote of at least 75 percent of the governing body;

THEREFORE BE IT RESOLVED by this Board of Directors on September 18, 1997, to exceed the budget limit

on restricted funds for this fiscal year by 1 percent.

Regier made the motion (Motion #12) to adopt Resolution #98-1. Seconded by Hansen. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

RESOLUTION #98-2

WHEREAS the FY 98 Budget for the Upper Big Blue Natural Resources District, as adopted by this board of directors on September 18, 1997, has a property tax requirement of \$906,523.10;

WHEREAS the final total valuation of the NRD is \$3,577,815,862;

WHEREAS the York County Clerk's preliminary levy of \$0.02619 will generate \$936,926.78;

THEREFORE BE IT RESOLVED by this Board of Directors on September 18, 1997, to set the FY 98 Tax Levy at \$0.02534.

Ehlers made the motion (Motion #13) to adopt Resolution #98-2. Seconded by Hansen. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

EDUCATION AND PARKS COMMITTEE REPORT

Oswald reported on the Education and Parks Committee meeting held September 9, 1997 and reviewed the committee report as distributed.

PROJECT 15-10-2W (Todd Dam) - PROPOSAL TO RENAME

Since the Todd dam project will be open for public access, we need to give it a permanent name. Since the Overland Trail runs parallel to Beaver Creek, a short distance north of the project, and can be seen from the dam, it is suggested that we name the area after the trail.

Oswald made the motion (Motion #14) that Project 15-10-2W be named the Overland Trail Reservoir and Recreation Area. Seconded by Hansen.

Ehlers amended the motion to make the motion (Motion #15) to strike the words "Reservoir and" from the name. Seconded by Moore. Question called on the amendment. Amendment carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

Question called on the original motion as amended to read "that Project 15-10-2W be named the Overland Trail Recreation Area." Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

OUTDOOR CLASSROOM REQUEST

York Elementary School has completed quite a bit of work on its outdoor classroom plan. They're ready now to create a wetland and elevated walkway. The district's outdoor classroom program offers a match of 50% of the local share of the cost of plant materials and related items (dirt work, walkways, etc.) with a limit of \$800 of the district's money.

Oswald made the motion (Motion #16) that the Upper Big Blue NRD authorize York Elementary School's Outdoor Classroom application. Seconded by Hansen. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

BOUNDARY SURVEY FOR PROJECT 23-13-2E (Ulysses Dam)

The following quotes were submitted for the performance of a boundary survey for Project 23-13-2E.

Gilmore & Associates Inc.	\$4,500.00
Kirkham Michael Consulting Eng.	4,465.00
Johnson, Erickson & O'Brien	2,650.00

Oswald made the motion (Motion #17) that the Upper Big Blue NRD hire Johnson, Erickson, O'Brien and Associates, Inc. to do the boundary survey for the tracts of land located in Project 23-13-2E for a sum of \$2,650.00. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

McGOWEN WILDLIFE HABITAT IMPROVEMENT CONTRACT

Leo McGowen Rt 1 Box 170 Ulysses, NE 68669
(location SW1/4 9-8-1E Saline)

Practice III	22 Ac's protecting existing habitat	\$330.00
Practice I	4.5 Ac's establishing new habitat	112.50
Public Access	26.5 Ac's	<u>66.25</u>
	Total annual payment	\$508.25

Contract term: 10 years

An additional 5 acre filter strip is being established under the CRP program on this parcel of land. This area however, is not being funded through the WHIP contract.

Oswald made the motion (Motion #18) that the Upper Big Blue NRD approve the Wildlife Habitat Improvement contract with Leo McGowen located in the SW1/4 of Section 9, Township 8 North, Range 1 East in Saline County. Seconded by Ediger. Question called. Motion carried.

AYE: Eberle, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: Dickinson, Ediger, Ehlers

NOT PRESENT: Buller, Friesen, Volkmer, Austin

TRUMBULL BASIN

The Rainwater Basin Joint Venture received a grant through the Environmental Trust for the purchase of an 80 acre tract of land located in the North Half of the Northeast Quarter of Section 15, Township 8 North, Range 9 West in Adams County. This land is presently a wetland area and the landowner, Lee Saathoff, wishes to sell this 80 acre tract to the Rainwater Basin Joint Venture. Following a five-year storm, approximately 67 acres of the 80 acres would be covered with water. The intent of the group is to purchase the land from Mr. Saathoff and ask the Upper Big Blue NRD to hold a conservation easement, or an easement of that nature, on the property.

The Rainwater Basin organization would then sell the property to a private individual with the conservation easement attached to the deed. By doing this, the land would be kept on the tax roll and the easement would be held by a local entity.

Oswald made the motion (Motion #19) to authorize the staff to enter into a discussion with the Rainwater Basin Joint Venture regarding a conservation easement on the North Half of the Northeast Quarter of Section 15, Township 8 North, Range 9 West in Adams County, and further discuss the terminology of the easement with the Parks & Education Committee. Seconded by Ediger. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Houdersheldt

NAY: Schulz

NOT PRESENT: Buller, Friesen, Volkmer, Austin

WATER COMMITTEE MEETING REPORT

Jackson reported on the Water Committee meeting held September 11, 1997 and reviewed the committee report as distributed.

GWMA #2 (Ground Water Quality)

AQWACAP FINAL PAYMENTS

Jackson made the motion (Motion #20) to approve final payment for six well abandonments at a total cost of \$1,587.34. Seconded by Hansen. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Moore, Volkmer, Austin

EXECUTIVE COMMITTEE MEETING REPORTS

Teegerstrom reported on the Executive Committee meeting held September 18, 1997 and reviewed the committee report as distributed.

ATTORNEY FEES

The attorney's fees for the month are \$66.50 for preparation of the auditor's opinion.

Teegerstrom made the motion (Motion #21) to approve payment of \$66.50 to Crosby, Guenzel, Davis, Kessner & Kuester, for Steve Seglin's work through August 20, 1997. Seconded by Oswald. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

AUTO BIDS

Bids were opened on September 15th for a 1998 four-door mid-size sedan, with certain district specifications, with and without trade-in of the 1985 Ford LTD Station Wagon. An ad was also placed in the York News-Times for written offers from the public for the purchase of the 1985 Ford. The opening for the public written offers was held at the same time as the new car bids.

The bids received were:

DEALER	VEHICLE MAKE	BID PRICE	BID PRICE WITH TRADE	REMARKS
Rediger Chevrolet, Milford	1998 Chevy Malibu	\$17,200.00	\$16,950.00 (\$250)	No full size spare (2 - 3 months car delivery)
Moses Motor, York	1998 Ford Taurus	\$18,036.00	\$17,936.00 (\$100)	Full size spare available (6 - 8 weeks car delivery)
John Kohl Chevrolet, York	1998 Chevy Malibu	\$16,796.55	no trade	No full size spare, and does not meet other specifications.

Public written offers submitted were:

INDIVIDUAL	VEHICLE MAKE	WRITTEN OFFER	REMARKS
Sam Keezer, York	1985 Ford LTD Station Wagon	\$ 200.00	Only public bid received to purchase 85 Ford

Alternate unsolicited Quotes submitted by local dealers were:

DEALER	VEHICLE MAKE	QUOTE	QUOTE WITH TRADE	REMARKS
Moses Motor, York	1997 Ford Taurus (new)	\$16,799.00	\$16,699.00 (\$100)	In stock; full size spare available; meets specifications except no anti lock brakes, no floor shift, gray paint instead of light blue.
John Kohl Chevrolet, York	1997 Chevy Malibu (new)	\$17,220.55	no trade	Not in stock

Turnbull and Feather recommend that the bids for the 1998 four-door sedan be rejected, and that the district purchase a 1997 Ford Taurus from Moses Motors for a negotiated price not to exceed \$16,799.00. Turnbull also recommends that the district sell the 1985 Ford to Sam Keezer for \$200.00.

Teegerstrom made the motion (Motion #22) that the bids for a 1998 four-door sedan be rejected; further that the staff be authorized to purchase a new 1997 Ford Taurus from Moses Motor Company, Inc. of York, Nebraska for a negotiated price not to exceed \$16,799.00; and further that the district sell the 1985 Ford LTD station wagon to Sam Keezer for \$200.00. Seconded by Dickinson. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Houdersheldt

NAY: Hansen, Moore, Schulz

NOT PRESENT: Buller, Friesen, Volkmer, Austin

RESOLUTIONS FOR THE NARD FALL CONFERENCE

Several resolutions have been received since the last board meeting. All of the following will require a 2/3 vote to be heard at the conference.

RESOLUTION #97-4 REVISE NEBRASKA EROSION AND SEDIMENT CONTROL ACT

Teegerstrom made the motion (Motion #23) that the District remain neutral on Resolution #97-4 Revise Nebraska Erosion and Sediment Control Act. Seconded by Ehlers.

Ehlers amended the motion to make the motion (Motion #24) to support the introduction of Resolution #97-4. Seconded by Moore. Question called on the amendment. Amendment carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

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

AYE: Dickinson, Eberle, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Ediger, Friesen, Schulz, Volkmer, Austin

RESOLUTION #97-5 SUBDISTRICT POPULATION RATIO

Teegerstrom made the motion (Motion #25) that the district remain neutral on Resolution #97-5 Subdistrict Population Ratio. Seconded by Moore. After some discussion Moore withdrew his second and the motion died.

Moore made the motion (Motion #26) to support the introduction of Resolution #97-5 Subdistrict Population Ratio. Seconded by Hansen. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Moore, Oswald, Schulz, Teegerstrom

NAY: Luebbe, Regier, Houdersheldt

NOT PRESENT: Buller, Friesen, Volkmer, Austin

RESOLUTION #97-6 FEDERAL ENVIRONMENTAL INCENTIVE PROGRAM

Teegerstrom made the motion (Motion #27) that the district oppose Resolution #97-6 Federal Environmental Incentive Program. Seconded by Schulz. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Hansen, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: Ehlers, Moore

NOT PRESENT: Buller, Friesen, Volkmer, Austin

RESOLUTION #97-7 NRC 1085 STUDY REPORT

Teegerstrom made the motion (Motion #28) that the district support Resolution #97-7 NRC 1085 Study Report. Seconded by Moore. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

FINANCIAL STATEMENT

Hansen made the motion (Motion #29) to approve the financial statement and budget report as of August 31, 1997; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Volkmer, Austin

Meeting adjourned at 9:45 p.m.

Vance A. Teegerstrom, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
OCTOBER 16, 1997

CALL TO ORDER

Chairman, Yvonne Austin called a regular board of directors meeting to order at 7:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chairman	Roger Houdersheldt, Vice Chairman
Vance Teegerstrom, Secretary	Steve Buller, Treasurer
Doug Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Wayne Hansen, Director
James Jackson, Director	Linda Luebbe, Director
Larry Moore, Director	Louis Oswald, Director
Roland Schulz, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Jay Bitner, Staff	Ken Feather, Staff
Prudence Sadler, Staff	Dean Edson, NARD
Anthony Greder, York News-Times	

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published October 9, 1997 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Twelve directors were present during roll call. Luebbe and Moore arrived following the approval of the minutes.

REQUEST FOR EXCUSED ABSENCE

Ehlers made the motion (Motion #1) to excuse the absence of Eberle, Friesen and Regier from the October 16, 1997 board of directors meeting as requested. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Luebbe, Moore, Regier

ADOPTION OF AGENDA

Hansen made the motion (Motion #2) to approve the agenda for the October 16, 1997 board of directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Luebbe, Moore, Regier

APPROVAL OF MINUTES OF THE SEPTEMBER 18, 1997 BOARD MEETING

Oswald made the motion (Motion #3) to approve the minutes of the September 18, 1997 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Luebbe, Moore, Regier

NARD REPORT

Dean Edson, Executive Director of the NARD attended the board meeting. He advised the Upper Big Blue board of the upcoming hearing on LR 172 before the Legislature's Natural Resources Committee scheduled at Hastings on October 17.

LR 172 is the legislature's study of the NRD project priority process and related matters. This interim study will complement the study by the Resources Commission authorized by LB 1085. Senator Beutler has also requested testimony on the LB 1085 Study conducted by the Natural Resources Commission. Vince Kramper, Natural Resources Commission Member from South Sioux City, asked Turnbull to present comments on the LB 1085 committee work and report for the NNRC.

Mike Mosel also requested that Turnbull present testimony for the NARD about the study, and future committee work. Glenn Johnson, Lower Platte South General Manager, will present testimony on project priorities at the Association's request.

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held October 7, 1997 and reviewed the committee report as distributed.

AQWACAP WELL ABANDONMENT PROGRAM- PAYMENTS

Hansen made the motion (Motion #4) that payment of AQWACAP Well Abandonment Program cost-share funds be made in the amount of \$85.74 for one application reviewed by the Committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Regier

LAND TREATMENT PROGRAM - NRD FUND - NEW APPLICATIONS

Hansen 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 Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Regier

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Hansen made the motion (Motion #6) that fourteen new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Regier

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Hansen made the motion (Motion #7) that payment of NSWCP land treatment funds be made in the amount of \$7,898.72 for two applications reviewed by the committee. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Regier

PROJECT 15-10-02W - PAYMENT TO KANEB PIPE LINE COMPANY

KANEB Pipe Line Operating Partnership has completed work on the protective casing for its two gas mains located in the reservoir tailwater at Project 15-10-02W, Overland Trails Project. Final cost for the work is being invoiced for \$28,561.65. KANEB's preconstruction estimate was \$22,000; however, the NRD's agreement with KANEB requires payment for actual cost. Staff recommends payment of the invoiced amount.

Hansen made the motion (Motion #8) that the District pay KANEB Pipe Line Operating Partnership, L.P. \$28,561.65 as final payment for construction of protective casing on KANEB's two natural gas mains located in the reservoir tailwater at Project 15-10-02W, Overland Trails Project. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Regier

PROJECT 15-10-02W - CONTRACTOR PROGRESS PAYMENT

As of September 30, 1997 VanKirk Brothers Construction Company had completed 35% of the work on the dam at Project 15-10-02W. The total earned for September work is \$39,571.85.

Hansen made the motion (Motion #9) that VanKirk Brothers Construction be paid \$39,571.85, \$3,957.19 of which is to be withheld as retainage, for work completed in September 1997 on Project 15-10-02W. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Regier

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT

Moore reported on the Budget, Planning & Legislative Committee meeting held October 9, 1997 and reviewed the committee report as distributed.

FY 97 AUDIT

The auditor, Steve Wiemer, presented the FY 97 audit to the Budget, Planning & Legislative Committee. He reviewed the findings of the audit and changes in the fixed assets. He also answered questions regard the audit and how it was prepared. Wiemer advised the board that the audit was conducted according to generally accepted auditing standards and federal requirements.

Moore made the motion (Motion #10) that the Upper Big Blue NRD Board of Directors accept the FY 97 Audit as presented, by Steve Wiemer of Romans, Wiemer, & Associates. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Regier

EDUCATION AND PARKS COMMITTEE REPORTS

Oswald reported on the Education and Parks Committee meetings held October 9 and 16, 1997 and reviewed the committee reports as distributed.

SEWARD COUNTY COMMUNITY STEWARDSHIP COOPERATIVE AGREEMENT

The NRCS and the Groundwater Foundation have asked us to join them in a pilot project in Seward County. The project has two main areas of focus: 1) a survey to learn what Seward County residents know about their natural resources and what concerns they have and 2) to increase public participation in local stewardship activities (i.e. the Groundwater Guardian program).

The project will be funded by a \$20,000 grant from the NRCS. The district’s commitment will be a small amount of staff time.

Oswald made the motion (Motion #11) that the Upper Big Blue Natural Resources District enter into agreement number 69-6526-7-938 with the Groundwater Foundation and the Natural Resources Conservation Service. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Jackson

NOT PRESENT: Eberle, Friesen, Regier

NEBRASKA ORGANIZATIONS FOR ENVIRONMENTAL EDUCATION

This is a newly formed group of agencies and organizations involved with environmental education. Presently, there is little coordination and much overlap in environmental ed efforts across the state. This group aims to bring most of these agencies together to find ways to work jointly and conserve resources. An organizational workshop in January will decide the group’s structure and set a membership fee, expected to be about \$25.

Oswald made the motion (Motion #12) that the Upper Big Blue Natural Resources District join the Nebraska Organizations for Environmental Education. Seconded by Hansen. Question called. Motion failed.

AYE: Buller, Dickinson, Ediger, Hansen, Oswald, Teegerstrom, Volkmer

NAY: Jackson, Moore, Austin

NOT VOTING: Ehlers, Houdersheldt, Luebbe, Schulz

NOT PRESENT: Eberle, Friesen, Regier

APPRAISALS FOR PROJECT 23-13-2E (Ulysses Dam)

The following quotes were submitted for doing appraisals on the properties located in Section 23, Township 13 North, Range 2 East of the 6th P.M. Butler County, Nebraska that are being affected by the construction of Project 23-13-2E (Ulysses Dam)

Goding Realty Inc.	\$3,080.00
Deets Real Estate & Appraisal Service	\$2,450.00

Oswald made the motion (Motion #13) that the Upper Big Blue Natural Resources District hire Deets Real Estate & Appraisal Service of Geneva to do appraisals on the lands located in Section 23, Township 13 North, Range 2 East of the 6th P.M. in Butler County which are being affected by the construction of Project 23-13-2E (Ulysses Dam). Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Regier

CHAPTER 34 - RULES AND REGULATIONS (Overland Trail Recreation Area)

The Education & Parks Committee reviewed a copy of Chapter 34 of the NRD Rules and Regulations regarding the Overland Trail Recreation Area.

Oswald made the motion (Motion #14) that the proposed Chapter 34 of the NRD Rules and Regulations for

Overland Trail Recreation Area be forwarded to the Upper Big Blue NRD Board of Directors for the purpose of holding a public hearing on November 20, 1997 at 1:30 p.m. in the NRD office. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Regier

FIRST NATIONAL SPORTS COMPLEX (Community Tree Resources Program I)

Orval Stahr, president of York Sports Association, spoke with the committee regarding a landscape project for the First National Sports Complex owned by York County. Todd Faller of Faller Landscape and University of Nebraska personnel will be designing a plan for this area. The total cost of the plant materials will be about \$70,000.

Oswald made the motion (Motion #15) that the Upper Big Blue NRD supply funding in FY98 in the amount of \$5,000 for trees and shrubs to be placed on the grounds of First National Sports Complex owned by York County. Seconded by Buller. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Regier

TREE PLANTING PROGRAM FY98

The Education & Parks Committee reviewed the tree planting program and the price increases that have occurred.

Oswald made the motion (Motion #16) that the Upper Big Blue NRD adopts the following tree and planting costs for FY98. Trees and shrubs 50 cents each; planting cost 30 cents each. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Regier

EXECUTIVE COMMITTEE MEETING REPORTS

Teegerstrom reported on the Executive Committee meeting held October 9, 1997 and reviewed the committee report as distributed.

VOTING PROCEDURES

Last month Larry Moore asked that district voting procedures be placed on the October Board Meeting agenda for discussion. His concern was that the District's Operating Policy should refer to the latest edition of Robert's Rules of Order.

Teegerstrom made the motion (Motion #17) to amend paragraph X, of Operating Policy No. 9: BOARD OF DIRECTORS MEETINGS, as follows; The board shall follow the 1990 (9th) Edition of Robert's Rules of Order in conducting district business. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Regier

THIRD QUARTER DIRECTORS' PER DIEM AND EXPENSES

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

Teegerstrom made the motion (Motion #18) to approve payment of third quarter directors' per diem of \$ 7,000.00 and expenses of \$1,979.54. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Regier

COMPUTER EQUIPMENT

The Projects Department staff routinely coordinates drafting work and computer mapping with consultants and state agencies. The district's current drafting software is not compatible with the industry. Bitner has requested the purchase of AutoCAD software for computer aided drafting since it is the standard software for the industry. AutoCAD software will require more powerful computers than the district owns.

Turnbull also wants to provide computers for the two water resource technicians and the parks department manager. Turnbull recommends the purchase of two new computers for the Projects Department to allow the use of AutoCAD software. The two computers currently used by the Projects Department will be reassigned to a water resource technicians and the parks department manager. Turnbull is recommending the purchase of a more powerful computer for the water department managers use and his old computer be reassigned to the other water resource technician.

In addition, Turnbull recommends the purchase of a new monitor for Bitner, and the purchase of a centralized tape backup system and a centralized Internet Modem. Some other planned upgrades for the year were handled by purchase orders. The proposed purchases are less than the amount budgeted for computers and software for FY 98.

Computer Quotes:

Milestone Geographic Solutions, Lincoln	3 Computers as specified	\$ 11,975.00
Gateway 2000, Sioux City	3 Computers as specified	\$ 6,696.00
Computer Spectrum, Aurora	3 Computers as specified	\$ 6,197.00

Additional Equipment

Computer Spectrum, Aurora	17" Monitor	
	Network Tape Backup system	
	Network Internet system	
	Windows 95 and software	\$ 1,686.00

<u>AutoCAD</u>	Software, two licenses, installation and training	\$ 8,061.00
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Teegerstrom made the motion (Motion #19) to authorize the purchase of three computers, a Pentium 200, two Pentium 166 machines for \$6,197.00, a 17" monitor, tape backup system, network Internet system, and software for \$1,686.00, from Computer Spectrum of Aurora, for a total price of \$7,883.00 plus tax. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Friesen, Regier

Teegerstrom made the motion (Motion #20) to authorize the purchase of AutoCAD software release 14 with MAP 2.0, including two licenses, and the Civil Engineering module for \$7,611.00 from DLT Solutions, Inc. of Herndon, Virginia, and to hire Milestone, Inc. of Lincoln to install and train the district staff on the use of AutoCAD, for \$450.00, for a total AutoCAD cost of \$8,061.00. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz,

Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Eberle, Friesen, Regier

DEFERRED COMPENSATION PLAN

The employees want to participate in a deferred compensation plan.

Mike Tefft, the agent for the NARD Health and Retirement Plans met with the district employees on July 14, 1997. He presented a 457 deferred compensation plan that only offered a fixed account through Northern Life. The employees would have no choice of investment options with Northern Life. The staff asked that other possibilities be explored.

Gene Buhman, the Ameritas representative, made a presentation to the entire staff on September 30. The Ameritas plan offers a fixed account and various mutual fund accounts, with the allocations directed by the individual employees. The employees showed a strong interest in this 457 Plan.

The Manager asked Steve Seglin, the district's legal counsel, to review the draft plan document provided by Ameritas, and to draft a written 457 Deferred Compensation Plan for consideration by the Board. The manager recommends that the plan be considered for adoption, and to consider approving the Ameritas contract at the November Board meeting. Payroll deductions could begin in December or January.

Teegerstrom made the motion (Motion #21) to authorize Steve Seglin to write a Section 457 Non Qualified Deferred Compensation Plan for the Board's consideration. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz,
Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Eberle, Friesen, Regier

FINANCIAL STATEMENT

Houdersheldt made the motion (Motion #22) to approve the financial statement and budget report as of September 30, 1997; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz,
Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Eberle, Friesen, Regier

Meeting adjourned at 9:37 p.m.

Vance A. Teegerstrom, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
AND
PUBLIC HEARING FOR OVERLAND TRAIL RECREATION AREA
RULES AND REGULATIONS
NOVEMBER 20, 1997

CALL TO ORDER

Chairman, Yvonne Austin called a regular board of directors meeting to order at 1:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chairman	Roger Houdersheldt, Vice Chairman
Vance Teegerstrom, Secretary	Steve Buller, Treasurer
Doug Dickinson, Director	Gary Eberle, Director
Ed Ediger, Director	Bob Ehlers, Director
Curt Friesen, Director	Wayne Hansen, Director
Jim Jackson, Director	Larry Moore, Director
Louis Oswald, Director	Kenneth Regier, Director
Roland Schulz, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Prudence Sadler, Staff	Rodney DeBuhr, Staff
Jay Bitner, Staff	Russ Gierhart, Staff
Russ Callan, Staff	William Gilliam, York NRCS
Anthony Greder, York News-Times	

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published November 13, 1997 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Fifteen directors were present during roll call. Jackson arrived following the approval of the minutes.

REQUEST FOR EXCUSED ABSENCE

Hansen made the motion (Motion #1) to excuse the absence of Linda Luebbe from the November 20, 1997 board of directors meeting as requested. Seconded by Friesen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Jackson, Luebbe

ADOPTION OF AGENDA

Volkmer made the motion (Motion #2) to approve the agenda for the November 20, 1997 board of directors meeting as presented. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Jackson, Luebbe

APPROVAL OF MINUTES OF THE OCTOBER 16, 1997 BOARD MEETING

Oswald made the motion (Motion #3) to approve the minutes of the October 16, 1997 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Hansen, Houdersheldt, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
NOT VOTING: Friesen, Jackson
NOT PRESENT: Luebbe

PUBLIC HEARING

PUBLIC HEARING
OVERLAND TRAIL RECREATION AREA
RULES & REGULATIONS
November 20, 1997 - 2:10 P.M.
NRD Office, York, Nebraska

Yvonne Austin: This purpose of this Public Hearing is to receive public comment on proposed rules and regulations for the Overland Trail Recreation Area. Since this is a Public Hearing, comments will be asked for from the Public.

I would like to enter into the Hearing record that Public Notice of this Hearing appeared in the York News-Times on October 30, November 6 and 13, 1997. Copies of the proposed rules and regulations were available at the NRD office for review.

The hearing will be left open and run in conjunction with the regular board of directors meeting until at least 2:40 p.m. to allow comments.

I would now ask for any comments from the Public concerning the proposed rules and regulations.

Larry Moore: Under •03 Prohibited Activities: item •03.02 the words in-line skates needs to be added after roller skates.

Yvonne Austin: There being no comments, I would declare this Public Hearing closed on the proposed rules and regulations for Overland Trail Recreation Area at 2:55 p.m..

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held November 10, 1997 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Hansen 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 Jackson. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: Buller, Houdersheldt

NOT PRESENT: Luebbe

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Hansen 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 Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Hansen made the motion (Motion #6) that payment of NSWCP land treatment funds be made in the amount of \$5,174.17 for two applications reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe

OVERLAND TRAIL PROJECT - CONTRACTOR PROGRESS PAYMENT

As of October 31, 1997, VanKirk Brothers Construction Company has completed 88% of the work on the dam at Overland Trail. The total earned for October work is \$64,060.29.

Hansen made the motion (Motion #7) that VanKirk Brothers Construction be paid \$64,060.29, \$6,406.03 of which is to be withheld as retainage, for work completed in October 1997 on the dam at Overland Trail. Seconded by Buller. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz

SEWARD FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

Claim number 16 includes expenditures by the city of Seward on the flood hazard mitigation project buyout phase. The total amount of the claim is \$2,377.50. FEMA's share is \$1,783.13, the city's share is \$297.19, and the NRD share is \$297.18.

Hansen made the motion (Motion #8) that payment of \$297.18 in NRD funds be made to the city of Seward, and that the district file a claim in the amount of \$1,783.13 for the FEMA share of claim number 16 of the Seward Flood Hazard Mitigation Project, and that \$1,783.13 of the FEMA share be paid to the city when it is received by the district. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe

FLOOD HAZARD MITIGATION PROJECTS FUNDING

FEMA has announced that it has additional funds available for flood hazard mitigation projects. Possible projects which could use this funding include Seward and Aurora. Other communities could be eligible if their counties were included in the 1993 disaster declaration. The cities of Seward and Aurora are considering whether to apply for the available FEMA funds.

After some discussion, the committee decided to send letters to Aurora and Seward encouraging them to pursue FEMA funding and to let them know that the NRD is willing to do the administration work and act as subgrantee.

The Projects Committee asked the staff to check with other communities to see if there is interest in applying for disaster assistance from FEMA.

Hansen made the motion (Motion #9) that the Upper Big Blue NRD send a letter to the city of Seward encouraging the city to apply for flood hazard mitigation disaster assistance funds currently being made available from FEMA, and to offer that the NRD would be willing to act as administrator of the grants and grant applications on behalf of the city. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Moore, Oswald, Regier,

Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Jackson

NOT PRESENT: Luebbe

Hansen made the motion (Motion #10) that the Upper Big Blue NRD send a letter to the city of Aurora encouraging the city to apply for flood hazard mitigation disaster assistance funds currently being made available from FEMA, and to offer that the NRD would be willing to act as administrator of the grants and grant applications on behalf of the city. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: NONE

NOT VOTING: Jackson

NOT PRESENT: Luebbe

WATER COMMITTEE MEETING REPORT

Jackson gave a report on the Water Committee meeting held November 10, 1997 and reviewed the committee report as distributed.

RECHARGE LAKE 319 PROJECT

PAYMENT TO UNL FOR THE POST PROJECT INVENTORY

Jackson made the motion (Motion #11) to pay the University of Nebraska \$6,000.00 as per our agreement for the Recharge Lake post project inventory. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Luebbe

GWMA #1 (GROUND WATER SUPPLY)

USGS RECORDER WELL COOPERATIVE AGREEMENT

Jackson made the motion (Motion #12) to pay USGS \$1,135.00 as per our agreement for one-half of the operation and maintenance costs of the Aurora, Burress, Rising City and Seward automated recorder wells for the 1997 fiscal year. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe

Jackson made the motion (Motion # 13) to enter into the 1998 cooperative agreement with USGS for operation of the Aurora, Burress, Rising City and Seward automated recorder well at a cost to the district of \$1,190.00. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Austin

NAY: Volkmer

NOT PRESENT: Luebbe

JOANN KUHNS WELL PERMIT CONSIDERATION

Rod informed the Water Committee that JoAnn C. Kuhns Living Trust applied for a permit to drill a well in the NW ¼ of Section 20-T9N-R3E, Seward County. At the time of the committee meeting it appeared to the staff that Mrs. Kuhns proposed well would be located less than 1,000 feet from a well in the NE ¼ of Section 19-T9N-R3E owned by Mark and Carole Springer. A field inspection of the site was conducted on November 13.

Jackson made the motion (Motion #14) to recommend denial of the JoAnn C. Kuhns Living Trust's permit to

construct a well in the NW ¼ of Section 20-T9N-R3E, Seward County, Nebraska, unless the staffs' field inspection of the site uncovers new evidence to support issuance of the permit. Jackson withdrew his motion after reconsideration.

Rod summarized the report of his findings and recommended that the board consider the following resolution.

Under Neb. Rev. Stat. § 46-656.30 an application for a permit in a management area shall be denied, among other reasons, if the district finds (1) that the location of the proposed water well would conflict with any regulations or controls adopted by the district.

District Rule 5, Ch. 11, ¶ 01 states that “[a] water well constructed after March 1, 1979 must be located at least one thousand (1,000) feet from any other water well under different ownership.”

The Water Department Manager, Rod DeBuhr, made an inspection of the proposed well and measured the distance between the proposed well and the two wells owned by the Springers, G000446 and G029240, located in the NE 1/4 of Section 19-T9N-R3E, Seward County, Nebraska, on November 13, 1997, as reflected by his report dated November 20, 1997. Mr. DeBuhr found that the distance between the proposed well and G000446 was approximately 608 feet and G029240 was approximately 479 feet.

Based upon the foregoing statute and rule of the District and on the inspection made by Mr. DeBuhr, the following motion was unanimously approved by the Board at its regular Board meeting held on November 20, 1997.

That the Board of Directors of the Upper Big Blue Natural Resources District hereby denies the issuance of a permit for the construction of an irrigation well in the NW 1/4 of Section 20-T9N-R3E, Seward County, Nebraska.

Volkmer made the motion (Motion #15) to recommend denial of the permit per the attached resolution. Seconded by Hansen.

Ehlers called for the question following a brief discussion. Ediger asked for the floor after the call for the question. Chairman Austin ruled there be no further discussion following the call for the question. Hansen raised a point of order that one director cannot stop an issue from being debated without a two-thirds majority vote.

Moore made the motion (Motion #16) to consider the previous question. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe

Question called on Motion #15. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe

GWMA #2 (GROUND WATER QUALITY)

AQWACAP FINAL PAYMENTS

There are five final payments totaling \$1,112.49. The staff recommends payment of these claims.

Jackson made the motion (Motion #17) to approve final payment for five well abandonments as reviewed by the committee at a total cost of \$1,112.49. Seconded by Hansen. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier,

Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Buller

NOT PRESENT: Luebbe

OVERLAND TRAIL RECREATION AREA RULES & REGULATIONS

Moore made the motion (Motion #18) to adopt Rule 6, Chapter 34, Rules and Regulations for the Overland Trail Recreation Area, as amended to include in-line skates. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe

EDUCATION AND PARKS COMMITTEE REPORTS

Oswald reported on the Education and Parks Committee meeting held November 13, 1997 and reviewed the committee report as distributed.

NOVEMBER WILDLIFE PAYMENTS

Oswald made the motion (Motion #19) that the Upper Big Blue NRD make payments totaling \$3,272.50 to the cooperators of the Wildlife Habitat Improvement Program for the month of November. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: Dickinson

NOT PRESENT: Luebbe

EXECUTIVE COMMITTEE MEETING REPORTS

Houdersheldt reported on the Executive Committee meeting held November 13, 1997 and reviewed the committee report as distributed.

ATTORNEY FEES

The attorney fees for the month are \$87.50 for initial consultation on the employee deferred compensation plan.

Houdersheldt made the motion (Motion #20) to approve payment of \$87.50 to Crosby, Guenzel, Davis, Kessner & Kuester, for Steve Seglin's work through October 20, 1997. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier, Schulz

DEFERRED COMPENSATION PLAN (457 PLAN)

The recommended deferred compensation plan has been reviewed and rewritten by our attorney. The plan conforms with Section 457 of Title 26, US Code, which is the Internal Revenue Service statutes. The plan allows employees to defer a portion of their monthly wages, and to invest the deferred wages for use upon retirement. The income tax on the deferred wages is not payable until the employee actually withdraws the funds. The Ameritas plan offers a fixed account and various mutual fund accounts, with the allocations directed by the individual employees.

The following steps are necessary to place the deferred compensation plan into effect.

11/97 Adopt the deferred compensation plan

11/97 Select an investment manager

12/97 Establish a Trust to oversee deferred compensation fund

The trust documents are being drafted by the attorney and will be presented to the board in December for approval. The trust is necessary because federal law states that deferred compensation accounts, while controlled by the district, are for the exclusive use of the employees and not subject to district creditors.

Houdersheldt made the motion (Motion #21) that the deferred compensation plan be adopted. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe

Houdersheldt made the motion (Motion #22) that the investment manager for the deferred compensation plan of the Upper Big Blue Natural Resources District be the Ameritas Variable Life Insurance Company of Lincoln, Nebraska. Seconded by Jackson. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Buller

NOT PRESENT: Luebbe

COMPUTER PURCHASE AND UPGRADE PAYMENT

The bill from Computer Spectrum Inc., of Aurora is \$8,243.80 plus tax of \$397.00, for a total of \$8,640.80. The bill is for the purchase of three Pentium 166 computers, installation of a network tape drive and Internet system for the computer network. The bill is \$360.80 more than the board approved last month. The additional cost is for labor to setup the tapedrive and Internet systems. The cost of equipment matches the quote.

Houdersheldt made the motion (Motion #23) to approve payment of \$8,640.80 to Computer Spectrum, Inc. of Aurora, for computer purchases, tape backup network system, and Internet network system. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe

PLUMBING IN NRD OFFICE BASEMENT

The remodeling of the NRD office building basement is for a water lab, photo darkroom and future employee break room. Quotes have been received for the plumbing, which needs to take place in order to allow the wall framing to continue. The staff is doing the framing and drywall work.

QUOTES FOR BASEMENT PLUMBING	
Pieper's Inc., York	\$ 6,650.00
Ronco Plumbing, York	\$ 4,587.00
McGregor Plumbing, York	\$ 3,672.00

Houdersheldt made the motion (Motion #24) to hire McGregor Plumbing of York for \$3,672.00 to do the plumbing in the NRD office building basement as specified. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe

HOLIDAY LEAVE POLICY

Martin Luther King Day has been observed by the district on January 19th since 1992. The employees requested that Martin Luther King Day be traded for the day after Thanksgiving. The Friday following Thanksgiving is generally a slow day for customer contacts. Very few farmers or other citizens use the district's services on that day. Many employees in various government agencies take the day as vacation and are unavailable to our staff. Several of our employees also take the day as a vacation day to spend time with their families.

Houdersheldt made the motion (Motion #25) that Personnel Policy No. 19: Holidays be amended as attached, and become effective on December 1, 1997. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: Schulz

NOT PRESENT: Luebbe

FY 97 AUDIT

A bill has been received for the annual audit. It is considerably higher because of the new requirements on federal audits. Steve Wiemer of Roman, Wiemer & Associates billed the district \$1,350.00 which is \$450.00 less than his usual and customary fee for the time he expended on the federal audit.

Annual Audits - Romans, Wiemer & Associates			
	Normal Audit	Federal Audit	Total
FY 96	\$ 1,500.00	\$ 425.00	\$ 1,925.00
FY 97	\$ 1,650.00	\$ 1,350.00	\$ 3,000.00

Houdersheldt made the motion (Motion #26) to approve payment of \$3,000.00 to Romans, Wiemer, and Associates for the FY97 Audit. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ehlers, Luebbe, Moore

JANUARY 1997 BOARD MEETING

Houdersheldt made the motion (Motion #27) to move the January board meeting from the 15th to the 22nd. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Ehlers

NOT PRESENT: Luebbe, Moore

FINANCIAL STATEMENT

Volkmer made the motion (Motion #28) to approve the financial statement and budget report as of October 31, 1997; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Moore, Schulz

Meeting adjourned at 3:50 p.m.

Vance A. Teegerstrom, Secretary

:nds

attachments

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
DECEMBER 18, 1997

CALL TO ORDER

Chairman Yvonne Austin called a regular board of directors meeting to order at 1:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chairman	Roger Houdersheldt, Vice Chairman
Vance Teegerstrom, Secretary	Steve Buller, Treasurer
Doug Dickinson, Director	Gary Eberle, Director
Ed Ediger, Director	Bob Ehlers, Director
Curt Friesen, Director	Wayne Hansen, Director
James Jackson, Director	Larry Moore, Director
Louis Oswald, Director	Roland Schulz, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Jay Bitner, Staff
Ken Feather, Staff	Anthony Greder, York News-Times
Wm. Gilliam, York NRCS	Richard Jiskra, NNRC

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published December 12, 1997 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Fifteen directors were present during roll call.

REQUEST FOR EXCUSED ABSENCE

Oswald made the motion (Motion #1) to excuse the absence of Regier and Luebbe from the December 18, 1997 board of directors meeting as requested. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier

ADOPTION OF AGENDA

Dickinson made the motion (Motion #2) to approve the revised agenda for the December 18, 1997 board of directors meeting as presented. Seconded by Hansen.

Houdersheldt amended the motion to make the motion (Motion #3) to add item G. Office Closing December 26, 1997 to the Executive Committee report on the agenda. Seconded by Moore. Question called on the amendment. Amendment carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier

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

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier

APPROVAL OF MINUTES OF THE NOVEMBER 20, 1997 BOARD MEETING AND PUBLIC HEARING FOR OVERLAND TRAIL RECREATION AREA

Oswald made the motion (Motion #4) to approve the minutes of the November 20, 1997 board of directors meeting and public hearing for Overland Trail Recreation Area as distributed. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier

PROJECTS COMMITTEE MEETING REPORT

Volkmer reported on the Projects Committee meeting held December 9, 1997 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Volkmer made the motion (Motion #5) that three new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Volkmer made the motion (Motion #6) that four 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: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Volkmer made the motion (Motion #7) that payment of NSWCP land treatment funds be made in the amount of \$10,881.99 for four applications reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier

LAND TREATMENT PROGRAM - NEW COST SHARE PRACTICES

The committee discussed the possibility of adding cost share practices for replacement of leaky gates and gaskets on gated irrigation pipe, and conversion of pivots to low pressure. The committee requested additional information and deferred further discussion until the January committee meeting. The committee is also considering revising the cost share rate from 65% to 75%; however, action on this topic was also deferred until January.

SEWARD FLOOD HAZARD MITIGATION PROJECT PROGRESS PAYMENT

Claim number seventeen includes expenditures by the city of Seward on the Flood Hazard Mitigation Project buy out phase. The total amount of the claim is \$3,947.57. FEMA's share is \$2,960.68, the city's share is \$493.45, and the NRD share is \$493.44.

Volkmer made the motion (Motion #8) that payment of \$493.44 in NRD funds be made to the city of Seward and that the district file a claim in the amount of \$2,960.68 for the FEMA share of claim number seventeen of the Seward Flood Hazard Mitigation Project, and that \$2,960.68 of the FEMA share be paid to the city when it is

received by the district. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier, Schulz

OVERLAND TRAIL PROJECT - CONTRACTOR PROGRESS PAYMENT

As of November 30, 1997, VanKirk Brothers Construction Company has completed 95% of the work on the dam at Project 15-10-2W. The total earned for November work is \$6,548.59.

Volkmer made the motion (Motion #9) that VanKirk Brothers Construction be paid \$6,548.59, \$654.86 of which is to be withheld as retainage, for work completed in November 1997 on Project 15-10-02W. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier

WATER COMMITTEE MEETING REPORT

Jackson gave a report on the Water Committee meeting held December 9, 1997 and reviewed the committee report as distributed.

GWMA #1 - GROUND WATER SUPPLY

KUHNS vs. SPRINGER #3

Jackson made the motion (Motion #10) to adopt the attached resolution which denies future consideration of Kuhns vs. Springer #3. Seconded by Ehlers.

Dickinson made the motion (Motion #11) to call for the previous question. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier

Question called on the previous motion (Motion #10). Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier

GWMA #2 - GROUND WATER QUALITY

AQWACAP FINAL PAYMENTS

There are four final payments totaling \$1,195.58. The staff recommends payment of these claims.

Jackson made the motion (Motion #12) to approve final payment of four well abandonments at a total cost of \$1,195.58. Seconded by Volkmer. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Buller

NOT PRESENT: Luebbe, Regier

PAYMENT TO GRAND ISLAND - HALL COUNTY DEPARTMENT OF HEALTH LABORATORY

Jackson made the motion (Motion #13) to pay the Grand Island - Hall County Department of Health Laboratory \$588.00 for 196 nitrate analyses conducted in 1997. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Ehlers

NOT PRESENT: Luebbe, Regier

EDUCATION AND PARKS COMMITTEE REPORTS

Oswald reported on the Education and Parks Committee meeting held December 11, 1997 and reviewed the committee report as distributed.

BOUNDARY SURVEY FOR PROJECT 23-13-02E (Ulysses Dam)

Oswald made the motion (Motion #14) that the Upper Big Blue NRD pay Johnson, Erickson, O'Brien and Associates, Inc. \$2,660.00 for performing the boundary survey on the tracts of land located in project 23-13-02E. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier

HASTINGS NORTHWEST PROJECT

Ken Feather recently received a letter from Neil Grothen, who owns and farms land adjacent to the Hastings Northwest dam. Mr. Grothen asked that the Upper Big Blue NRD clean up a substantial illegal dump that has developed on and around the dam. People have been leaving large appliances, furniture and other debris at the site for some time. Mr. Grothen and the NRD have tried to keep the area policed and have contacted the Adams County sheriff for assistance. The junk has been accumulating more rapidly than it can be removed. In addition, Mr. Grothen asked the NRD to take over maintenance of a tree planting near the dam, on private land.

Feather has already arranged to have the junk hauled away and would like to install a fence on and around the dam to prevent future dumping in the area. Right now, there is easy access from a county road to the area where people are leaving the junk. The Upper Big Blue NRD is responsible for operation and maintenance of the dam, in cooperation with the Little Blue NRD and the city of Hastings. The cost of any operation and maintenance would be shared by these three entities.

REGULATING AND MAINTAINING HASTINGS NORTHWEST PROJECT TREE AREA

Oswald made the motion (Motion #15) that the Upper Big Blue NRD not regulate or maintain the tree area bordering the Hastings Northwest Flood Control Structure located in Section 34-08-10W Adams County, Nebraska. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Luebbe, Regier

HASTINGS NORTHWEST PROJECT - FENCING

Oswald made the motion (Motion #16) that the NRD staff draft a fencing plan to fence off private property, located in the NE1/4 of Section 34-08N-10W Adams County, Nebraska in an effort to prevent the public from entering the area and disposing of trash. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Luebbe, Regier

WILDLIFE HABITAT IMPROVEMENT CONTRACT

Oswald made the motion (Motion #17) that the Upper Big Blue NRD Board of Directors approves the Wildlife Habitat Contract transfer from Fred W. Schlies to Fredrick Schlies and Nina Verzani and authorizes the chairman of the board to sign said contract. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Eberle, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin
NAY: Dickinson, Ediger, Ehlers
NOT PRESENT: Luebbe, Regier

EXECUTIVE COMMITTEE MEETING REPORTS

Houdersheldt reported on the Executive Committee meeting held December 9, 1997 and reviewed the committee report as distributed.

ATTORNEY'S FEE

The attorney fees for the month are \$387.50 for reviewing the deferred compensation plan and \$500.00 for legal research on the Kuhns complaint.

Houdersheldt made the motion (Motion #18) to approve payment of \$887.50 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through November 1997. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Luebbe, Regier

DEFERRED COMPENSATION PLAN AMENDMENT

The district's legal counsel, Ameritas, and the general manager have concluded that a trust to oversee the employees' deferred compensation is not necessary under federal law. The law allows the establishment of custodial accounts or contracts to protect the employees' funds. Ameritas provides custodial accounts. Deferred compensation is to be held for the exclusive benefit of the participants and their beneficiaries, which means the funds are not subject to claims by district creditors.

The deferred compensation plan adopted by the Board in November should be amended to allow custodial accounts or contracts to be used.

Houdersheldt made the motion (Motion #19) to approve the attached amendment of the deferred compensation plan. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
NOT VOTING: Luebbe, Regier

DEFERRED COMPENSATION PLAN INVESTMENT OPTIONS

Gene Buhman, the Ameritas agent, gave a presentation on investments to the staff on December 8th. Concepts covered included bonds, stocks, and mutual funds; conservative and aggressive investment portfolios; defined benefit versus a defined contribution retirement plan; and dollar cost averaging. More than half of the staff set up individual appointments with Mr. Buhman to discuss individual deferred compensation investments.

The deferred compensation plan that the Board adopted requires that the district (employer) select the Ameritas investment options to be offered to the employees. The Ameritas variable annuity plan currently offers investments in a fixed interest account or in any of 26 mutual funds

managed by Fidelity Management & Research Company, Fred Alger Management Inc., Massachusetts Financial Services Company, and Morgan Stanley Asset Management Inc. A prospectus is on file.

Houdersheldt made the motion (Motion #20) to select the Overture Annuity III-Plus flexible premium variable annuity with its investment options as offered by Ameritas Variable Life Insurance Company (the deferred compensation plan investment manager), as the investment options to be offered to the employees who

participate in the deferred compensation plan. Seconded by Volkmer. Question called. Motion carried.
AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Teegerstrom, Volkmer, Austin
NAY: None
NOT VOTING: Luebbe, Regier

DELEGATION OF ADMINISTRATIVE PLAN AUTHORITIES

To administer the deferred compensation plan the board must authorize the General Manager, as the plan administrator, to carry out the day-to-day functions of the plan. As an example, each individual employee signed up needs to be approved by the administrator.

Houdersheldt made the motion (Motion #21) to authorize the deferred compensation plan administrator (the general manager) to sign the necessary documents with Ameritas, including individual employee applications for variable annuity and the salary reduction agreements, and to carry out the other provisions required of the administrator in the deferred compensation plan. Seconded by Ehlers. Question called. Motion carried.
AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Luebbe, Regier

OPERATING POLICY NO. 19: BANKS AND FINANCIAL ACCOUNTS

The First National Bank of York recently changed its name to Cornerstone Bank. The District's policy should be changed to reflect the proper name.

Houdersheldt made the motion (Motion #22) to approve the amendment to Operating Policy No. 19: Banks and Financial Accounts as attached. Seconded by Teegerstrom. Question called. Motion carried.
AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Luebbe, Regier

NWRA DUES

The annual billing for Nebraska Water Resources Association dues has been received. The 1998 dues are \$1,200.00, which is unchanged from 1997. The 1996 dues were \$1,000.

Houdersheldt made the motion (Motion #23) to approve payment of \$1,200.00 for 1998 Nebraska Water Resources Association dues. Seconded by Hansen. Question called. Motion carried.
AYE: Buller, Dickinson, Eberle, Ediger, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom,
Volkmer, Austin
NAY: Ehlers, Friesen
NOT PRESENT: Luebbe, Regier

PAYMENT TO DLT SOLUTIONS FOR AUTOCAD SOFTWARE

The AutoCAD software has been installed and is in use. The bill for the software is \$7,611.00, which was the amount previously approved.

Houdersheldt made the motion (Motion #24) to approve payment of \$7,611.00 to DLT Solutions, Inc. of Herndon, Virginia, for the AutoCAD software. Seconded by Friesen. Question called. Motion carried.
AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald,
Schulz, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Luebbe, Regier

DECEMBER 26, 1997 OFFICE CLOSING

Houdersheldt explained that since both federal and state offices will be closed on Friday, December 26, 1997 he and other board members felt it would be appropriate to consider giving the NRD staff the day off with pay.

Houdersheldt made the motion (Motion #25) to close the office Friday, December 26, 1997. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier

FINANCIAL STATEMENT

Moore made the motion (Motion #26) to approve the financial statement and budget report as of November 30, 1997; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier

Meeting adjourned at 3:50 p.m.

Vance A. Teegerstrom, Secretary

:nds

attachments (3)

**MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 22, 1998**

CALL TO ORDER

Chairman Yvonne Austin called a regular board of directors meeting to order at 1:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chairman	Vance Teegerstrom, Secretary
Steve Buller, Treasurer	Doug Dickinson, Director
Gary Eberle, Director	Ed Ediger, Director
Bob Ehlers, Director	Curtis Friesen, Director
Wayne Hansen, Director	Jim Jackson, Director
Larry Moore, Director	Kenneth Regier, Director
Roland Schulz, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Prudence Sadler, Staff	Jay Bitner, Staff
Ken Feather, Staff	Rodney DeBuhr, Staff
Anthony Greder, York News-Times	

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published January 15, 1998 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Fourteen directors were present during roll call.

REQUEST FOR EXCUSED ABSENCE

Hansen made the motion (Motion #1) to excuse the absence of Linda Luebbe and Louis Oswald from the January 22, 1998 board of directors meeting as requested. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

Jackson made the motion (Motion 42) to excuse the absence of Roger Houdersheldt from the January 22, 1998 board of directors meeting as requested. Seconded by Volkmer. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: Buller

NOT PRESENT: Houdersheldt, Luebbe, Oswald

ADOPTION OF REVISED AGENDA

Ehlers made the motion (Motion #3) to approve the revised agenda for the January 22, 1998 board of directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

APPROVAL OF MINUTES OF THE DECEMBER 18, 1997 BOARD MEETING

Volkmer made the motion (Motion #4) to approve the minutes of the December 18, 1997 board of directors meeting as distributed. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

APPOINTMENT OF HEARING EXAMINER

Ediger made the motion (Motion #5) to appoint Jay Bitner as the hearing examiner for the February 19, 1998 formal hearing for Kuhns v. Springer No. 2. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held January 13, 1998 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Hansen made the motion (Motion #6) that four new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Hansen made the motion (Motion #7) that payment of NRD land treatment funds be made in the amount of \$2,131.08 for three applications reviewed by the committee. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Hansen made the motion (Motion #8) that four new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Hansen made the motion (Motion #9) that payment of NSWCP land treatment funds be made in the amount of \$17,220.03 for five applications reviewed by the committee. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

LAND TREATMENT PROGRAM - NEW COST SHARE PRACTICES

At their meeting in December the Projects Committee discussed adding cost share practices for replacement of leaky gates and gaskets on gated irrigation pipe, and conversion of pivots to low pressure. The committee requested additional information and deferred further discussion until the January committee meeting.

Kevin Breece, NRCS Irrigation Specialist, was present at the January Projects Committee meeting. He briefed the committee on NRCS technical requirements for the practices being considered. Kevin discussed various NRCS requirements for pressure, equipment and efficiency on pivot conversions.

The committee expressed an interest in practices for conversion of pivots from high and medium pressure to low pressure, conversion of irrigation systems other than pivot to pivot systems, and replacement of gates and gaskets on gravity systems. Cost share would not be available on these practices until the program is developed and adopted by the NRD Board.

Hansen made the motion (Motion # 10) that the NRD develop a practice for fifty percent cost share on conversion of pivots from high or medium pressure to low pressure, without the requirement of collecting irrigation water management data. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Schulz, Teegerstrom, Volkmer, Austin

NAY: Jackson, Moore

NOT VOTING: Regier

NOT PRESENT: Houdersheldt, Luebbe, Oswald

Hansen made the motion (Motion #11) that the NRD develop a practice for fifty percent cost share on conversion of irrigation systems other than pivot to pivot systems, including the water supply piping from the well to the pivot, without the requirement of collecting irrigation water management data. Seconded by Friesen. Question called. Motion failed.

AYE: Buller, Dickinson, Eberle, Friesen, Hansen, Teegerstrom, Volkmer

NAY: Ehlers, Jackson, Moore, Schulz, Austin

NOT VOTING: Ediger, Regier

NOT PRESENT: Houdersheldt, Luebbe, Oswald

Hansen made the motion (Motion #12) that the NRD develop a practice for fifty percent cost share, with a maximum cost share per land owner of \$500, on replacement gates and gaskets for gated pipe on gravity irrigated systems, without the requirement of collecting irrigation water management data. Seconded by Volkmer. Question called. Motion failed.

AYE: Dickinson, Eberle, Hansen, Teegerstrom, Volkmer, Austin

NAY: Buller, Ediger, Ehlers, Friesen, Jackson, Moore, Schulz

NOT VOTING: Regier

NOT PRESENT: Houdersheldt, Luebbe, Oswald

SEWARD FLOOD HAZARD MITIGATION PROJECT - BIG BLUE RIVER GRANT APPLICATION

Bitner briefed the Projects Committee on the scope of the proposed grant application and discussed the estimated costs and benefits. The estimated cost is \$1,121,000 and the present worth of benefits (flood damage reduction) is \$2,766,150; the benefit to cost ratio is 2.47. FEMA requires a minimum benefit to cost ratio of 1.00.

Dan Berlowitz, Seward City Administrator, was present at the Projects Committee meeting to request that the NRD continue to pursue the FEMA grant. He also requested that the NRD consider paying a portion of the local share of cost. Of the \$1,121,000 project cost, FEMA's share would be \$840,750 (75%), and the local share would be \$280,250 (25%). The Committee indicated that it would be willing to proceed with the FEMA grant application on behalf of the city, but declined to take action on additional cost sharing with the city.

Hansen made the motion (Motion # 13) that the NRD proceed on behalf of the city of Seward, with application for a FEMA grant on the Big Blue River Flood Hazard Mitigation Project at Seward. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Moore, Regier, Schulz, Teegerstrom,

Volkmer, Austin
NAY: Jackson
NOT PRESENT: Houdersheldt, Luebbe, Oswald

EXECUTIVE COMMITTEE MEETING REPORT

Buller reported on the Executive Committee meeting held January 13, 1998 and reviewed the committee report as distributed.

ATTORNEY FEES

The attorney fees for the month were \$1,462.20. Legal fees associated with the Kuhns hearing were \$587.50; the remaining \$874.70 was for work on the deferred compensation plan.

Buller made the motion (Motion #14) to approve payment of \$1,462.50 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through December 20, 1997. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

FOURTH QUARTER DIRECTORS' PER DIEM AND EXPENSES

Buller made the motion (Motion # 15) to approve payment of fourth quarter directors' per them of \$5,750.00 and expenses of \$1,919.23. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

DIRECTORS' ABSENCES

The Executive Committee reviewed the attendance records of board members for the past year. The committee will discuss attendance with two members. To accommodate a board member with scheduling problems, the March Board Meeting will be held at 7:30 p.m., Thursday, March 19, 1998 instead of 1:30 p.m.

NARD VOTING DELEGATE AND ALTERNATE

Buller made the motion (Motion # 16) to appoint Doug Dickinson as the voting delegate and Jim Jackson as the alternate for the NARD January Conference. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

NACD DUES

Buller made the motion (Motion # 17) to approve payment of \$1,500 to the National Association of Conservation Districts for 1998 dues. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

NRD RETIREMENT PLAN

The Upper Big Blue NRD provides two separate plans for employees to save for their retirement. They are the NARD Retirement Plan (415-h) administered by the Association, and the Deferred Compensation Plan (457) recently approved by this NRD. Both plans allow the employees to put pre-tax dollars away for retirement.

The NARD Retirement Plan is provided by the Nebraska Association of Resources Districts. The plan that has

been in effect is a Defined Benefit Plan. The NRD employees statewide voted 211 - 9 in December to recommend changing the Retirement Plan to a Defined Contribution Plan. The NARD board is to consider the change at the January 28th meeting.

EDUCATION AND PARKS COMMITTEE REPORTS

Ediger reported on the Education and Parks Committee meeting held January 15, 1998 and reviewed the committee report as distributed.

ACCEPTANCE OF APPRAISALS FOR PROJECT 23-13-02E (Ulysses Dam)

Ediger made the motion (Motion #18) that the Upper Big Blue NRD Board of Directors accept the appraisals for Project 23-13-02E located in the South Half and the Northeast Quarter of Section 23, Township 13 North, Range 2 East of the 6th P.M. in Butler County, Nebraska. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

PAYMENT FOR APPRAISALS COMPLETED ON PROJECT 23-13-02E (Ulysses Dam)

Ediger made the motion (Motion # 19) that the Upper Big Blue NRD make payment of \$2,450.00 to Deets Real Estate and Appraisal Service for appraisal work completed on Project 23-13-02E (Ulysses Dam) which is to be located in the South Half and the Northeast Quarter of Section 23, Township 13 North, Range 2 East of the 6th P.M. in Butler County, Nebraska. Seconded by Eberle. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

LAND NEGOTIATIONS FOR PROJECT 23-13-02E (Ulysses Dam)

Ediger made the motion (Motion #20) that the Upper Big Blue NRD Board of Directors authorize the district staff to begin negotiations with landowners who will be affected by Project 23-13-02E (Ulysses Dam) in accordance with Section 25-2501 to 25-2506 and Section 2-3234 and Section 76-701 to 76-725 of the Revised Statutes of the State of Nebraska. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

AGREEMENT WITH YORK COUNTY UNDER THE COMMUNITY RESOURCES PROGRAM I

On October 16, 1997 the board of directors approved funding of \$5,000 for Community Resources Program I to plant trees and shrubs at the Cornerstone Sports Complex. Since the October meeting the York County Board of Commissions, representing the County of York who are the landowners, voiced a number of concerns regarding the agreement. The District staff met with Charles Campbell, County Attorney and Orval Stahr, President of the York County Sports Authority to address these concerns. A revised agreement has been drawn up by the District staff.

Ediger made the motion (Motion #21) that the Upper Big Blue NRD Board of Directors approve the revised agreement between the Upper Big Blue NRD, York County, York County Fair Board and the York County Sports Authority, Inc. for planting of trees and shrubs at the Cornerstone Sports Complex under the Community Tree Resources Program I. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

GRANT APPLICATION FOR RECREATIONAL FACILITIES AT PROJECT 23-13-02E (Ulysses Dam)

The Education & Parks Committee discussed the development of minimal recreational facilities at the Ulysses Dam project. Money is available through the Sports Fish Restoration Program under the Game and Parks Commission. If approved, a project would be funded with 75% federal dollars and 25% local dollars.

Ediger made the motion (Motion #22) that the Upper Big Blue NRD submit a grant application to the Nebraska Game and Parks Commission under the Sports Fish Restoration Program to aid in funding of an access road, boat ramp, boat dock and restrooms at Project 23-13-02E Ulysses Dam. Seconded by Hansen.

Ehlers amended the motion to make the motion (Motion #23) to strike the words "to aid in funding of an access road, boat ramp, boat dock and restrooms at Project 23-13-02E, Ulysses Dam." Seconded by Volkmer. After a brief discussion regarding the grant application Ehlers withdrew his amendment with the approval of the second.

Question called on the original motion. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Hansen, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: Jackson

NOT PRESENT: Houdersheldt, Luebbe, Oswald

GRANT APPLICATION FOR CONSTRUCTION OF RECREATIONAL TRAILS AT PIONEER TRAILS RECREATION AREA

The District has discussed plans for construction of recreational trails at the Pioneers Trails Recreation Area near Aurora. Funding is available under a national program called Recreation Trail Projects with funding approved by the National Recreation Trail Advisory Committee. Funding is divided as follows: 50% federal dollars and 50% local dollars. Nebraska is allocated approximately \$91,000 under the program. These grants are available from a six month extension of the Intermodal Surface Transportation Efficiency Act (ISTEA). Applications must be submitted by the 13th of February 1998. The District estimated the total cost of the Pioneers Trails project to be approximately \$10,000.

Ediger made the motion (Motion #24) that the Upper Big Blue NRD submit a matching funds grant application to the Nebraska Game and Parks Commission for funding through the National Recreation Trail grant program for the construction of recreational trails at Pioneer Trails Recreation Area. Seconded by Ehlers. Question called. Motion failed.

AYE: Eberle, Ediger, Hansen, Regier, Austin

NAY: Buller, Dickinson, Ehlers, Friesen, Jackson, Moore, Volkmer

NOT VOTING: Schulz, Teegerstrom

NOT PRESENT: Houdersheldt, Luebbe, Oswald

WATER COMMITTEE MEETING REPORT

Jackson gave a report on the Water Committee meeting held January 15, 1998 and reviewed the committee report as distributed.

CHANGES TO RULE 5 - (IRRIGATED ACRES REPORT, TRANSFERS, FLOW MEASUREMENT, ETC)

The Water Committee reviewed proposed changes to Rule 5. A copy of the amended rule with the deletions lined out and additions underlined was distributed to each board member along with a brief summary of the changes and where they occur in the document.

Jackson made the motion (Motion #25) to adopt the proposed amendments to Rule 5 for the purpose of public hearing. The hearing is to be held at 7:30 p.m. on March 19, 1998 in the NRD office. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

GWMA #2 (Ground Water QualiW AOWACAP FINAL PAYMENTS

There are nine final payments totaling \$2,249.98. The staff recommends payment of these claims.

Jackson made the motion (Motion #26) to approve final payment for nine well abandonments as reviewed for a total cost of \$2,249.98. Seconded by Hansen. Question called. Motion carried.

AYE: Dickinson, Eberle, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom., Volkmer, Austin

NAY: None

NOT VOTING: Buller, Ediger

NOT PRESENT: Houdersheldt, Luebbe, Oswald

MID NEBRASKA PROJECT - STICKY TRAP STUDY

The University of Nebraska has billed the district for our part of the 1997 ftdnding of the sticky trap study which the district agreed to participate in last spring. The study findings will be published with the 1997 Mid Nebraska report.

Jackson made the motion (Motion #27) to pay the University of Nebraska \$2,000 for the district's share of the 1997 Mid Nebraska Sticky Trap Study. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

PAYMENT TO WATER SCIENCE LABORATORY

Jackson made the motion (Motion #28) to pay the University of Nebraska Water Science Laboratory \$579.35 for water analysis conducted in the fourth quarter of 1997 for Recharge Lake and the Indian Creek Water Quality Study. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT

Moore gave a report on the Budget, Planning & Legislative Committee meeting held January 22, 1998 and reviewed the committee report as distributed.

1998 LEGISLATIVE SESSION - NEW BILLS INTRODUCED

The current legislative bills were reviewed and the following actions were taken:

LB 921 The bill would prevent the drilling of all new wells (100 gpm or more) in the alluvial aquifer of the Republican River. The location of the Republican River alluvium would be determined by the Department of Water Resources. LB 921 also requires the installation by March 1, 1999, of meters on all existing wells (again, except those for domestic purposes or capable of pumping less than 100 gpm) in the Republican River alluvium.

Committee Recommendation:

To oppose LB 921.

Committee Recommendation:

That the Upper Big Blue NRD request that Senator Stuhr offer an amendment to LB 921 stating that if water meters are mandated by the state, then the cost of meters and their installation be funded by the state.

Committee Recommendation

That the Upper Big Blue NRD request that Senator Stuhr offer an amendment to LB 921 to allow replacement wells to be drilled.

LB 930

LB 930 provides that the property tax levy of a political subdivision would have to be reduced proportionately to increases in valuation caused by other than new construction, additions of improvements, or additions of omitted property. (*no allowance for appreciation in value*)

Committee Recommendation:

To oppose LB 930.

LB 935

Assigns the responsibility for establishing the tax levies for taxing entities to the County Board of Equalization. Currently, those levies are set by the taxing entity, e.g. NRD board. The taxing entity would be responsible for certifying the property tax "request" to the county board. The deadlines for all actions to set preliminary and final amounts would stay the same as under current law. LB 935 would also repeal current language which delegates to the county clerk where the office of a multi-county political subdivision is located the authority to set the preliminary levy. It's not clear how the requests and levies for multiple county political subdivisions would be handled.

Committee Recommendation:

To oppose LB 935.

LB 963

LB 963 would authorize NRDs to establish weather modification programs. A district could enter into agreements with other public as well as private organizations concerning such programs. The bill indicates that the Weather Control Act of Nebraska would not apply to programs established by NRDs pursuant to LB 963.

Committee Recommendation:

To oppose LB 963 as the resulting effects are not well enough documented to support this bill.

LB 975

Under current law, levying boards representing more than one county, such as NRDs, are supposed to send a representative of their board to the budget hearing for each county in which the levying board has major area. LB 975 does not eliminate that requirement, but conditions it by providing that the appearance is necessary only upon the written request of the county.

Committee Recommendation:

To support LB 975.

LB 989

LB 989 modifies and extends the budget lids passed two years ago. The lids would apply to all political subdivisions; it would take effect on all budgets after July 1 of this year. The details of the budget lid are much like those already in place on a temporary basis. Each entity would be permitted an allowable growth of 2.5% in its "budgeted restricted funds" plus allowable population growth in excess of that 2.5%. Most political subdivision expenditures would be included within the term "budgeted restricted funds" although there are some exceptions. For example, while state aid is to be included, certain kinds of state aid would not be included. For example, the only state aid received by NRDs that would be included is the general property tax relief funds appropriated each year to districts (about \$700,000 per year statewide). Funds received from the Resources Development Fund, the Environmental Trust, or other funds administered by the Natural Resources Commission would not be subject to the limitations.

LB 989 also treats sinking funds differently from the way they are treated in current legislation. At present, appropriations to sinking funds are exempt from the funds included in the "budgeted restricted funds." Under LB 989, they would be included, but special provisions would be made to allow political subdivisions to establish sinking funds and to budget another 4% for deposits in those sinking funds. A 75% vote of the members of the governing board would be required to utilize that authority.

Seventy-five percent of the members of the governing board could also vote to increase the allowable 2.5% by another 1%. And as is true under current law, even higher budgets could be approved by the vote of the people of the taxing entity. Such a vote could be initiated either by the governing body or by petition of 5% of the registered voters in that political subdivision.

LB 989 would still allow the carry-over of unused budget authority until a later time, but it would impose limits on the extent to which that carry-over could exist. For entities with budgets of less than \$500,000, the carry-over could not exceed 35% of that budget. For those with budgets between \$500,000 and \$1,000,000, the limit would be 25%, and for those with budgets in excess of \$1,000,000, the carry-over limit would be 15% of that budget.

Committee Recommendation:

To remain neutral on LB 989.

LB 1004

Current law limits the costs of projects which can be funded through the Resources Development Fund to \$15,000,000 with adjustments permitted for construction cost index increases. LB 1004 would retain the \$15,000,000 figure, but would make it apply only to the non-federal costs of the project. The bill is being proposed by Senator Peterson because the total cost of the Lower Wood River/Warm Slough Project is right at the current limits. The bill has the emergency clause.

Committee Recommendation

To support LB 1004 if the economic rate of return is changed by the legislature to 1 %.

LB 1049

LB 1049 would make two changes in the Erosion and Sediment Control Act. Under current law, permanent soil and water conservation practices can be required on agricultural, horticultural, or silvicultural lands, whether privately or publicly owned, only if at least 90% cost-share assistance is made available for the installation of those permanent practices. LB 1049 lowers the required cost-share from 90% to 5-1. It would also require that such cost sharing be made available only for privately owned lands. In other words, if an NRD required the installation of practices on state school lands or on other public lands, cost-share assistance would not have to be made available.

Committee Recommendation:

To support LB1049.

LB 1125

LB 1125 would adopt the Wellhead Protection Area Act. The bill authorizes any controlling entity of a public water supply system (includes cities, villages, NRDs, rural water districts, and other public and private entities operating such systems) to adopt boundaries and controls for wellhead protection areas. Such areas are defined as the surface and subsurface area surrounding a water well or well field, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or well field.

To adopt a wellhead protection area, a controlling entity would have to do the following:

1. Determine the area involved;
2. Identify all potential sources of contamination;
3. Describe the program to protect the water supply from such contamination;
4. Include contingency plans for location of alternate drinking water supplies in the event of contamination; and
5. Propose the controls necessary to provide protection from contaminants.

Before adoption, the proposed boundaries and proposed controls would have to be the subject of a public hearing. The proposed boundaries and controls would also have to be submitted to the Director of Environmental Quality for approval before they could be made effective.

LB 1125 does not provide any guidance on what may be included in the proposed "controls." It's not certain if the intent was to grant new authority to the entities involved or whether it was simply to provide a coordinated use of the existing authorities for purposes of wellhead protection. That should become clearer as the bill is discussed.

Committee Recommendation:

To oppose LB 1125.

LB 1154

LB 1154 would adopt a new Buffer Strip Act to be administered by the Department of Agriculture. The intent of the act would be to create a program to provide financial assistance to landowners who are willing to create buffer strips to reduce the levels of sediment, crop nutrients, pesticides, and other chemicals introduced into surface water resources. The program would be funded by increasing the annual registration fee for pesticides from \$100 to \$150.

Landowners interested in creating buffer strips adjacent to surface water and in utilizing the program would submit an application to the NRD which would review it for compliance with rules and regulations established by the Department of Agriculture. If the NRD concluded the proposal was in compliance with those regulations, it would forward the application to the Department of Agriculture where it would be reviewed again. Approved applications would result in a transfer of funds from the state to the NRD. The NRD would then use the funds to "rent" the buffer strips from the landowner for a period of up to 10 years. The annual rental payment would be \$150 per acre if no other financial assistance was available to the landowner for the buffer strip. If such other financial assistance was available, the amount of the rental payment would be reduced accordingly.

Rules and regulations adopted by the Department of Agriculture would address:

1. Types of vegetation suitable for buffer strips; appropriate width of buffer strips;
2. Types of surface water appropriate for protection by buffer strips;
3. Any other requirements for approval of buffer strip reimbursement applications.

Committee Recommendation:

To remain neutral on LB 1154.

LB 1196

LB 1196 would adopt the Livestock Waste Management Act. It would create an environmental advisory committee which would give advice and make recommendations to DEQ regarding the implementation of the act, including rules and regulations, permit conditions, etc. The advisory committee would consist of one member each from the cattle, pork, dairy, and poultry industries, one from general agriculture, one ag nutrient management specialist, one civil engineer, one biological systems engineer, one NRD representative, one from the general public representing environmental interests, and one other member of the general public at large.

The basic standards for whether or not a livestock waste control facility is required would be much the same as at present. If a livestock operation was likely to contaminate any waters of the state (surface water or groundwater), a livestock waste facility would be required. Such facilities could be built only after receipt of a permit from the Department of Environmental Quality. If an owner/operator wanted to proceed to construct other aspects of the livestock operation before receiving such a permit, he or she would have to sign an affidavit acknowledging that he or she was doing so at his or her own risk.

Upon receipt of an application, DEQ would notify the NRD or NRI(s) where the facility would be located. Such districts would have 20 days to offer comments on the proposed facility. DEQ would make a decision on the issuance of the permit within 60 days of the receipt of a completed application. Except for the potential

revocation or modification of permits in accordance with the terms of the act, livestock waste facility permits would be valid for the life of the facility. A post-construction inspection of the facility by DEQ would be required. Additional provisions are also in the bill concerning issuance of permits and the denial of permits to "habitual violators" as that term is defined in the act.

Also included in the bill is authorization for DEQ to contract with NRIs to perform services on behalf of DEQ in accordance with the act. Such services could not include the issuance of permits or enforcement actions.

Lastly, the bill provides that it is the intent of the Legislature to appropriate \$200,000 to DEQ for FY 98-99 for adding staff to the department to administer the terms of the act.

Committee Recommendation:

(the motion for LB 1196 and LB 1209 coincide - see LB 1209)

LB 1209

LB 1209 - Livestock Waste Act - this legislative bill is similar to LB 1196 except that operations are classified dependant on their size. (classifications listed below)

- Class I - Mall operations would not have to be inspected
- Class II - Mid-size operations would be inspected once a year
- Class III - Large would be inspected 3 times a year

Committee Recommendation:

To encourage the Natural Resources Committee of the Legislature to continue to address the livestock waste management problem, but the Upper Big Blue NRD is not endorsing LB 1196 or LB 1209.

LB 1200

LB 1200 would create the Nebraska Tree Recovery Program Fund and provide for an appropriation of \$3,000,000 from the General Fund to the fund for FY 98-99. Those funds would be available for tree removal, disposal, replacement costs and repair of storm damaged or weather damaged trees. The program would be administered by the Nebraska Forest Service through a grant process. Three percent of the funds would be available to the Forest Service for administrative costs. The grants could be made only for trees located on publicly owned land. The grants would be made at a 50-50 match rate, except that projects located within a current Tree City USA community would have to provide only 40% of matching funds to receive 60% grant funds.

Committee Recommendation

To oppose LB 1200.

LB1212

LB 1212 allows a perfected water right to be sold, leased, or given to any person for any beneficial purpose. Sales, etc., are subject to DVvrR approval.

Committee Recommendation:

To oppose LB 1212.

LB 1213

LB 1213 allows a perfected water right to be sold, leased, or given to any person for any beneficial purpose. Sales, etc., are subject to DWR approval. This bill is much more detailed than LB 1212. This bill requires public hearings and outlines the criteria by which DWR is to judge the transfer of the water right

Committee Recommendation:

To oppose LB 1213.

LB 1253

The bill would allow the construction of a dam without meeting the state design standards if all owners of

property below the structure waive all liability against the state and all political subdivisions for any damage to persons or property resulting from the failure of the structure or flooding. The waivers are to be attached to the deed of the property.

Committee Recommendation:

To oppose LB 1253.

Moore made the motion (Motion #29) to accept the committee recommendations for legislative bills. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

FINANCIAL STATEMENT

Volkmer made the motion (Motion #30) to approve the financial statement and budget report as of December 31, 1997; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY:None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

NOMINATING COMMITTEE REPORT

Hansen reported on the Nominating Committee meeting held Thursday, December 18, 1997 and reviewed the committee report as distributed.

The nominating committee submitted the following slate of candidates for the board's consideration.

NOMINEES FOR CHAIRMAN

Yvonne Austin
Curt Friesen

NOMINEES FOR VICE CHAIRMAN

Roger Houdersheldt
Gary Eberle

NOMINEES FOR SECRETARY

Vance Teegerstrom
Buzz Oswald

NOMINEES FOR TREASURER

Steve Buller
Merlin Volkmer

NOMINEES FOR NARD REPRESENTATIVE

Doug Dickinson
Jim Jackson

Moore made the motion (Motion #3 1) to accept the Nominating Committee's report and proceed with voting. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Oswald

Austin appointed staff members Ken Feather and Rodney DeBuhr to collect and count the ballots. She then turned the meeting over to Steve Buller during the vote for chairman.

Buller called for nominations from the floor for the office of chairman. There being none he instructed the board members to cast their ballots. Austin received 8 votes; Friesen 6 votes.

Austin asked if there were any nominations from the floor for the office of vice chairman. There were none. Ballots were cast and Eberle received 8 votes while Houdersheldt received 6 votes.

Austin asked if there were any further nominations for secretary. There being none she asked that ballots be cast. Teegerstrom received 11 votes and Oswald received 3 votes.

Austin called for nominations from the floor for the office of treasurer. There were no nominations from the floor. Ballots were cast and Buller received 8 votes, Volkmer 6 votes.

Austin asked for nominations from the floor for the NARD Representative. There were no additional nominees. She instructed the board to vote for one candidate. The candidate with the most votes will serve as NARD Representative and the runner-up will serve as NARD Alternate.

Ballots were cast. Dickinson received 12 votes, Jackson 2 votes.

Meeting adjourned at 4:15 p.m.

Vance A. Teegerstrom, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
FEBRUARY 19, 1998

CALL TO ORDER

Chairman Yvonne Austin called a regular board of directors meeting to order at 2:00 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chairman	Gary Eberle, Vice Chairman
Vance Teegerstrom, Secretary	Steve Buller, Treasurer
Doug Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Curtis Friesen, Director
Wayne Hansen, Director	Roger Houdersheldt, Director
James Jackson, Director	Larry Moore, Director
Louis Oswald, Director	Kenneth Regier, Director
John Turnbull, Manager	Nancy Schneider, Staff
Prudence Sadler, Staff	Jay Bitner, Staff
Rodney DeBuhr, Staff	Jeff Ball, Staff
Randy Saathoff, Staff	Ken Feather, Staff
Wm. Gilliam, York NRCS	Anthony Greder, York News-Times
Ray Naber, Seward Co. Commissioner	

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published February 9, 1998 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Fourteen directors were present during roll call.

REQUEST FOR EXCUSED ABSENCE

Oswald made the motion (Motion # 1) to excuse the absence of Linda Luebbe and Merlin Volkmer from the February 19, 1998 board of directors meeting as requested. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

ADOPTION OF REVISED AGENDA

Ehlers made the motion (Motion # 2) to approve the revised agenda for the February 19, 1998 board of directors meeting as presented. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

APPROVAL OF MINUTES OF THE JANUARY 22, 1998 BOARD MEETING

Oswald pointed out that on page nine of the minutes motion #25 incorrectly states the time of the hearing as 1:30 p.m.. The correct time for the hearing is 7:30 p.m..

Regier made the motion (Motion # 3) to approve the minutes of the January 22, 1998 board of directors meeting as corrected. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

KUHNS V. SPRINGER NO. 2

A formal hearing was held at 1:00 p.m., Thursday, February 19, 1998 just prior to the regular board meeting. The purpose of the hearing was to hear evidence regarding a complaint filed by JoAnn C. Kuhns Living Trust of Billings, Montana against Mark and Carole Springer of Milford, Nebraska. The complaint alleged that two irrigation wells located in the North one-quarter of Section 19, Township 9 North, Range 3 East in Seward County, Nebraska were illegal wells. As a result of the complaint and subsequent hearing the board took the following action.

Jackson made the motion (Motion #4) based on the request by Eldon and JoAnn C. Kuhns, Trustees JoAnn C. Kuhns Living Trust, dated February 19, 1998, to withdraw the complaint referred to as Kuhns v. Springer No. 2, the board hereby dismisses said complaint. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held February 10, 1998 and reviewed the committee report as distributed.

PROJECT 25-9-1W, INDIAN CREEK MAPPING

As outlined in their proposal dated September 8, 1997, Western Air Maps, Inc. has completed photogrammetric services to prepare a digital topographic map of the Indian Creek project site. The map shows land contours at 2 feet intervals and visible features such as roads, buildings, power lines, trees, and fences on approximately 3,200 acres. The map will provide sufficient topographic detail for planning, land rights, and final design.

Hansen made the motion (Motion #5) that Western Air Maps, Inc. be paid \$11,980 for photogrammetric mapping at Project 25-9-1W, Indian Creek, in accordance with their proposal dated September 8, 1997. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: Jackson

NOT PRESENT: Luebbe, Schulz, Volkmer

SEWARD FLOOD HAZARD MITIGATION PROJECT - BIG BLUE RIVER

A grant application has been submitted to FEMA for the Big Blue River Flood Hazard Mitigation Project at Seward. The project will include levees to protect some industrial and commercial properties, and a buy out program for some residential and small commercial properties. The estimated project cost is \$1,120,000 and FEMA's share would be \$840,000 (75%). The local share of project cost would be \$280,000 (25%).

Dan Berlowitz, Seward City Administrator, was present at the Projects Committee meeting to request that the NRD consider cost sharing 50% of the local share of project cost. After discussing this request, the Projects Committee decided to recommend that the NRD cost share 36% of the local share not to exceed \$100,000. The cost of any engineering services provided by the NRD staff will be considered part of the \$100,000 cost share. A summary of project costs is attached to these minutes. The project schedule calls for completion within three years after the grant is approved.

Hansen made the motion (Motion #6) that the Upper Big Blue NRD (NRD) fund 36% of the local share of project cost for the Big Blue River Flood Hazard Mitigation Project at Seward, as proposed in the grant application to the Federal Emergency Management Agency dated February 1, 1998, and that the NRD's share of project cost not exceed \$100,000, and that the cost of any engineering services provided by the NRD staff be considered part of the NRD contribution to the local share of project cost. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Hansen 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 Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Hansen made the motion (Motion #8) that eight 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: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Hansen made the motion (Motion # 9) that payment of NSWCP land treatment funds be made in the amount of \$678.61 for one application reviewed by the committee. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

LAND TREATMENT PROGRAM - IRRIGATION WATER MANAGEMENT - PRACTICE NC-17

In January 1998, the NRD Board authorized staff to develop a program for 50 percent cost share on conversion of pivots from high and medium pressure to low pressure. Cost share for this practice would be provided under the Irrigation Water Management Practice NC-17. Bitner presented a draft of the proposed NC-17 practice for consideration by the Projects Committee.

Kevin Breece, NRCS irrigation specialist, briefed the Projects Committee on water application efficiencies for various types of irrigation water conservation practices employed in the Tri-Basin NRD. Data collected at Tri-Basin indicate that conversion of pivot and linear move sprinkler systems to medium to low pressure will improve water application efficiency by 10 percent.

After discussing Tri-Basin's experience with the NC-17 practice, the Projects Committee suggested that cost share be provided on new nozzles and drop pipes, for conversion of high pressure to either medium or low pressure, depending upon NRCS recommendation for the system. The Committee also decided to include cost share for linear move systems as well as center pivot systems.

Hansen made the motion (Motion #10) that the Irrigation Water Management Practice, NC-17, reviewed by the committee, be approved for NRD and NSWCP cost share under the District's Land Treatment Program. Seconded by Friesen.

Moore asked whether the proposed cost share was limited to one time per landowner for life, or whether the landowner is eligible for cost share on one pivot each year. Turnbull said the intent was one time per landowner. Moore expressed concern that family members farming together could each apply for cost share to convert pivots on the same farm. Turnbull said that in the past when it came to land treatment applications the NRD had relied on the FSA's definition of what constitutes a farm or landowner. Moore said he would like to see the FSA's definition be included in writing. Turnbull said the NRD has not tried to define this in writing, but perhaps it should. Austin indicated she felt NRD should work on defining the terms "farm" and "landowner."

Ehlers amended the motion to make the motion (Motion #11) and that a cost share component also be included for buried pipeline from an existing irrigation well in a gravity irrigation system to the pivot point of a new pivot system in order to assist with conversion of the gravity system to a sprinkler irrigation system. Seconded by Dickinson.

There was some concern and discussion regarding who determines the type of pressure system needed. Ehlers asked if one could assume his amendment would mean conversion from a gravity irrigation system to a low pressure pivot system.

Bitner said the actual design requirements would be determined by NRCS, as in all cases with irrigation water management. The way the program is worded is that the purpose is to convert from gravity to pivot for water conservation. The NRCS will determine what pressure system is most efficient and applicable case by case.

Question called on the amendment. Amendment carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Teegerstrom, Austin

NAY: Ediger, Regier

NOT PRESENT: Luebbe, Schulz, Volkmer

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

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Teegerstrom

NAY: Ediger, Jackson, Moore, Oswald, Regier, Austin

NOT PRESENT: Luebbe, Schulz, Volkmer

PROJECT MAINTENANCE - STRUEBING DAM

Staff requested approval to proceed with maintenance on the Struebing Dam in Butler County. The upstream face of the dam is eroding due to wave action. Staff proposes to repair the erosion by placing limestone rip-rap in the erosion area along the toe of the 3:1 slope at the normal pool elevation. The estimated cost of maintenance will be \$15,120 based on labor and equipment quote from F&S Construction Company, and delivered rock quotation from Kerford Limestone Company.

Hansen made the motion (motion #12) that staff be authorized to proceed with maintenance on the Struebing Dam to repair erosion damage to the embankment, in accordance with the proposal reviewed by the Projects Committee. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Moore, Schulz, Volkmer

EXECUTIVE COMMITTEE MEETING REPORT

Eberle reported on the Executive Committee meeting held February 10, 1998 and reviewed the committee report as distributed.

ATTORNEY'S FEES

The attorney's fees for the month are \$25.00 for the Kuhn's case.

Eberle made the motion (Motion #13) to approve payment of \$25.00 to Crosby, Guenzel, Davis, Kessner & Kuester, for Steve Seglin's work through January 20, 1998. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Moore, Schulz, Volkmer

LOWER PLATTE NORTH NRD - CLERICAL SALARIES

Eberle made the motion (Motion #14) to approve payment of \$3,934.01 to the Lower Platte North NRD, for reimbursement of field office clerk salary for the period July 1, 1997 through December 31, 1997. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Hansen, Jackson, Oswald, Regier, Teegerstrom, Austin,

NAY: Ehlers, Friesen, Houdersheldt

NOT PRESENT: Luebbe, Moore, Schulz, Volkmer

EDUCATION AND PARKS COMMITTEE REPORTS

Oswald reported on the Education and Parks Committee meeting held February 12, 1998 and reviewed the committee report as distributed.

FUNDING REQUEST FROM THE TRAILBLAZER RC&D

The Trailblazer RC&D asks annually for financial support from the district. In past years, we've contributed \$50. This year, they are also asking for a one time donation of \$60 to pay for supplies (maps, compasses, etc.) for an orienteering class as part of their Women's Wilderness Weekend.

Oswald made the motion (Motion #15) that the Upper Big Blue NRD contribute \$110 to the Trailblazer RC&D

(\$50.00 for annual support and \$60.00 for mapping supplies). Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

COMMUNITY TREE RESOURCES PROGRAM II - HENDERSON

Oswald made the motion (Motion #16) that the Upper Big Blue Natural Resources District fund the City of Henderson on a matching grant not to exceed \$1,000.00 according to the Community Tree Resources Program 2, for tree and shrub plantings to take place at the Henderson Municipal Golf Course in FY 98. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

FEBRUARY WILDLIFE PAYMENTS

Oswald made the motion (Motion #17) that the Upper Big Blue Natural Resources District make payments totaling \$6,650.00 to the cooperators of the Wildlife Habitat Improvement Program for the month of February. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: Dickinson

NOT PRESENT: Luebbe, Schulz, Volkmer

WATER COMMITTEE MEETING REPORT

Jackson gave a report on the Water Committee meeting held February 12, 1998 and reviewed the committee report as distributed.

GWMA #2 (Ground Water Quality)

PAYMENT TO USGS FOR GWMA #2 STUDY ACTIVITIES

Jackson made the motion (Motion #18) to pay the USGS \$7,630.00 for GWMA#2 monitoring study activities completed from October 1, 1997 to December 31, 1997. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

GWMA #2 (Ground Water Quality)

AQWACAP FINAL PAYMENTS

There are three final payments totaling \$965.29. The staff recommends payment of these claims.

Jackson made the motion (Motion #19) to approve final payment for three well abandonments at a total cost of \$965.29. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT VOTING: Buller

NOT PRESENT: Luebbe, Schulz, Volkmer

PAYMENTS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR 1997 CHEMIGATION PERMITS

The district received 744 renewal and 48 new chemigation applications in 1997. DEQ's portion of the fees collected is \$1,728.00.

Jackson made the motion (Motion #20) to pay the Nebraska Department of Environmental Quality \$1,728.00 for 48 new and 744 renewal chemigation applications for 1997. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

MOISTURE BLOCK PRICING

Delmhorst has reduced the district's discount for gypsum blocks from 30% to 25% of retail. The retail price is \$6.50 per block. The district's cost will be \$4.88, and shipping. In 1997 the district charged \$5.00 per block. The staff recommended a price change based on the following motion. If adopted the 1998 price would be \$5.36 per block.

Jackson made the motion (Motion #21) to authorize the staff to establish the per block price for gypsum blocks based on the district's cost plus 10 percent to cover overhead. Further, that when the blocks are shipped from the NRD to customer, the actual costs of shipping be added to the customer's cost. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

PAYMENT TO WATER SCIENCES LABORATORY FOR WATER ANALYSIS

Fifty-two water samples from the York Recharge Demonstration project and twenty from the GWMA#2 monitoring study were analyzed by the UNL Water Sciences Laboratory at a cost of \$4,439.85. (\$4,066.85 for Recharge and \$373.00 for GWMA#2.)

Jackson made the motion (Motion #22) to pay the University of Nebraska Water Sciences Laboratory \$4,439.85 for fifty-two water samples for the York Ground Water Recharge Project, and twenty water samples for the GWMA#2 monitoring study. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

FINANCIAL STATEMENT

Hansen made the motion (Motion # 23) to approve the financial statement and budget report as of January 31, 1998; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz, Volkmer

Meeting adjourned at 3:55 p.m.

Vance A. Teegerstrom, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MARCH 19, 1998

CALL TO ORDER

Chairman Yvonne Austin called a regular board of directors meeting to order at 7:35 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chairman	Gary Eberle, Vice Chairman
Vance Teegerstrom, Secretary	Steve Buller, Treasurer
Doug Dickinson, Director	Bob Ehlers, Director
Curt Friesen, Director	Wayne Hansen, Director
Roger Houdersheldt, Director	James Jackson, Director
Linda Luebbe, Director	Larry Moore, Director
Kenneth Regier, Director	Roland Schulz, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Rodney DeBuhr, Staff
Prudence Sadler, Staff	Jay Bitner, Staff
Ken Feather, Staff	Wm. Gilliam, York County NRCS
Anthony Greder, York News-Times	Augustus M. Brown, York
Ray Naber, Seward Co. Commissioners	Dayle Vagts, DWR

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published March 9, 1998 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Fifteen directors were present during roll call.

REQUEST FOR EXCUSED ABSENCE

Ehlers made the motion (Motion # 1) to excuse the absence of Ed Ediger and Louis Oswald from the March 19, 1998 board of directors meeting as requested. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

ADOPTION OF REVISED AGENDA

Volkmer made the motion (Motion # 2) to approve the revised agenda for the March 19, 1998 board of directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

APPROVAL OF MINUTES OF THE FEBRUARY 19, 1998 BOARD MEETING

Volkmer made the motion (Motion #3) to approve the minutes of the February 19, 1998 board of directors meeting as distributed. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

ADOPTION OF RULE NO. 5

Ehlers made the motion (Motion #4) to adopt Rule Number 5, as presented in the Public Hearing. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held March 10, 1998 and reviewed the committee report as distributed.

FLOOD HAZARD MITIGATION PROJECT PROGRESS PAYMENT

The City of Seward submitted documentation of expenditures in the amount of \$4,634.82 for claim number 18 under the buyout phase and \$17.35 for claim number 2 of the demolition phase of the Seward Flood Hazard Mitigation Project. The total amount of both claims is \$4,652.17. FEMA's share is \$3,491.74, the city's share is \$ 580.22 and the NRD share is \$ 580.21.

Hansen made the motion (Motion #5) that payment of \$580.21 in NRD funds be made to the City of Seward and that the District file a claim in the amount of \$3,491.74 for the FEMA share of claim number 18 of the Seward Flood Hazard Mitigation Project, and that \$3,491.74 of the FEMA share be paid to the city when it is received by the District. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

LAND TREATMENT PROGRAM - NRD FUND NEW APPLICATIONS

Hansen made the motion (Motion #6) that four new applications for NRD land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Friesen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Hansen made the motion (Motion #7) that payment of NRD land treatment funds be made in the amount of \$908.68 for one application reviewed by the committee. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Hansen made the motion (Motion #8) that 30 new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Regier, Schulz, Teegerstrom, Volkmer

NAY: Moore, Austin

NOT PRESENT: Ediger, Oswald

LAND TREATMENT PROGRAM - NC-17 PRACTICE REVISION

Currently, the practices of surge valve, tail-water recovery pit (reuse pit), and tail-water return line (buried

return line) are cost shared as individual practices, and not as components of Irrigation Water Management, Practice NC-17. The Committee felt that these practices should be included under NC-17 since the NSWCP program considers them as eligible components. Also, NSWCP funds will be available for surge valves if they are moved to NC-17; currently, all cost share on surge valves is paid with NRD funds.

Hansen made the motion (Motion #9) that the surge valve, tail-water recovery pit (reuse pit), and tail-water return line (buried return line) cost share practices be moved to NC-17, Irrigation Water Management, and that the percentage of cost share for these components be 50%, and that only NSWCP funds be used for NC-17 components. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Luebbe, Moore, Regier, Schulz, Teegerstrom

NAY: Jackson, Volkmer, Austin

NOT PRESENT: Ediger, Oswald

LAND TREATMENT PROGRAM - COST SHARE PERCENTAGE

The current percentage of cost share is 65% for all practices except NC-17. The Committee felt that increasing the percentage of cost share to 75% might create more of an incentive to do conservation work. This change to 75% cost share would not change the current \$5,000 limit on NSWCP funds and \$3,500 limit on NRD funds.

Hansen made the motion (Motion #10) that the percentage of cost share on all land treatment practices except NC-17 be increased to 75%. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Hansen, Houdersheldt, Luebbe, Regier, Schulz, Teegerstrom

NAY: Friesen, Jackson, Moore, Volkmer, Austin

NOT PRESENT: Ediger, Oswald

EDUCATION AND PARKS COMMITTEE REPORTS

Eberle reported on the Education and Parks Committee meeting held March 10, 1998 and reviewed the committee report as distributed.

MARCH WILDLIFE PAYMENTS

Eberle made the motion (Motion #11) that the Upper Big Blue Natural Resources District make payments totaling \$6,378.75 to the cooperators of the Wildlife Habitat Improvement Program for the month of March. Seconded by Regier. Question called. Motion carried.

AYE: Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: Dickinson

NOT PRESENT: Buller, Ediger, Oswald

WILDLIFE HABITAT CONTRACT TRANSFER

Eberle made the motion (Motion #12) that the Upper Big Blue NRD Board of Directors approve the wildlife habitat contract transfer from Leo McGowen to Lost Creek Farms, L.L.C. c/o Jordy McGowen and authorize the chairman of the board to sign said contract. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

PROJECT 23-13-02E LAND PURCHASE - (Verdayne Kilgore)

Eberle made the motion (Motion #13) that the Upper Big Blue NRD Board of Directors approve the purchase of Parcel #1 (54.69 Acres) from Verdayne Kilgore located in the SW ¼ of Section 23, Township 13 North, Range 2 East of the 6th P.M., Butler County, Nebraska for the sum of \$86,000.00 and said amount be paid to Verdayne Kilgore in the month of March 1998. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

PROJECT 23-13-02E LAND PURCHASE - (Emil F. Klement & Frank Klement)

Oswald made the motion (Motion #14) that the Upper Big Blue NRD Board of Directors approve the purchase of Parcel #3 (56.30 Acres) located in the N ½ SE ¼ of Section 23 and Parcel #4 (4.52 Acres) located in the NE ¼ of Section 23 from Emil F Klement and Frank Klement tenants in common all located in Township 13 North, Range 2 East of the 6th P.M., Butler County, Nebraska for the sum of \$100,000.00 and said amount be paid to Emil F. Klement and Frank Klement and the First National Bank of Omaha, David City Branch, in the month of March 1998. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

PROJECT 23-13-02E LAND PURCHASE - (John and Anita Klement)

Eberle made the motion (Motion #15) that the Upper Big Blue NRD Board of Directors approve the purchase of Parcel #2 (7.88 Acres) from John Klement and Anita Klement husband and wife located in the S ½ SE ¼ of Section 23, Township 13 North, Range 2 East of the 6th P.M., Butler County, Nebraska for the sum of \$11,942.00 and said amount be paid to John Klement and Anita Klement and The Cattle National Bank of Seward in the month of March 1998. Seconded by Houdersheldt.

Ken advised the board that following the committee meeting the number of acres to be purchased was reduced to 4.96 acres and the motion needs to reflect this change.

Eberle amended the motion to make the motion (Motion #16) that the Upper Big Blue NRD Board of Directors approve the purchase of Parcel #2 (4.96 acres) from John Klement and Anita Klement, husband and wife, located in the South Half of the Southeast Quarter of Section 23, Township 13 North, Range 2 East of the 6th P.M., Butler County, Nebraska for the sum of \$6,650.00 and said amount be paid to John Klement and Anita Klement and The Cattle National Bank of Seward in the month of March 1998. Seconded by Houdersheldt. Question called on the amendment. Amendment carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

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

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

PROJECT 23-13-02E RENTAL AGREEMENT (Emil F. Klement & Frank Klement and the Upper Big Blue Natural Resources District)

Eberle made the motion (Motion #17) that the Upper Big Blue NRD Board of Directors approve the Rental Agreement between the Upper Big Blue NRD and Emil F. Klement and Frank Klement (tenants in common) for the lands rented in Parcel # 3 (56.30 acres) located in the N½ SE¼ of Section 23 and Parcel # 4 (4.52 acres) located in the NE¼ of Section 23 and Parcel # 1 (54.69 acres) located in the SW¼ of Section 23 all located in Township 13 North, Range 2 East of the 6th P.M., Butler County, Nebraska for the sum total of \$5,175.00 and authorize the General Manager to sign said agreement. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

PROJECT 23-13-02E RENTAL AGREEMENT (John and Anita Klement and the Upper Big Blue Natural Resources District)

Eberle made the motion (Motion #18) that the Upper Big Blue NRD Board of Directors approve the Rental Agreement between the Upper Big Blue NRD and John Klement and Anita Klement for the lands rented in Parcel # 2 (7.88 acres) located in the S ½ SE ¼ of Section 23, Township 13 North, Range 2 East of the 6th P.M., Butler County, Nebraska for the sum total of \$180.00 and authorize the General Manager to sign said Rental agreement. Seconded by Houdersheldt.

Feather advised the board that the number of acres in the rental agreement was reduced to 4.96 acres following the committee meeting to match the change in number of acres purchased. The motion needs to be amended to reflect this change.

Eberle amended the motion to make the motion (Motion #19) that the Upper Big Blue NRD Board of Directors approve the Rental Agreement between the Upper Big Blue NRD and John Klement and Anita Klement for the lands rented in Parcel #2 (4.96 acres) located in the South Half of the Southeast Quarter of Section 23, Township 13 North, Range 2 East of the 6th P.M., Butler County, Nebraska for the sum total of \$102.50 and authorize the General Manager to sign said Rental Agreement. Seconded by Houdersheldt. Question called on the amendment. Amendment carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Jackson, Oswald

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

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Jackson, Oswald

PROJECT 23-13-02E - AGREEMENT WITH CLARKS TEL COMMUNICATION

Eberle made the motion (Motion #20) that the Upper Big Blue NRD Board of Directors approve the agreement between Clarks Tel Communication located in Clarks, Nebraska 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: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

PROJECT 23-13-02E AGREEMENT WITH BUTLER COUNTY

Eberle made the motion (Motion #21) that the Upper Big Blue NRD Board of Directors approve the agreement between Butler County 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: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

WATER COMMITTEE MEETING REPORT

Jackson gave a report on the Water Committee meeting held March 12, 1998 and reviewed the committee report as distributed.

GWMA #2 (Ground Water Quality)

AQWACAP FINAL PAYMENTS

There are eleven final payments totaling \$3,445.78. The staff recommends payment of these claims.

Jackson made the motion (Motion #22) to approve final payment for eleven well abandonments at a total cost of \$3,445.78. Seconded by Volkmer. Question called. Motion carried.

AYE: Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOTE VOTING: Buller

NOT PRESENT: Ediger, Oswald

PURCHASE OF PORTABLE FLOWMETER

The NRD staff and Dave Kohls, NRCS Irrigation Specialist, already have a list of approximately 50 producers who have expressed interest in having wells measured with an ultrasonic meter.

Examples of the use of an ultrasonic meter include: leaky gate and gasket analysis; irrigation efficiency analysis; pumping plant efficiency analysis; pumping rate determination for NC-17 and EQIP reporting requirements; and analysis of suspected well problems.

The staff has received two quotes for the purchase of a ultrasonic meter

H.G. Klug Co., Inc. - Omaha

Fugi PortaFlow-X Ultrasonic Flowmeter with transducers and printer	\$7,900.00
Sales tax	395.00
TOTAL	\$8,295.00

Great Plains Meter, Inc. - Aurora

Polysonics Ultrasonic Meter with Transducers and Printer	\$4,796.00
Polysonics Ultrasonic Thickness Gauge	1,120.00
Sales tax	295.80
TOTAL	\$6,211.80

Jackson made the motion (Motion #23) to purchase a Polysonics Ultrasonic flowmeter and accessories from Great Plains Meter, Inc. for \$6,211.80. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Ediger, Oswald

PURCHASE OF WATER QUALITY STUDY GUIDES

The University of Nebraska has completed the water quality producer study guides for use in the ground water management area producer education programs. The district made an initial order for 1,000 study guides at a cost of \$1.50 each.

Jackson made the motion (Motion #24) to pay the University of Nebraska \$1,500.00 for 1,000 water quality producer study guides. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger, Oswald

PAYMENT TO WATER SCIENCES LABORATORY FOR WATER ANALYSIS

Nineteen water samples from the York Recharge Demonstration Project were analyzed by the UNL Water Sciences Laboratory at a cost of \$2,137.50.

Jackson made the motion (Motion #25) to pay the University of Nebraska Water Sciences Laboratory \$2,137.50 for water samples for the York Ground Water Recharge Project. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Ediger, Oswald

EXECUTIVE COMMITTEE MEETING REPORT

Eberle reported on the Executive Committee meeting held March 12, 1998 and reviewed the committee report as distributed.

BASEMENT REMODELING

A bill for partial payment for the plumbing work in the basement has been received from McGregor Plumbing of York.

Quote	\$3,672.00
Work through February 28, 1998	<u>850.00</u>
Balance	2,822.00

Eberle made the motion (Motion #26) to approve payment of \$850.00 to McGregor Plumbing of York, for work completed on the basement remodeling through February 28, 1998. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Ediger, Houdersheldt, Oswald

MOWER FOR RECREATION AREAS

Funds were budgeted for a commercial riding mower for use in maintaining the District's recreation areas. The staff is requesting authority to obtain quotes for purchase. The district has a 3-point shredder that works well on large areas, but a medium sized rider is needed for tighter spaces. The existing trailer can be used for transport between sites. The sites that need regular mowing are Smith Creek, Anderson Recreation Area, and Pioneer Trails. The Ulysses site will need mowing starting in 1999.

Eberle made the motion (Motion #27) to authorize the staff to obtain quotes for a commercial riding mower for the board's consideration in April. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Ediger, Oswald

FINANCIAL STATEMENT

Volkmer made the motion (Motion # 28) to approve the financial statement and budget report as of February 28, 1998; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Ediger, Oswald, Schulz

Meeting adjourned at 9:58 p.m.

Vance A. Teegerstrom, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
APRIL 16, 1998

CALL TO ORDER

Chairman Yvonne Austin called a regular board of directors meeting to order at 7:35 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chairman	Gary Eberle, Vice Chairman
Vance Teegerstrom, Secretary	Steve Buller, Treasurer
Douglas Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Curtis Friesen, Director
Wayne Hansen, Director	Roger Houdersheldt, Director
James Jackson, Director	Linda Luebbe, Director
Larry Moore, Director	Louis Oswald, Director
Kenneth Regier, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Jay Bitner, Staff	Prudence Sadler, Staff
Rodney DeBuhr, Staff	Ken Feather, Staff
Anthony Greder, York News-Times	Augustus M. Brown, York
William Gilliam, York NRCS	

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published April 6, 1998 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Fifteen directors were present during roll call. Jackson arrived following the approval of the minutes.

ADOPTION OF REVISED AGENDA

Dickinson made the motion (Motion # 1) to approve the revised agenda for the April 16, 1998 board of directors meeting as presented. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Jackson, Schulz

APPROVAL OF MINUTES OF THE MARCH 19, 1998 BOARD MEETING

Volkmer made the motion (Motion #2) to approve the minutes of the March 19, 1998 board of directors meeting as distributed. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Jackson, Schulz

APPROVAL OF MINUTES OF THE MARCH 19, 1998 PUBLIC HEARING ON RULE 5

Regier made the motion (Motion #3) to approve the minutes of the March 19, 1998 public hearing on Rule 5, as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Jackson, Schulz

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT

Moore gave a report on the Budget, Planning & Legislative Committee meeting held April 7, 1998 and reviewed the committee report as distributed.

FIELD OFFICE CLERKS

The Budget, Planning & Legislative Committee discussed the field office clerks' salary reimbursements made to other NRDs. This district hires five field office clerks; four part time and one full time. The part time clerks work 24 hours per week (60% time), and are located in Fillmore, Hamilton, Polk, and Seward counties. The clerk in York County is full time in order to support Bill Gilliam, the District Conservationist, who is the NRCS supervisor for this NRD. This district reimburses other Natural Resources Districts for four full time clerks located in Adams, Butler, Clay, and Saline counties.

The committee discussed the mix of full time clerical services to Adams, Butler, Clay, and Saline counties, parts time clerical services within our NRD, and the associated costs. The following table shows payroll costs which include wages, social security, insurance, and retirement.

County	Upper Big Blue Employees		
	TOTAL PAYROLL	Other NRDs Reimbursement	Upper Big Blue Cost
Fillmore Part Time	11,918	2,980 (25%)	8,939
Hamilton Part Time	12,544	891 (7%)	11,654
Polk Part Time	12,225	5,000 (41%)	7,225
Seward Part Time	13,438	2,661 (20%)	10,777
York Full Time	19,761	0 (0%)	19,761
Subtotal	\$ 69,886	\$ 11,531	\$ 58,356
	Other NRDs Employees		
	Adams	Full Time	2,580
	Butler	Full Time	7,648
	Clay	Full Time	6,516
	Saline	Full Time	2,812
Subtotal			\$ 19,556
GRAND TOTAL			\$ 77,912

The Soil and Water Conservation Districts, the predecessor organizations to the NRDs, originally hired field office clerks for each NRCS county office. The purpose was and still is to provide clerical staff to keep the office open while the conservationists and technicians are in the field. The second purpose is to do clerical work, and in some cases limited technical work, for the NRCS staff.

Turnbull recommends that the current arrangement for full time field office clerk reimbursements to the other NRDs be continued. His recommendation is based on the long standing policy that each NRD is responsible for their employees, their work schedules, rates of pay, benefits, and work duties. He stated that this District should not dictate work schedules to the other NRDs. The other districts have never dictated to this District that

our clerks in the shared counties should be full time, even though the other NRDs would prefer full time clerical assistance in those counties.

The committee raised several concerns during the discussion. For example the citizens in Polk County have part time clerical services at the NRCS office, which means that the office is closed on some days during the week. In contrast Butler County has full time clerical services and the office is open all week. Another concern is that the District should only pay for part time services for the NRCS. NRCS office consolidations between counties were discussed as a likely possibility in the future. If that happens, the field office clerk positions may not be necessary for each county. Full time clerical needs in the York Field Office were also discussed. That position supports the District Conservationist who has district-wide responsibilities.

The motion from Budget, Planning & Legislative Committee read “effective July 1, 1998, the Upper Big Blue NRD will reimburse the Little Blue, the Lower Big Blue, and the Lower Platte North NRDs only for part time clerical assistance (24 hours per week) in Adams, Butler, Clay, and Saline Counties.” The committee motion failed on a 3-3 vote.

Regier stated he felt the matter needed to be sent back to the committee to be worked out. Regier made the motion (Motion #4) to refer the matter back to the Budget, Planning & Legislative Committee for further consideration. Seconded by Oswald.

Houdersheldt said he felt that because of the budget timetable for NRDs if a change is going to be made in the amount of salary reimbursement it needs to be done now, not a month of so from now, to allow each NRD to begin preparing their budget.

Regier asked what other options the board had but to send it back to the committee. He didn’t believe the board had enough information at this time to act on the matter.

Houdersheldt said those members present at the Budget Committee meeting thought that any board member could make a similar motion for consideration by the board.

Question called on the motion to refer to the committee. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe, Moore, Oswald,

Regier, Teegerstrom, Volkmer

NAY: Buller, Houdersheldt, Austin

NOT PRESENT: Schulz

Houdersheldt made the motion (Motion #5) to raise the field office secretaries in Fillmore, Hamilton, Polk, and Seward counties to full time. Seconded by Hansen.

Moore stated he felt the motion was out of order because it dealt with the same issue just referred back to Budget, Planning & Legislative Committee. Hansen felt the motion was in order because it involved a different issue. Houdersheldt stated his motion had nothing to do with cutting the reimbursement to other NRDs, but rather increasing the hours of the clerks we employ. Moore asked that Chairman Austin rule on the validity of the motion. The Chairman ruled

Houdersheldt’s motion out of order because it relates to the same issue as the previous motion, which has to do with the field office clerks’ salaries. She advised the matter would have to be taken up at the Budget, Planning & Legislative Committee meeting along with the matter of reducing the amount of salary reimbursement to other NRDs.

WATER COMMITTEE MEETING REPORT

Jackson gave a report on the Water Committee meeting held April 7, 1998 and reviewed the committee report as distributed.

GWMA #1 (Ground Water Supply) LATE PERMIT CONSIDERATION

Nic and Ron Hotovy, came into the office to update the ownership records for several wells that they recently

acquired. In the process, it was determined that one well was not permitted by the district and was not registered. The well was drilled in 1984. The Hotovys have applied for a late permit. The well does not conflict with any district rules and the \$250.00 permit fee has been paid.

Jackson made the motion (Motion #6) to approve a late permit for a well owned by Nicholas G. and Ronald D. Hotovy located in the SE ¼ of the NE ¼ of Section 4 - T14N - R3E, Butler County. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

GWMA #2 (Ground Water Quality) AQWACAP FINAL PAYMENTS

There are seven final payments totaling \$1,893.99. The staff recommends payment of these claims.

Jackson made the motion (Motion #7) to approve final payment for seven well abandonments, as reviewed, at a total cost of \$1,893.99. Seconded by Ediger. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Buller

NOT PRESENT: Schulz

PAYMENT TO UNL FOR FY98 FUNDING OF THE MID-NEBRASKA PROJECT

The Mid-Nebraska Water Quality Demonstration Project has been in operation since 1991. This project has and continues to be a major part of the district's efforts to inform and educate producers about best management practices that will help to reduce ground water contamination.

The district budgeted \$25,000 for FY98 to assist with the funding of this project. The Little Blue NRD is contributing approximately \$12,000. The Tri-Basin NRD is no longer a participant in the project. The Lower Republican NRD has only one site in the project area.

Unused Federal Funding from previous years will allow the project to continue through September 1999 with the Upper Big Blue and Little Blue funding. After that the two NRD's and the University will have to come up with other alternatives if the project is to continue. The UNL and NRD staff are searching for grant funds, however, grants are hard to come by for established programs like this. The staff will request a similar payment in the first half of FY99 to complete the 1998 project year.

The NRD funding for this project is 75 percent Natural Resources Enhancement Funds.

Jackson made the motion (Motion #8) to make payment to the University of Nebraska in the amount of \$25,000 for the district's contribution to the Mid-Nebraska Water Quality Demonstration Project for FY 1998.

Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

WELLHEAD PROTECTION AREA ASSISTANCE

All public water supplies in the United States are being encouraged to identify the source of water that is being used by their community.

In the Upper Big Blue NRD 100 percent of the public water systems are supplied by ground water.

Recently the Nebraska Department of Environmental Quality (DEQ) and the Nebraska Rural Water Association

(NeRWA) have adopted the use of a computer model called WHPA2. This model is more accurate in estimating the source of water moving into a well than previous methods used in delineating Wellhead Protection Areas (WHPAs). DEQ plans to use WHPA2 to re-delineate the WHPAs for all communities in the state. The accuracy of modeling is dependant on accurate data.

The NeRWA will also assist communities with the computer modeling portion of the delineation. Because many of the WHPAs designated are likely to include areas outside of city and village limits, and in some cases beyond the communities zoning jurisdiction, it is very important these WHPAs be defined as accurately as is reasonably possible. The key elements in accurate delineation are enough ground water level measurements to determine the ground water flow direction and an accurate pump test conducted on the community well(s).

For the most part the larger communities in the district have the resources and/or the personnel on staff to collect this data. Smaller communities and the non-community public water supplies may not have the personnel or resources to gather the proper information.

Jackson made the motion (Motion #9) to adopt the Wellhead Protection Assistance Program as follows:

Wellhead Protection Assistance Program

To send a letter to all public water supplies in the district encouraging them to participate in the Wellhead Protection Area Program. Further to offer the following services to all communities and non-community public water systems (other than state owned systems).

1. Assistance in gathering ground water level measurements in the potential WHPA area.
2. Assistance in performing a pump drawdown test on the public water supplies well(s).
3. Assistance in identifying abandoned wells that should be decommissioned within a designated WHPA.

Seconded by Friesen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

PAYMENT TO UNL FOR WATER ANALYSIS

Twenty-two samples for Recharge Lake (\$410.30) and 18 samples for GWMA #2 (\$ 99.00) were analyzed by the UNL Water Sciences Laboratory in March.

Jackson made the motion (Motion #10) to pay the University of Nebraska Water Sciences Laboratory \$509.30 for 40 water samples for Recharge Lake and GWMA #2. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

EXECUTIVE COMMITTEE MEETING REPORT

Eberle reported on the Executive Committee meeting held April 7, 1998 and reviewed the committee report as distributed.

ATTORNEY FEES

The \$87.50 of attorney fees for the month are all for land rights on the Ulysses Structure.

Eberle made the motion (Motion #11) to approve payment of \$87.50 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through March 20, 1998. Seconded by Hansen. Question called. Motion

carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

FIRST QUARTER DIRECTORS' PER DIEM AND EXPENSES

Eberle made the motion (Motion #12) to approve payment of the first quarter per diem of \$7,400.00 and expenses of \$2,069.89. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore, Schulz

COMMERCIAL MOWER

Ken Feather obtained several quotations from area dealers for a commercial front mower. The mower will be used to maintain the district's public use areas. The mower will have to be safe to operate on slopes and uneven terrain. Therefore, it will have to be stable and be equipped with roll over protection and a seat belt.

Dealer	Brand	Model	H.P. and Size	Quote
Plains Power and Equipment, York	John Deere	JD F 911	22 H.P. Gas 60" Deck	\$ 10,500.00
Green Country, Geneva	John Deere	JD F 911	22 H.P. Gas 60" Deck	\$ 9,750.00
Harv's Farm Supply, Giltner	Grasshopper	721	25 H.P. Gas Gas 61" Deck	\$ 9,335.00
Miller Seed and Supply, York	Toro	GM 1000 L	20 H.P Gas 62" Deck	\$ 12,326.00

The staff recommended the purchase of the John Deere JD F 911 commercial front mower from Green Country in Geneva. Their recommendation was made due to the reputation of the manufacturer.

Eberle made the motion (Motion #13) to approve the purchase of a John Deere JD F 911 commercial front mower from Green Country, Inc. in Geneva for \$ 9,750.00, plus tax, as quoted. Seconded by Hansen.

There was considerable discussion among the board members about the merits of both the John Deere and Grasshopper. A number of directors voiced the opinion that the Grasshopper would be the better choice between the two mowers.

Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Hansen, Regier, Teegerstrom, Volkmer, Austin

NAY: Ehlers, Friesen, Houdersheldt, Jackson, Luebbe, Moore, Oswald

NOT PRESENT: Schulz

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held April 9, 1998 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Oswald made the motion (Motion #14) that payment of NRD land treatment funds be made in the amount of \$2,660.98 for three applications reviewed by the committee. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Ehlers, Moore, Schulz

LAND TREATMENT PROGRAM - NSWCP FUND NEW APPLICATIONS

Hansen made the motion (Motion #15) that 69 new applications for NSWCP land treatment funds, reviewed by the committee, be approved as eligible for cost-share. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Houdersheldt

NOT PRESENT: Moore, Schulz

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Hansen made the motion (Motion #16) that payment of NSWCP land treatment funds be made in the amount of \$1,055.84 for two applications reviewed by the committee. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore, Schulz

LAND TREATMENT PROGRAM - COST SHARE FOR REPLACEMENT GATES AND GASKETS

Hansen made the motion (Motion #17) that replacement gates and gaskets for gated pipe on gravity irrigation systems are added as a cost share component of NSWCP Practice NC-17, Irrigation Water Management, and that the NRD retains the right to check irrigation water use on systems receiving cost share, and that percentage of cost share for this component be 50% with a maximum of \$300. Seconded by Volkmer. Question called. Motion failed.

AYE: Dickinson, Eberle, Ediger, Hansen, Luebbe, Volkmer

NAY: Buller, Friesen, Houdersheldt, Jackson, Oswald, Regier, Teegerstrom, Austin

NOT VOTING: Ehlers

NOT PRESENT: Moore, Schulz

LAND TREATMENT PROGRAM - STAFF AUTHORIZATION

The number of days that elapse between the time an application is received, and the time it is given cost share eligibility, can be 30 to 45 days. The length of time depends upon when the application is filed, how long the NRCS takes to do design, and the timing of the application relative to NRD meeting schedules. The Projects Committee felt that very few applications are denied by the board at the eligibility stage, and that staff should be authorized to approve eligibility. If the staff is authorized to approve eligibility, a list of approved applications will be provided to the board each month, and the board will continue to approve payments.

Hansen made the motion (Motion #18) that the NRD staff is authorized to review and approve cost share eligibility on new Land Treatment Program applications, and that the NRD Board retains the approval of cost

share payments. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore, Schulz

LINCOLN CREEK PARKWAY TRAIL - COOPERATIVE AGREEMENT / PEDESTRIAN BRIDGE

The City of Aurora and the Nebraska Vocational Agricultural Foundation (Leadership Center) are working to obtain funding and design assistance for a pedestrian bridge over Lincoln Creek at Aurora. The University of Nebraska has offered to provide design and obtain Federal Highway Administration funding if a cooperative arrangement can be struck among all entities involved with the project. The University of Nebraska has requested the NRD provide foundation design, since this work was underway before the University was involved with the project.

The City of Aurora, Leadership Center, and University of Nebraska will provide funds for construction. The NRD has been asked to pay for foundation engineering and design. The NRD has already conducted and paid for geotechnical engineering. The remaining cost to the NRD will be staff time.

The Projects Committee reviewed the Cooperative Agreement which was prepared by the University of Nebraska.

Hansen made the motion (Motion #19) that the Upper Big Blue Natural Resources District enter into the Cooperative Agreement with the Board of Regents of the University of Nebraska, the Nebraska Vocational Agricultural Foundation, and Kansas Structural Composites, Inc., for pedestrian bridge design and construction on the Lincoln Creek Parkway Trail at Aurora. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore, Schulz

SEWARD FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

Claim number 19 includes expenditures by the city of Seward on the Flood Hazard Mitigation Project buyout phase. The total amount of the claim is \$ 8,099.21. FEMA's share is \$6,074.41, the city's share is \$1,012.40, and the NRD share is \$1,012.40.

Hansen made the motion (Motion #20) that payment of \$1,012.40 in NRD funds be made to the city of Seward, and that the district file a claim in the amount of \$6,074.41 for the FEMA share of claim number 19 of the Seward Flood Hazard Mitigation Project, and that \$6,074.41 of the FEMA share be paid to the city when it is received by the district. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore, Schulz

PROJECT 23-13-02E, ULYSSES DAM AND RECREATION PROJECT

Staff reviewed the final design and project cost for the Ulysses Project. The current estimated project cost is \$641,502.00, including land rights, engineering, and construction. Project features will include an earth fill dam, 43-acre lake, boat ramp, parking, and restrooms; other features, such as a sediment trap, are included to improve fish habitat. A \$100,800.00 grant will be requested from the Nebraska Game and Parks Commission to help pay for the recreation area and fish habitat features.

The current project schedule calls for construction to begin in July 1998. Staff requested authorization to advertise for bids in May, with bid opening in June. If a construction contract is awarded in June, work could begin in July.

Hansen made the motion (Motion #21) that staff be authorized to advertise for construction bids on Project 23-13-02E, Ulysses Dam and Recreation Project, and that the bid opening is scheduled for June 1998. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore, Schulz

EDUCATION AND PARKS COMMITTEE REPORTS

Ediger reported on the Education and Parks Committee meeting held April 9, 1998 and reviewed the committee report as distributed.

SOAR (Summer Orientation About Rivers)

SOAR is a two-week nature discovery day camp for third through sixth graders sponsored by the Prairie Plains Resource Institute in Aurora. Sixty kids spent a week in July learning about natural resources, outdoors and in the classroom. The district has traditionally contributed \$1,500 to this program and the institute is asking for this amount for 1998.

Ediger made the motion (Motion #22) that the Upper Big Blue NRD provide \$1,500 to the Prairie Plains Resource Institute for the 1998 SOAR program. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore, Regier, Schulz

COMMUNITY FORESTRY RESOURCES PROGRAM I - VILLAGE OF EXETER

The Village of Exeter is planning a tree and shrub planting on village property where their new senior center is located. This is a newly developed area which qualifies for a 50 percent matching grant of one dollar per capita up to \$5,000.00. The population of Exeter is 661.

Ediger made the motion (Motion #23) that the Upper Big Blue NRD Board of Directors fund the Community Forestry Resources project for the Village of Exeter in an amount not to exceed \$661.00. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore, Schulz

PROJECT 23-13-02E - Agreement with Emil F. Klement & Frank Klement

Ediger made the motion (Motion #24) that the Upper Big Blue NRD Board of Directors approves the agreement between Emil F. & Frank Klement and the Upper Big Blue NRD and authorizes the chairman of the board to sign said agreement. Seconded by Houdersheldt.

Feather informed the board that there are some additional changes to be made in the agreement before it is signed. He asked that the board hold action until next month.

The motion was withdrawn with the approval of the second.

PROJECT 23-13-02E - Agreement with Verdayne Kilgore

Ediger made the motion (Motion #25) that the Upper Big Blue NRD Board of Directors approves the agreement between Verdayne Kilgore and the Upper Big Blue NRD and authorizes the chairman of the board to sign said agreement. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore, Schulz

PROJECT 23-13-02E - Agreement with John Klement & Anita Klement

Ediger made the motion (Motion #26) that the Upper Big Blue NRD Board of Directors approves the agreement between John Klement & Anita Klement and the Upper Big Blue NRD and authorizes the chairman of the board to sign said agreement. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore, Schulz

PAYMENT TO TOTAL TURF AND TREE CARE - Hastings NW Flood Control Project

The district hired Total Turf and Tree Care to remove the trash and debris that were disposed of at the Hastings NW Flood Control Project located in Section 34, Township 8 North, Range 10 West of the 6th P.M. in Adams County. The cost of the cleanup was split between the Little Blue NRD (40%), the City of Hastings (45%) and the Upper Big Blue NRD (15%).

Ediger made the motion (Motion #27) that the Upper Big Blue NRD Board of Directors approves the payment of \$1,450.00 to Total Turf and Tree Care for the removal of trash and debris at the Hastings NW Flood Control Project located in Section 34, Township 8 North, Range 10 West of the 6th P.M., Adams County, Nebraska. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore, Schulz

PROJECT 23-13-02E - RECREATION FACILITIES

The board discussed the recreation facilities of Project 23-13-02E. Items included in the discussion were:

		NRD Share of Funding (25%)	Game & Parks Grant - Share of Funding (75%)
Access Road & Parking Lot	15,794.00		
Sidewalks	5,700.00		
Boat Ramp	11,490.00		
Breakwater Structure	64,546.00		
Boat Dock & Gangway	13,226.00		
Restroom (materials)	7,000.00		
Subtotal	117,756.00	29,439.00	88,317.00
FISH HABITAT			
Silt Trap Structure	16,682.00	4,171.00	12,752.00

TOTAL	\$134,438.00	33,610.00	100,829.00
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Ediger made the motion (Motion #28) that the Upper Big Blue NRD continue to pursue funding for the project through the U.S. Fish and Wildlife Sports Fish Restoration Program administered by Nebraska Game and Parks. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore, Schulz

FINANCIAL STATEMENT

Hansen made the motion (Motion #29) to approve the financial statement and budget report as of March 31, 1998; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore, Schulz

Meeting adjourned at 9:45 p.m.

Vance A. Teegerstrom, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
MAY 21, 1998

CALL TO ORDER

Vice Chairman, Gary Eberle, called a regular board of directors meeting to order at 7:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Gary Eberle, Vice Chairman	Vance Teegerstrom, Secretary
Steve Buller, Treasurer	Douglas Dickinson, Director
Ed Ediger, Director	Bob Ehlers, Director
Curtis Friesen, Director	Wayne Hansen, Director
Roger Houdersheldt, Director	James Jackson, Director
Linda Luebbe, Director	Larry Moore, Director
Louis Oswald, Director	Kenneth Regier, Director
Roland Schulz, Director	Merlin Volkmer, Director
John Turnbull, Manager	Nancy Schneider, Staff
Prudence Sadler, Staff	Rodney DeBuhr, Staff
Jay Bitner, Staff	Ken Feather, Staff
Anthony Greder, York News-Times	Dennis Schroeder, Aurora NRCS
Henry J. Rohla, Milligan	Gus Brown, York

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published May 11, 1998 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Fifteen directors were present during roll call. Jackson arrived following the approval of the minutes.

CONSIDERATION OF EXCUSED ABSENCE

Volkmer made the motion (Motion #1) to excuse the absence of Yvonne Austin from the May 21, 1998 board of directors meeting as requested. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Jackson

ADOPTION OF AGENDA

Dickinson made the motion (Motion #2) to approve the agenda for the May 21, 1998 board of directors meeting as presented. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Jackson

APPROVAL OF MINUTES OF THE APRIL 16, 1998 BOARD MEETING

Ediger made the motion (Motion #3) to approve the minutes of the April 16, 1998 board of directors meeting as distributed. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Jackson

WATER COMMITTEE MEETING REPORT

Jackson gave a report on the Water Committee meeting held May 12, 1998 and reviewed the committee report as distributed

GWMA #2 - GROUND WATER QUALITY
AQWACAP FINAL PAYMENTS

There were two final payments totaling \$289.40 and staff recommended payment of these claims.

Jackson made the motion (Motion #4) to approve final payment for two well abandonments at a total cost of \$289.40. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin

YORK GROUND WATER RECHARGE DEMONSTRATION PROJECT
PAYMENT TO UNL FOR WATER ANALYSIS

Thirty-five samples from Recharge Lake were analyzed by the UNL Water Sciences Laboratory in April at a cost of \$3,937.50.

Jackson made the motion (Motion #5) to pay the University of Nebraska Water Sciences Laboratory \$3,937.50 for 35 pesticide water tests for the York Ground Water Recharge Demonstration Project. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin

EXECUTIVE COMMITTEE MEETING REPORT

Buller reported on the Executive Committee meeting held May 12, 1998 and reviewed the committee report as distributed.

PAYMENT TO GREEN COUNTRY, INC.

The new John Deere mower has been delivered and is being used. Staff recommends payment to Green Country, Inc.

Buller made the motion (Motion #6) to approve payment of \$10,237.50 to Green Country, Inc. of Geneva, Nebraska for the John Deere F911 commercial front deck mower. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held May 14, 1998 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Hansen made the motion (Motion #7) that payment of NRD land treatment funds be made in the amount of \$460.00 for one application reviewed by the committee. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald,

Regier, Schulz, Teegerstrom, Volkmer, Eberle
NAY: None
NOT PRESENT: Austin

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Hansen made the motion (Motion #8) that payment of NSWCP land treatment funds be made in the amount of \$1,540.00 for one application reviewed by the committee. Seconded by Luebbe. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Eberle
NAY: None
NOT PRESENT: Austin

EQIP PROGRAM - 1998 PROPOSAL

Staff reviewed a summary of the 1998 EQIP proposal with the Projects Committee. The total area to be targeted is 239,820 acres. The application proposes to address natural resource concerns on 167,692 acres (70% of the total area), including Integrated Crop Management (26,000 acres), Irrigation Water Management (22,000 acres), Waste Utilization (2,300 acres), Waste Management (111,112 acres), Wetland Restoration (600 acres), and Irrigation System Improvements (5,680 acres). The estimated cost share need for areas targeted in the 1998 proposal is \$1,322,591. Staff recommended that the NRD Board of Directors pass a motion of support for the 1998 EQIP proposal.

Hansen made the motion (Motion #9) that the Upper Big Blue Natural Resources District Board of Directors, having reviewed the 1998 Environmental Quality Incentive Program proposal to be implemented in the Upper Big Blue Natural Resources District, does support the proposal's program to address natural resource concerns in the targeted areas of York County, Seward County, Hamilton County, and Adams County, Nebraska. Seconded by Luebbe. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Eberle
NAY: None
NOT VOTING: Volkmer
NOT PRESENT: Austin

SEWARD FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

Expenses claimed this month totaled \$11,075.89. Payment for these expenses will be deducted from program income resulting from the sale of houses and mobile homes; therefore, a claim for FEMA funds will not be filed this month.

PROJECT 15-10-02W - OVERLAND TRAILS PROJECT - CONTRACTOR FINAL PAYMENT

VanKirk Brothers Contracting, Inc. has completed construction of the dam at Overland Trails. The original bid was for \$122,182.08, and final contract price is \$132,353.32. The \$10,171.24 difference in cost was due to increases in some quantities of work, primarily earthwork. Staff recommends that final payment be made to VanKirk Brothers.

Hansen made the motion (Motion #10) that payment in the amount of \$29,879.87 be made to VanKirk Brothers Contracting, Inc. as final payment, including release of all previously withheld retainage, for construction of the dam at the Overland Trails Project, 15-10-02W. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Eberle
NAY: None
NOT PRESENT: Austin

JOHNSON CREEK WATERSHED - DAM SITE #10

Some residents in the Johnson Creek Watershed have requested that the District consider reactivating the project for Dam Site #10. This project was suspended approximately 10 years ago due to complications with

land rights. Some preliminary engineering was done in 1988; however, construction costs and land use have changed since 1988.

After some discussion, the Projects Committee decided to reactivate Johnson Creek Site 10 in order to allow staff to collect additional information and report back to the Committee. Some of the concerns that need to be investigated include:

1. Reevaluation of the need for a dam at Site 10; terraces might be a more cost effective option
2. land owners' willingness to allow public access
3. mortgage status of the land; particularly FMHA
4. preliminary engineering considerations

Hansen made the motion (Motion #11) to reactivate Johnson Creek Dam Site 10, to be located in Section 3, Township 8 North, Range 2 East of Saline County, and to prepare a preliminary planning report on the feasibility of pursuing construction of Site 10. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin

EDUCATION AND PARKS COMMITTEE REPORTS

Oswald reported on the Education and Parks Committee meeting held May 14, 1998 and reviewed the committee report as distributed.

PROJECT 23-13-02E - AGREEMENT WITH BUTLER COUNTY RURAL PUBLIC POWER DISTRICT

Oswald made the motion (Motion #12) that the Upper Big Blue NRD Board of Directors approves the agreement between Butler County Rural Public Power District and the Upper Big Blue NRD and authorizes the chairman of the board to sign said agreement. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin

PAYMENT TO LINCOLN-OAKES NURSERY

Oswald made the motion (Motion #13) that the Upper Big Blue NRD make payment of \$827.13 to Lincoln-Oakes Nursery for the purchase of 2,162 trees and shrubs. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin

PAYMENT TO JOHNSON, ERICKSON AND O'BRIEN

Oswald made the motion (Motion #14) that the Upper Big Blue NRD make payment of \$681.00 to Johnson, Erickson & O'Brien for the revisions made on the parcels of land located in Section 23, Township 13 North, Range 2 East of the 6th P.M., Butler County, Nebraska (Ulysses Dam Project.) Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin

BUTLER COUNTY ABSTRACT COMPANY - PAYMENT

Oswald made the motion (Motion #15) that the district make payment of \$980.00 to the Butler County Abstract Company for doing the title search and writing up the title insurance for the properties purchased by the district located in Section 23, Township 13 North, Range 2 East of the 6th P.M. in Butler County, Nebraska (Ulysses

Dam Project). Seconded by Teegerstrom. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin

FINANCIAL STATEMENT

Volkmer made the motion (Motion # 16) to approve the financial statement and budget report as of April 30, 1998; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Schulz. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin

Meeting adjourned at 8:37 p.m.

Vance A. Teegerstrom, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JUNE 18, 1998

CALL TO ORDER

Chairman Yvonne Austin called a regular board of directors meeting to order at 7:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chairman	Gary Eberle, Vice Chairman
Vance Teegerstrom, Secretary	Steve Buller, Treasurer
Doug Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Curtis Friesen, Director
Wayne Hansen, Director	Roger Houdersheldt, Director
James Jackson, Director	Linda Luebbe, Director
Larry Moore, Director	Louis Oswald, Director
Kenneth Regier, Director	Roland Schulz, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Rodney DeBuhr, Staff
Russell Callan, Staff	Kenneth Feather, Staff
Jay Bitner, Staff	Michelle Martelle, York NRCS
Augustus M. Brown, York	Anthony Greder, York News-Times
Ingrid Verstraeten, USGS	Dennis Schroeder, Aurora NRCS

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published June 8, 1998 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Sixteen directors were present during roll call. Moore arrived following the approval of the minutes.

ADOPTION OF REVISED AGENDA

Hansen made the motion (Motion #1) to approve the revised agenda for the June 18, 1998 board of directors meeting as presented. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore

APPROVAL OF MINUTES OF THE MAY 21, 1998 BOARD MEETING

Oswald made the motion (Motion #2) to approve the minutes of the May 21, 1998 board of directors meeting as distributed. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore

WATER COMMITTEE MEETING REPORT

Jackson gave a report on the Water Committee meeting held June 9, 1998 and reviewed the committee report as distributed.

GWMA #2 (Ground Water Quality) AQWACAP FINAL PAYMENTS

The district received two claims for final payments totaling \$738.76. The staff recommends payment of these claims.

Jackson made the motion (Motion #3) to approve final payment for two well abandonments at a total cost of \$738.76. Seconded by Volkmer. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Buller

NOT PRESENT: Regier

HIGH PLAINS CLIMATE CENTER WEATHER STATION MAINTENANCE PAYMENT

The High Plains Climate Center has billed the district \$1,000.00 for FY98 as outlined in our agreement for the York weather station. Staff reports that the station has been operating very well and that the staff has not been asked to do anything for the Center. Access to the weather station data has recently been upgraded and is now much easier to use.

Jackson made the motion (Motion #4) to pay the High Plains Climate Center \$1,000.00 for the FY98 maintenance of the York automated weather station. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Regier

UNL WATER SCIENCE LABORATORY PAYMENT

Jackson made the motion (Motion #5) to pay the University of Nebraska Water Science Laboratory \$804.35 for four pesticide and 19 anion water analyses for the York Ground Water Recharge Project. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

EDUCATION AND PARKS COMMITTEE REPORTS

Oswald reported on the Education and Parks Committee meeting held June 9, 1998 and reviewed the committee report as distributed.

BURKE SCHOLARSHIP

Last month, the committee discussed ways of funding the Burke Scholarship and directed Prudence to survey the other districts to find out what kinds of scholarships they offer and how they are funded. Prudence reviewed the results with the committee.

The Burke Scholarship is a \$500 scholarship. Eligible applicants must live in the Upper Big Blue NRD and attend a two- or four-year Nebraska school, studying in a natural resources-related field with the goal of finding a hands-on job on graduation.

Oswald made the motion (Motion #6) that the Upper Big Blue NRD fund one Raymond A. Burke Scholarship at the level of \$500 from the general fund. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

YORK ELEMENTARY SCHOOL OUTDOOR CLASSROOM

In September of 1997, the board approved the application of York Elementary School to build a small pond as part of their outdoor classroom. The dirt work is completed and the pond has filled. Remaining work includes planting vegetation and building a raised walkway to allow students to reach the center of the pond without

wading into it. Our Outdoor Classroom Program funds projects at 50% with our costs not to exceed \$800.

The school would like to submit a bill for the work done thus far on the outdoor classroom. This would work well for us since we would spend the money out of this fiscal year's budget, leaving next year's funding available for other projects.

Oswald made the motion (Motion #7) to authorize payment of \$387.50 to York Elementary School for construction of a pond as part of the Upper Big Blue NRD's Outdoor Classroom Program. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

PAYMENT TO NEBRASKA STATE FORESTER

Oswald made the motion (Motion #8) that the Upper Big Blue Natural Resources District make payment of \$10,983.37 to the Nebraska State Forester for the purchase of 30,325 trees and shrubs, wood shavings and shipping, including 3,100 replacement trees through the Clarke McNary tree program. Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

COMMUNITY FORESTRY PROJECT - HENDERSON

Oswald made the motion (Motion #9) that the Upper Big Blue Natural Resources District make payment of \$1,000.00 to the City of Henderson for the tree and shrub planting done at the Henderson Municipal Golf Course. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Austin

NAY: Dickinson

CORNERS FOR WILDLIFE PAYMENTS

Oswald made the motion (Motion #10) that the Upper Big Blue Natural Resources District make payment of \$8,257.50 to the cooperators participating in the corners for wildlife program. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Eberle, Ediger, Ehlers, Friesen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Dickinson, Hansen

PROJECT 23-13-02E AGREEMENT - NORTHERN NATURAL GAS COMPANY

Oswald made the motion (Motion #11) that the Upper Big Blue Natural Resources District Board of Directors approves the agreement between Northern Natural Gas Company and the Upper Big Blue Natural Resources District for Project 23-13-02E in the amount of \$14,000 and authorizes the chairman of the board to sign said agreement. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

HASTINGS N.W. FLOOD CONTROL PROJECT

The District has received a \$1,450.00 grant from the Department of Environmental Quality for cleanup at the Hastings Northwest Flood Control Project located in Section 34, Township 8 North, Range 10 West of the 6th P.M., Adams County, Nebraska. The District will be reimbursing the Little Blue NRD and the City of Hastings the amount of monies they paid the District for having the area cleaned up.

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held June 11, 1998 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Hansen made the motion (Motion #12) that payment of NRD land treatment funds be made in the amount of \$528.00 for two applications reviewed by the committee. Seconded by Luebbe. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Moore

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Hansen made the motion (Motion #13) that payment of NSWCP land treatment funds be made in the amount of \$55,533.07 for 28 applications reviewed by the committee. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Moore

LAND TREATMENT PROGRAM - POLICY

Land owners who plan to plant trees in windbreaks are required to pay for the trees at the time they order. If the landowner has applied for cost share on the tree planting, Practice NC12, the current policy requires that he request authorization and appropriation of funds within 2 weeks of the time of planting. If cost share funds have been fully appropriated at the time he calls for authorization, staff would not be able to provide authorization. This problem could be resolved by providing the land owner advanced authorization at the time he pays for the trees.

Hansen made the motion (Motion #14) that the land treatment program policy is amended to allow advanced authorization and appropriation of land treatment program funds to applicants requesting cost share on tree planting for windbreaks, Practice NC 12, and that such authorization only be given on qualified applications at the time trees and planting costs are paid for, and that the cost share payment not be made until the planting is completed and the payment and cost verification portion of the application are completed and certified by the NRD or NRCS technician who designed and checked installation of the practice. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

LAND TREATMENT PROGRAM - POLICY

In order to expedite the processing of land treatment program cost share applications, staff is requesting an amendment to the land treatment program policy which would allow either the NRCS or NRD technical staff to design and certify land treatment practices. The proposed policy amendment is consistent with Nebraska Natural Resources Commission policy.

Moore expressed his opinion that the design and certification of cost share applications should remain an NRCS responsibility. Dennis Schroeder indicated that this change was not initiated by NRCS. He asked what the intent of the motion was. Turnbull stated the intent was that when the district's engineer, or staff member, designs a land treatment practice he doesn't need an NRCS technician to sign-off on the application.

Schroeder was concerned that NRCS would waste staff time duplicating the work NRD was doing. He asked how NRCS would know how to prioritize projects. Jay explained that it was not the NRD's intent to take an application that had been filed with NRCS and takeover the work on that application. What we intend is that if someone comes to the NRD, because the NRCS can't get to the work, or at NRCS request, we can help speed

up the process. The main workload for land treatment will still be handled through NRCS. The majority of the applications we expect will be handled by the NRD are tree plantings and windbreak renovations. Ken is already designing most of these already. For NRD to do the design work here, send the application to NRCS to have it certified then sent back to NRD, then send the application back to NRCS for certification for payment, then back to NRD for final payment; it just doesn't make a lot of sense.

Hansen made the motion (Motion #15) that the land treatment program policy is amended to allow either NRD or NRCS technicians to design land treatment practices in accordance with NRCS Technical Guidelines, to certify that the land treatment practices are installed in accordance with the NRCS Technical Guidelines, and to certify the amount of cost share payment to be made to the land owner. Seconded by Volkmer. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom

NAY: Moore, Austin

NOT VOTING: Volkmer

PROJECT 15-10-02W - OVERLAND TRAILS PROJECT - PAYMENT TO YORK COUNTY RURAL PUBLIC POWER DISTRICT

York County Rural Public Power District moved and reset two power poles at Overland Trails Project. An invoice has been received from York County REA in the amount of \$1,631.92 for labor, material and overhead costs.

Hansen made the motion (Motion #16) that payment in the amount of \$1,631.92 be made to York County Rural Public Power District as final payment for relocation of power poles at Project 15-10-02W, Overland Trails. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

STRUEBING DAM - MAINTENANCE

Maintenance work on the Struebing Dam in Butler County was approved by the board in February 1998. The estimated cost of maintenance was \$15,120 at the time work was authorized. The estimated cost was based on placing 630 tons of rip-rap along the upstream face of the dam (\$2,520 for contractor labor, and \$12,600 for rock rip-rap). The actual cost of the maintenance work is \$15,863.11. The actual cost is based on placement of 639.12 tons of rip-rap (\$2,556.48 for contractor labor, and \$13,306.63 for rock rip-rap).

Hansen made the motion (Motion #17) that Larry Foral, contractor, be paid \$2,556.48 for labor and equipment to place rip-rap, and Martin Marietta Aggregates be paid \$13,306.63 for rock rip-rap material and haul costs for maintenance on the Struebing Dam in Butler County. Seconded by Luebbe. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ULYSSES DAM AND RECREATION PROJECT - CONSTRUCTION BIDS

Bids for construction of the Ulysses Dam and Recreation Project, Project 23-13-02E, were received on June 8, 1998. A summary of bids and the engineer's estimate are as follows:

**SUMMARY OF CONTRACTOR BIDS
AND ENGINEER'S ESTIMATE**

Submitted By	Total
Hooker Brothers (Grand Island)	\$513,599.50
VanKirk Brothers (Sutton)	\$382,883.17

Submitted By	Total
Engineer's Estimate	\$378,917.56

Staff recommends awarding a contract to VanKirk Brothers for construction of the Ulysses Dam and Recreation Project.

Hansen made the motion (Motion #18) that VanKirk Brothers Contracting be awarded a contract to perform construction of the Ulysses Dam and Recreation Project, Project 23-13-02E, in accordance with the Contract Documents, and their bid in the amount of \$382,883.17. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

Turnbull told the board that NRD staff met with the Game and Parks Commission today regarding the grant application for the recreation area. Game and Parks had several suggestions for changes in fish habitat works of the structure. All of the recreation area, which is the access road, parking area, restroom facility, boat dock, boat ramp, windbreak protection jetty and an upstream silt storage area, total \$136,160. Game & Parks will take the grant application to the Game & Parks Commission meeting on the 24th or 25th of July. From there, the Game & Parks Commission's federal grants staff person must work it through the U.S. Fish & Wildlife Services Denver office.

The contractor needs to know by the 15th of August whether or not the recreation items of the contract will be constructed, because of the work to be done to divert the stream. Also, at about this time the dirt work to construct the jetty and boat ramp areas must be completed. If not, these areas will be flooded by the filling of the lake during construction and we will not be able to construct them after that. Based on the time frame it is our recommendation that we withdraw the application for the grant, drop the construction of the rock jetty and the upstream silt dam and proceed with construction of the boat ramp, access road, parking and restroom facilities with our own funds. We will end up with nearly the same about of local property tax in the project either way. Turnbull stated it will be difficult for the U.S. Fish & Wildlife Service to move quickly enough to get the grant approved by the August 15 deadline, which is only about three weeks after the Game & Parks Commission meeting. Another key factor is that the U.S. Fish & Wildlife Service grant for sports fisheries development does not allow the award of a contract on any item that they are going to fund, until after the grant application has been approved.

After discussion of other possible options, Dickinson made the motion (Motion #19) to withdraw the grant application to Nebraska Game & Parks Commission and issue a change order to remove the jetty and silt dam from the contract. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Ediger

NOT PRESENT: Schulz

SEWARD FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

Claim number 20 includes expenditures by the City of Seward on the Flood Hazard Mitigation Project, buy out phase. The total amount of the claim is \$137,553.51. FEMA's share is \$103,165.13. The City's share is \$17,194.19 and the NRD's share is \$17,194.19.

Hansen made the motion (Motion #20) that payment of \$17,194.19 in NRD funds be made to the City of Seward and that the District file a claim in the amount of \$103,165.13 for the FEMA share of claim number 20 of the Seward Flood Hazard Mitigation Project, and that \$103,165.13 of the FEMA share be paid to the City

when it is received by the District. Seconded by Friesen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

EXECUTIVE COMMITTEE MEETING REPORT

Eberle reported on the Executive Committee meeting held June 16, 1998 and reviewed the committee report as distributed.

ATTORNEY FEES

The attorney's fees for the month are \$25.00 for the review of documents relating to land rights on the Ulysses Project.

Eberle made the motion (Motion #21) to approve payment of \$25.00 to Crosby, Guenzel, Davis, Kessner & Kuester, for Steve Seglin's work through May 20, 1998. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

DISTRICT LIABILITY, FIRE, AND CASUALTY INSURANCE

The liability, fire, and casualty insurance is provided by INSPRO Insurance through Scott Nelson of York Insurance Agency. INSPRO writes insurance for more than half of the Districts, with Employers Mutual as the principal carrier. The quote for the new policy is \$29,508.00. The existing policy expires on July 1, 1998.

Eberle made the motion (Motion #22) to approve the renewal of the liability, fire, and casualty insurance for FY99, and approve payment of \$29,508 to York Insurance Agency. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

FY99 SALARIES

Turnbull reviewed the staff salaries with the Executive Committee. He presented salary comparisons with all the other NRDs. Turnbull also reviewed the State Personnel Division 1998 Salary Survey with the committee. The state salary survey is an annual survey that covers a range of employers including: state government, manufacturing, communication, retail and wholesale, utilities, service, education, insurance & financial, hospitals & nursing homes, cities & counties, airport authorities, and NRD's.

Turnbull recommended that the field office clerical positions receive salary adjustments to remain competitive with similar jobs in this area and the state. The Executive Committee discussed the current job market and low unemployment rate. The competition for good employees is stiff. The Executive Committee forwarded their recommendation to the board for consideration.

Eberle made the motion (Motion #23) to adjust the annual salaries of the district staff, with the exception of the general manager, by an amount not to exceed \$20,257.00, which includes competitive salary increases for the engineering technician, the field office clerks, and the maintenance worker; and to authorize the general manager to determine and make salary and wage adjustments. Seconded by Houdersheldt. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Teegerstrom, Austin

NAY: None

NOT VOTING: Ediger, Moore, Volkmer

Eberle made the motion (Motion #24) to increase the general manager's salary by 4.5 % from \$62,000 to \$64,790. Seconded by Hansen. Following considerable discussion, the question was called for. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Oswald, Regier, Teegerstrom, Austin

NAY: Moore

NOT VOTING: Luebbe, Volkmer

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT

Moore reported on the Budget, Planning & Legislative Committee meeting held June 16, 1998 and reviewed the committee report as distributed.

FIELD OFFICE CLERKS

The board referred the issue of the field office clerks to the Budget, Planning & Legislative Committee in April. The Budget, Planning & Legislative Committee began by reviewing the NRD Field Office Clerks report written by Turnbull. The ensuing discussion pertained to part time versus full time clerical services, and the future of the NRCS and FSA. The Polk County NRCS and the Polk County FSA will be co-located in Osceola on July 13. The FSA has indicated that a shared receptionist would be considered. Bill Gilliam, District Conservationist, indicated that an arrangement like that would be acceptable. However, he made it clear that the NRCS needs clerical services, not just someone to answer the phone.

Turnbull informed the committee that the Polk County field office clerk has resigned effective June 26. Three of the five field office clerks have resigned since April for various reasons.

Moore made the motion (Motion #25) to continue the part time 24 hours per week clerical positions in the Hamilton, Fillmore, Polk, and Seward County field offices and the 40 hours per week clerical position in the York County field office; to continue reimbursing other NRDs for full time clerical positions in Adams, Butler, Clay, and Saline County field offices; and further to direct staff to explore the possibility of the FSA providing clerical services to the Polk County NRCS field office, which would allow the District to discontinue the Polk County field office clerical position. Seconded by Dickinson. Question called. Motion carried.

AYE: Dickinson, Eberle, Ehlers, Hansen, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: Buller, Friesen, Houdersheldt, Volkmer

NOT VOTING: Ediger

NOT PRESENT: Schulz

FINANCIAL STATEMENT

Volkmer made the motion (Motion #26) to approve the financial statement and budget report as of May 31, 1998; to make payment of the accounts payable and approve the expenditures for publication. Seconded by Teegerstrom. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

Meeting adjourned at 10:45 p.m.

Vance A. Teegerstrom, Secretary

:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
JULY 23, 1998

CALL TO ORDER

Vice Chairman, Gary Eberle called a regular board of directors meeting to order at 7:30 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chairman	Gary Eberle, Vice Chairman
Vance Teegerstrom, Secretary	Steve Buller, Treasurer
Doug Dickinson, Director	Ed Ediger, Director
Bob Ehlers, Director	Curtis Friesen, Director
Roger Houdersheldt, Director	James Jackson, Director
Linda Luebbe, Director	Larry Moore, Director
Louis Oswald, Director	Kenneth Regier, Director
Merlin Volkmer, Director	John Turnbull, Manager
Nancy Schneider, Staff	Jay Bitner, Staff
Prudence Sadler, Staff	Jeff Ball, Staff
Rodney DeBuhr, Staff	Kenneth Feather, Staff
Richard Jiskra, NNRC	Augustus M. Brown, York
Anthony Greder, York News-Times	Bill Gilliam, NRCS

NOTICE OF PUBLIC MEETING

A copy of the agenda was sent to the board members as notice of this public meeting. The "Notice of Public Meeting" was published July 13, 1998 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Twelve directors were present during roll call. Austin, Houdersheldt and Regier arrived later in the meeting.

REQUEST FOR EXCUSED ABSENCE

Volkmer made the motion (Motion #1) to excuse the absence of Wayne Hansen from the July 23, 1998 board of directors meeting as requested. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Jackson, Luebbe, Moore, Oswald,
Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Hansen, Houdersheldt, Regier, Schulz, Austin

ADOPTION OF AGENDA

Volkmer made the motion (Motion #2) to approve the agenda for the July 23, 1998 board of directors meeting as presented. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Jackson, Luebbe, Moore, Oswald,
Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Hansen, Houdersheldt, Regier, Schulz, Austin

APPROVAL OF MINUTES OF THE JUNE 18, 1998 BOARD MEETING

Oswald made the motion (Motion #3) to approve the minutes of the June 18, 1998 board of directors meeting as distributed. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Jackson, Luebbe, Moore, Oswald,
Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Hansen, Houdersheldt, Regier, Schulz, Austin

WATER COMMITTEE MEETING REPORT

Jackson gave a report on the Water Committee meeting held July 14, 1998 and reviewed the committee report as distributed.

YORK GROUND WATER RECHARGE DEMONSTRATION PROJECT
ATRAZINE FATE AND TRANSPORT STUDY REPORT

Dr. Spalding presented a summary of the results of the atrazine fate and transport study conducted with data collected from Recharge Lake to those present at the Water Committee meeting. He explained the chemical and biological processes that convert atrazine to the harmless compound called Hydroxyatrazine. A large percentage of the atrazine entering Recharge Lake is converted to this compound which sticks to the sediment at the bottom of the lake and stays there. This 3-year study was funded by a grant from Ciba-Giegy.

FINAL PAYMENT TO UNIVERSITY OF NEBRASKA FOR FATE AND TRANSPORT STUDY

Jackson made the motion (Motion # 4) to pay the University of Nebraska \$59,750.00 for the final year of work completed on the Atrazine Fate and Transport Study. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Jackson, Luebbe, Moore, Oswald, Regier,
Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Hansen, Houdersheldt, Schulz, Austin

AQWACAP FINAL PAYMENTS

There are twelve final payments totaling \$3,487.95. The staff recommended payment of these claims.

Jackson made the motion (Motion # 5) to approve final payment for twelve well abandonments, as reviewed, at a total cost of \$3,487.95. Seconded by Volkmer. Question called. Motion carried.

AYE: Dickinson, Ediger, Ehlers, Friesen, Jackson, Luebbe, Moore, Oswald, Regier,
Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Hansen, Houdersheldt, Schulz, Austin

NOT VOTING: Buller

EXECUTIVE COMMITTEE MEETING REPORT

Buller reported on the Executive Committee meeting held July 14, 1998 and reviewed the committee report as distributed.

ATTORNEY FEES

The attorney's fees for the month are \$156.20 for reviewing the agreement with Northern Natural Gas Company on the Ulysses Project.

Buller made the motion (Motion #6) to approve payment of \$156.20 to Crosby, Guenzel, Davis, Kessner & Kuester, for Steve Seglin's work through June 20, 1998. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Jackson, Luebbe, Moore, Oswald, Regier,
Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Hansen, Houdersheldt, Schulz, Austin

SALARY REIMBURSEMENTS - LOWER PLATTE NORTH & LOWER BIG BLUE NRD

Invoices have been received for salaries for the Butler County NRCS clerk and a part-time technician from the Lower Platte North NRD in the amount of \$4,410.36. An invoice has also been received for salaries for the Saline County NRCS clerk and a part-time technician from the Lower Big Blue NRD for \$3,386.30.

Buller made the motion (Motion #7) to approve payments of \$4,410.36 to the Lower Platte North NRD for the

Butler County NRCS field office salaries for FY 98 (Clerk 1/1/98 - 6/30/98; Technician 7/1/97 - 6/30/98) and \$3,386.30 to the Lower Big Blue NRD for Saline County NRCS field office salaries for FY 98 (7/1/97 - 6/30/98). Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Jackson, Luebbe, Moore, Oswald, Regier,
Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Hansen, Houdersheldt, Schulz, Volkmer

POLK COUNTY FIELD OFFICE CLERK

Diane Tallman resigned effective June 26. The NRCS is moving to the FSA office building this month to become a part of the USDA service center in Polk County. The Polk County FSA has agreed to provide secretarial assistance to the NRCS in Osceola in place of the NRD field office clerk in the new center. The FSA arrangement will be on a trial basis through October 1, 1998. If it proves satisfactory, the arrangement will continue. The NRD has not been asked to provide any funding for the FSA/NRCS position.

SECOND QUARTER DIRECTORS' PER DIEM & EXPENSES

Buller made the motion (Motion # 8) to approve payment of second quarter directors' per diem of \$6,600.00 and expenses of \$1,718.10. Seconded by Luebbe. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Jackson, Luebbe, Moore, Oswald, Regier,
Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Hansen, Houdersheldt, Schulz, Austin

PROJECTS COMMITTEE MEETING REPORT

Volkmer reported on the Projects Committee meeting held July 16, 1998 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Volkmer made the motion (Motion # 9) that payment of NSWCP Land Treatment funds be made in the amount of \$47,732.00 for 34 applications reviewed by the Committee. Seconded by Ediger. Question called. Motion carried.

AYE: Dickinson, Ediger, Ehlers, Friesen, Jackson, Luebbe, Moore, Oswald, Regier,
Teegerstrom, Volkmer, Austin, Eberle

NAY: None

NOT VOTING: Buller

NOT PRESENT: Hansen, Houdersheldt, Schulz

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Volkmer made the motion (Motion #10) that payment of NRD Land Treatment funds be made in the amount of \$714.11 for two applications reviewed by the Committee. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Jackson, Luebbe, Moore, Oswald, Regier,
Teegerstrom, Volkmer, Austin, Eberle

NAY: None

NOT PRESENT: Hansen, Houdersheldt, Schulz

SEWARD FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENT

Claim 21 includes expenditures by the City of Seward on the Flood Hazard Mitigation Project buy out Phase and Demolition Phase. Total expenditure for the month is \$94,446.72. FEMA's share is \$70,926.84. The City's share is \$11,759.94 and the NRD's share is \$11,759.94.

Volkmer made the motion (Motion #11) that payment of \$11,759.94 in NRD funds be made to the City of Seward, and that the District file a claim in the amount of \$70,926.84 for the FEMA share of claim 21 of the Seward Flood Hazard Mitigation Project, and that \$70,926.84 of the FEMA share be paid to the City when it is received by the District. Seconded by Austin. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Houdersheldt, Jackson, Luebbe, Moore
Oswald, Regier, Teegerstrom, Volkmer, Austin, Eberle

NAY: None

NOT PRESENT: Hansen, Schulz

YORK GROUND WATER RECHARGE PROJECT - MAINTENANCE

The upstream face of the earth dam at the York Ground Water Recharge Project is eroding due to wave action. The erosion can be controlled by placing rock rip-rap along the shore line. An estimate was obtained from Kaiser Excavating to place the rock; the NRD would purchase the rock directly, and have it delivered to the dam site. The estimated cost of this maintenance is \$7,749; \$1,449 for labor and \$6,300 for materials.

Volkmer made the motion (Motion # 12) that the District purchase rock rip-rap and hire Kaiser Excavating to place the rock, for maintenance on the dam at the York Ground Water Recharge Project in accordance with the engineers estimate of \$7,749.00. Seconded by Luebbe. Question called. Motion carried.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Houdersheldt, Jackson, Luebbe, Moore,
Oswald, Regier, Teegerstrom, Volkmer, Austin, Eberle

NAY: None

NOT PRESENT: Hansen, Schulz

PROJECT 23-13-02E - ULYSSES DAM AND RECREATION AREA

Staff was asked to prepare an alternative design for a jetty, to be used for fishing and breakwater, and rock shore line for fish habitat at Project 23-13-02E. The total estimated cost of these additional construction items is \$45,115.58, \$17,765.54 for the jetty and \$27,350.04 for rock shore line fish habitat. After some discussion the Committee decided to recommend to the board of directors that only the jetty be added as a construction item.

Volkmer made the motion (Motion # 13) that the Project 23-13-02E Construction Contract with VanKirk Brothers Construction Company be amended to allow construction of an earth and rock jetty in accordance with the design presented to Committee, and that the construction cost of the jetty does not exceed \$17,765.54.

AYE: Buller, Dickinson, Ediger, Ehlers, Friesen, Houdersheldt, Jackson, Luebbe, Moore,
Oswald, Regier, Teegerstrom, Austin, Eberle

NAY: Volkmer

NOT PRESENT: Hansen, Schulz

HENDERSON NORTH INDUSTRIAL PARK DRAINAGE PLAN

Staff has completed preliminary design of a drainage plan for the Henderson North Industrial Park. The NRD entered into an interlocal agreement with the City of Henderson in 1996 for the purpose of providing planning and design assistance to the city. The city agreed to pay for 50% of the engineering costs.

The drainage plan was presented to the Henderson City Council on July 14, and two copies of the final engineering report were provided to the city. Once the city adopts the plan, final design drawings can be prepared.

Following a short recess, Acting Chairman Gary Eberle turned the meeting back over to Chairman Austin.

EDUCATION AND PARKS COMMITTEE REPORTS

Oswald reported on the Education and Parks Committee meeting held July 16, 1998 and reviewed the committee report as distributed.

COMMUNITY TREE RESOURCES PROGRAM I - VILLAGE OF EXETER

Oswald made the motion (Motion #14) that the Upper Big Blue Natural Resources District make payment to the Village of Exeter in the amount of \$528.72 for the planting of trees and shrubs at the Community Senior Center under the Community Tree Resources Program I. Seconded by Luebbe. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Houdersheldt, Jackson,
Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Hansen, Schulz

EMIL F. KLEMENT'S ATTORNEY'S FEES

Prior to land rights negotiations for Project 23-13-02E Emil F. Klement and Maxine Klement were divorced. Maxine Klement had a lien on the property the District purchased from Emil F. Klement and Frank Klement. The District needed a release of the lien to get clear title. Mr. Klement asked Ken Feather to contact James L. Birkel, the attorney who represented both parties in the divorce, who was in a position to resolve the matter of the lien. After the lien release was signed, Mr. Klement received an invoice for the attorney's fees. Mr. Klement has requested the NRD to pay the bill which is in excess of \$200.00.

Oswald made the motion (Motion # 15) that the district not pay the attorney fees incurred by Emil F. Klement in the process of obtaining a signed release of the lien on the property being purchased by the district.

Seconded by Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Houdersheldt, Jackson, Luebbe,
Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Moore

NOT PRESENT: Hansen, Schulz

BUDGET, PLANNING & LEGISLATIVE COMMITTEE MEETING REPORT

Moore reported on the Budget, Planning & Legislative Committee meeting held July 21, 1998 and reviewed the committee report as distributed.

FY 99 BUDGET

Turnbull presented the draft budget to the Budget, Planning & Legislative Committee at their meeting on July 21. The budget draft takes into account the cash balances on June 30. The draft includes a \$30,000.00 transfer to sinking fund for future water quality education; \$15,000.00 transfer to sinking fund for the Indian Creek Project; \$45,000.00 in professional services for consultants work on Indian Creek in FY 99 and \$18,000.00 added because of the Project Committee's motion to construct a rock fishing jetty at the Ulysses Project. This results in \$1,093,086.01 in property tax, which is \$186,562.91 higher than the FY 98 property tax request. That is a 20.6% increase over last years budgeted taxes.

Turnbull presented his recommendation to reduce the tax request. The option he presented would eliminate the transfers of \$30,000.00 to the sinking fund for water quality education and \$15,000.00 to the sinking fund for the Indian Creek Project. In addition he would not budget \$45,000.00 for Indian Creek professional services, but would leave \$18,000.00 in the budget for the rock fishing jetty at the Ulysses Project. By using the June 30, 1998 cash balances this results in \$997,686.01 in property tax, which is \$91,162.91 higher than the FY 98 property tax request. This would be a 10.1% increase over last years budgeted taxes.

The Budget Committee discussed these main budget items at length. The future of the Indian Creek Project was considered and the current programs, such as wildlife habitat, were reviewed. The Budget Committee consensus was to forward a budget with a lower tax request.

Moore made the motion (Motion #16) to amend the draft FY 99 budget by deleting all transfers (\$45,000) to the sinking fund from the general fund, deleting \$45,000 for professional services for the Indian Creek Project; further to transfer \$45,000 from the sinking fund to the general fund for construction of the Ulysses Project. Seconded by Friesen. Question called Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Houdersheldt, Jackson, Luebbe,
Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Hansen, Schulz

Moore asked that Friesen, who is the Vice Chairman of the Budget, Planning & Legislative Committee, be allowed to finish presenting the committee's report. Moore cited Robert's Rules of Order not allowing the

person offering a motion to speak against that motion. He indicated he had no intention of supporting the Budget Committee's motion regarding the \$4,000 transfer and did not wish to make the motion. Chairman Austin allowed Friesen to give the remainder of the report.

Friesen made the motion (Motion #17) to transfer \$4,000 from the sinking fund operation and maintenance account to the general fund for operation and maintenance. Seconded by Volkmer.

Buller amended the motion to make the motion (Motion #18) to strike the words "operation & maintenance" and insert the words "Indian Creek Project." Seconded by Jackson. Question called on the amendment. Amendment failed.

AYE: Buller, Ehlers, Houdersheldt, Jackson, Luebbe, Regier

NAY: Dickinson, Eberle, Ediger, Friesen, Moore, Oswald, Teegerstrom, Volkmer, Austin

NOT PRESENT: Hansen, Schulz

Question called on the original motion. Motion failed.

AYE: Buller, Ehlers, Friesen, Luebbe, Volkmer

NAY: Dickinson, Eberle, Ediger, Houdersheldt, Jackson, Moore, Oswald, Regier, Teegerstrom, Austin

NOT PRESENT: Hansen, Schulz

Moore made the motion (Motion #19) to approve the FY 99 Budget, as amended July 23, 1998, for the purpose of public hearing. Seconded by Dickinson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Austin

NAY: Volkmer

NOT PRESENT: Hansen, Schulz

Friesen made the motion (Motion #20) for the purpose of public hearing, to approve an increase in the total budgeted restricted funds by an additional 1 percent. Seconded by Jackson. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Friesen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Teegerstrom

NAY: Ehlers, Regier, Austin

NOT VOTING: Volkmer

NOT PRESENT: Hansen, Schulz

Friesen made the motion (Motion #21) to schedule the FY 99 Budget Hearing for 7:30 p.m., Thursday, August 20, 1998, and to conduct the hearing during the monthly board meeting. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: Houdersheldt

NOT VOTING: Jackson

NOT PRESENT: Hansen, Schulz

Friesen made the motion (Motion #22) to schedule a Special Public Hearing for the FY 99 Tax Request for 7:45 p.m., Thursday, August 20, 1998, and to conduct the Special Hearing during the monthly board meeting. Seconded by Moore. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Jackson, Luebbe, Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: Houdersheldt

NOT PRESENT: Hansen, Schulz

FINANCIAL STATEMENT

Volkmer made the motion (Motion #23) to approve the financial statement and budget report as of June 30, 1998; to make payment of the accounts payable and approve the expenditures for publication. Seconded by

Regier. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Houdersheldt, Jackson, Luebbe,
Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Hansen, Schulz

Meeting adjourned at 9:47 p.m.

Vance A. Teegerstrom, Secretary
:nds

MINUTES
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
AND FY 99 BUDGET HEARING
AUGUST 20, 1998

CALL TO ORDER

Chair, Yvonne Austin, called a regular board of directors meeting to order at 7:40 p.m. in the NRD Administrative Office Building, 105 Lincoln Avenue, York, Nebraska.

PRESENT

Yvonne Austin, Chair	Gary Eberle, Vice Chair
Vance Teegerstrom, Secretary	Steve Buller, Treasurer
Douglas Dickinson, Director	Gary Eberle, Director
Bob Ehlers, Director	Curtis Friesen, Director
Wayne Hansen, Director	Roger Houdersheldt, Director
James Jackson, Director	Linda Luebbe, Director
Larry Moore, Director	Louis Oswald, Director
Roland Schulz, Director	John Turnbull, Manager
Nancy Schneider, Staff	Jay Bitner, Staff
Rodney DeBuhr, Staff	Prudence Sadler, Staff
Stephanie Mousel, Staff	Ken Feather, Staff
Bill Gilliam, York NRCS	Anthony Greder, York News-Times
Gus Brown, York	Ray Naber, Seward County Commissioner

NOTICE OF PUBLIC MEETING

We sent a copy of the agenda to the board members, as notice of this public meeting. The "Notice of Public Meeting" was published August 10, 1998 in the York News-Times. The agenda is kept current and is available for public inspection at the Upper Big Blue NRD office, during normal business hours.

ROLL CALL

Fifteen directors were present during roll call.

FY 99 BUDGET HEARING

Chair, Yvonne Austin, opened the public hearing at 7:45 p.m.. She informed those present that this Public Hearing is for hearing support, opposition, criticism, suggestions, or observations of tax payers relating to the District's FY 99 Budget. Since this is a Public Hearing, we will ask for comments from the public.

She stated that Public Notice of this Hearing appeared once in the York News-Times on August 12, 1998. Austin asked John Turnbull, General Manager of the District, to be the Hearing Officer and to review the proposed FY 99 Budget.

Turnbull reviewed a handout he prepared to show the proposed property tax requirement for fiscal year 99. He went over the final valuations he received late in the afternoon. The valuations provided by the county assessors are:

Adams County	\$186,903,355
Butler County	\$249,199,787
Clay County	\$244,848,263
Fillmore County	\$431,605,182
Hamilton County	\$719,757,716
Polk County	\$287,533,902
Saline County	\$ 48,883,733
Seward County	\$744,541,515
York County	<u>\$919,900,055</u>

TOTAL VALUATION \$3,833,173,508

Turnbull said he did not have the breakdown showing how much was due to changes in appraised values, growth or new additions. However, it is available. Overall valuations district-wide went up 7.1 percent. If the Board approves the budget presented tonight, the proposed levy would be 2.487 cents per \$100 valuation, compared with 2.534 cents one year ago. So the levy would be less.

Turnbull reviewed the graphs he prepared showing property valuations, property tax levies and budgeted tax receipts from 1973 to the present. He then reviewed the budget document with the board. He highlighted some changes made since the last meeting. Heat, electricity and other utilities have been combined into one line item called utilities. We have combined administrative, clerical and technical salaries into one line item called salaries. Project construction, building improvements, land treatment and intergovernment cost-share line items have been moved from the 400 series for expenditures to the 500 series for capital outlays. Project land rights, which were previously in the 400 series, are now combined with the line item for land under capital outlays.

Project construction, project land rights, building improvements, land treatment and intergovernment cost-share are considered improvements to real estate and are therefore exempt from the property tax lid.

The total budget for the general fund for the year is \$1,910,920.27; cash reserve is \$160,000, for a total budget of \$2,070,920.27. We list revenues on pages eight and nine of the budget. All funds combined are \$1,171,563.33. The required tax is \$899,358.95. County treasurers' commission is \$8,993.59, delinquent tax allowance \$44,967.95, for a total tax requirement of \$953,320.49.

He reviewed the sinking fund on pages 10 and 11. The sinking fund shows a \$45,000 transfer from sinking fund to general fund for project construction. The balance remaining in the sinking fund will be \$554,463.98. We show receipts for the sinking fund on page 11. There are \$568,921.23 in investments. We expect to earn \$30,542.75 in interest, leaving and ending balance of \$599,463.98. We are levying no tax for the sinking fund. This has been the case for many years.

Turnbull reviewed the calculations for restricted funds, lid exceptions and the lid computation forms. Turnbull asked if there were any questions.

The hearing was left open until 8:20 p.m. Chair Austin, asked if anyone present had questions, or comments, regarding the FY 99 Budget. No public comments were received. She closed the hearing at 8:20 p.m.

REQUEST FOR EXCUSED ABSENCE

Ehlers made the motion (Motion # 1) to excuse the absence of Regier and Volkmer from the August 20, 1998 board of directors meeting, as requested. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Regier, Volkmer

ADOPTION OF AGENDA

Dickinson made the motion (Motion # 2) to approve the agenda for the August 20, 1998 board of directors meeting, as presented. Seconded by Ediger. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Regier, Volkmer

APPROVAL OF MINUTES OF THE JULY 23, 1998 BOARD MEETING

Oswald made the motion (Motion # 3) to approve the minutes of the July 23, 1998 board of directors meeting as distributed. Seconded by Luebbe. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Houdersheldt, Jackson, Luebbe,

Moore, Oswald, Schulz, Teegerstrom, Austin
NAY: None
NOT VOTING: Hansen
NOT PRESENT: Regier, Volkmer

RESOLUTION FOR 1 PERCENT UNUSED BUDGET AUTHORITY

Moore made the motion (Motion # 4) to adopt the following resolution.

RESOLUTION 98-1

WHEREAS, the Nebraska Budget Act states that no governmental unit shall adopt a budget containing a total of budgeted restricted funds that is more than two and one-half percent greater than the prior year's total of budgeted restricted funds, plus allowable growth;

WHEREAS, the Nebraska Budget Act also states that a governmental unit may exceed the budget limit for a fiscal year by up to an additional 1 percent, upon the affirmative vote of at least 75 percent of the governing body;

THEREFORE, BE IT RESOLVED by this Board of Directors on August 20, 1998, to exceed the budget limit on restricted funds for FY 99 (current year) by 1 percent.

Seconded by Houdersheldt. Question called. Motion failed to receive the required 75 percent affirmative vote.
AYE: Buller, Dickinson, Eberle, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Teegerstrom, Austin
NAY: Ediger, Ehlers, Friesen, Schulz
NOT PRESENT: Regier, Volkmer

FY99 BUDGET

Moore made the motion (Motion # 5) to adopt the FY 99 Budget, as amended. Seconded by Hansen. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Austin
NAY: None
NOT PRESENT: Regier, Volkmer

WATER COMMITTEE MEETING REPORT

Jackson reported on the Water Committee meeting held August 11, 1998 and reviewed the committee report as distributed.

AQWACAP FINAL PAYMENTS

Six applications for final payments were submitted totaling \$2,050.11. The staff recommended payment of these claims.

Jackson made the motion (Motion # 6) to approve final payments for six well abandonments, as reviewed, at a total cost of \$2,050.11. Seconded by Hansen. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Austin
NAY: None
NOT VOTING: Buller
NOT PRESENT: Regier, Volkmer

PROJECTS COMMITTEE MEETING REPORT

Hansen reported on the Projects Committee meeting held August 13, 1998 and reviewed the committee report as distributed.

LAND TREATMENT PROGRAM - NSWCP FUND PAYMENTS

Hansen made the motion (Motion # 7) to make payments of NSWCP Land Treatment funds for the \$34,871.61 for 31 applications reviewed by the Committee. Seconded by Luebbe. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Schulz, Teegerstrom, Austin

NAY: Moore

NOT VOTING: Buller

NOT PRESENT: Regier, Volkmer

LAND TREATMENT PROGRAM - NRD FUND PAYMENTS

Hansen made the motion (Motion # 8) to make payments of NRD Land Treatment funds for the \$2,505.21 for three applications reviewed by the Committee. Seconded by Oswald. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Regier, Volkmer

LAND TREATMENT PROGRAM - EQIP PROPOSAL

The NRCS is proposing a new plan for distributing the non-priority EQIP funding for FY 99. In the past, non-priority funding was allocated based on a ranking of applications from across the State. This process eliminates applications from whole areas of the State where certain practices, such as range management, did not rank as high as erosion control or water management.

The proposal being considered by NRCS will allocate a block of money to each NRD for non-priority area contracts based on each NRD's Natural Resource Inventory (NRI). The Nebraska Natural Resources Commission also uses the NRI as one factor to decide each NRD's allocation of NSWCP funds. The NRCS is also proposing that an additional block of non-priority EQIP money be available to NRD's that are willing to match the federal funds with local funds on a dollar for dollar basis. If the NRD decides to participate in the matching part of this funding, we will need to decide what types of NRD revenues we can use as local matching funds.

The Projects Committee showed an interest in this proposal, and requested that staff indicate the committee's interest to the NRCS. We will have more detailed information as the NRCS proposal is developed.

SEWARD FLOOD HAZARD MITIGATION PROJECT - PROGRESS PAYMENTS

Claim number 22 includes expenditures by the City of Seward for the Flood Hazard Mitigation Project Buy out and Demolition Phases. Total expenditure for the month is \$132,696.73; of this amount, \$60,795.78 is for the buy out and \$71,900.95 is for demolition. FEMA's share is \$110,307.70. The city's share is \$11,194.52 and the NRD's share is \$11,194.51.

Hansen made the motion (Motion # 9) to make payment of \$11,194.51 in NRD funds to the City of Seward, and that the District file a claim in the amount of \$110,307.70 for the FEMA share of claim number 22 of the Seward Flood Hazard Mitigation Project, and that \$110,307.70 of the FEMA share will be paid to the City when the District receives it. Seconded by Schulz. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Regier, Volkmer

YORK GROUND WATER RECHARGE PROJECT MAINTENANCE

Maintenance on the dam at the York Ground Water Recharge Project is in progress. They have delivered rock to the site, but it has not been placed on the dam. Staff recommends paying \$6,527.71 to Martin Marietta Aggregates for 312.3 tons of NDOR type 2 limestone riprap.

Hansen made the motion (Motion # 10) that the District pay Martin Marietta Aggregates \$6,527.71 for material and delivery of 312.3 tons of limestone riprap for erosion control on the dam at the York Ground Water Recharge Project. Seconded by Ehlers. Question called. Motion carried.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson,
Luebbe, Moore, Oswald, Schulz, Teegerstrom, Austin
NAY: None
NOT PRESENT: Regier, Volkmer

COMMUNITY FLOOD MITIGATION PLANNING

The Nebraska Natural Resources Commission is administering a new Flood Mitigation Assistance (FMA) Program to assist communities in developing a flood mitigation plan. Once developed, these plans can be used to assist the community with flood plain mapping and zoning, identifying properties to be acquired for relocation or demolition, identifying properties which need to be elevated above the 100 year flood, and planning for flood protection facilities. The flood mitigation plan can provide documentation for the National Flood Insurance Program (NFIP) Community Rating System.

Planning Grants are available from the FMA Program to assist the communities with planning. In addition, Project Grants are available on a competitive basis to help fund flood damage reducing projects identified in the community's mitigation plan. Also, the flood mitigation plan is helpful in speeding up the disaster assistance process after a major flood event.

Staff recommends that the Upper Big Blue NRD develop a program and policy for assisting communities with flood mitigation planning.

Hansen made the motion (Motion #11) that staff prepare a new program policy for providing flood mitigation planning assistance to communities in the Upper Big Blue NRD, and that the proposed program policy be presented to the Projects Committee for further consideration. Seconded by Friesen. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe,
Moore, Oswald, Schulz, Teegerstrom, Austin
NAY: None
NOT PRESENT: Buller, Regier, Volkmer

EXECUTIVE COMMITTEE MEETING REPORT

Eberle reported on the Executive Committee meeting held August 20, 1998 and reviewed the committee report as distributed.

SALARY REIMBURSEMENTS TO LITTLE BLUE NRD

We received an invoice from the Little Blue NRD for salaries totaling \$10,624.56. The invoice included \$2,656.11 for the Adams County NRCS clerk, \$7,631.25 for the Clay County NRCS clerk and \$337.20 for a part-time technician.

Eberle made the motion (Motion #12) to approve payment of \$10,624.56 to the Little Blue NRD for the Adams and Clay County NRCS field office clerks' salaries and for a part time technician's salary for FY 98 (7/1/97 - 6/30/98.) Seconded by Jackson. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe, Moore, Oswald,
Schulz, Teegerstrom, Austin
NAY: Houdersheldt
NOT PRESENT: Buller, Regier, Volkmer

NARD ANNUAL DUES

The Association has billed the District \$13,093.66 for their annual dues for FY 99. Dues for fiscal years 96 and 97 were \$12,774.30 each. Fiscal year 98 dues were \$13,093.66.

Eberle made the motion (Motion #13) to pay the Nebraska Association of Resources Districts \$13,093.66 for FY 99 dues. Seconded by Ediger. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Moore,
Luebbe, Oswald, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Regier, Volkmer

CENTRAL PLATTE NRD CLERICAL REQUEST

The Central Platte NRD provides a field office clerk to the Grand Island field office. That field office provides support services to other NRCS field offices and the Rain Water Basin Joint Venture. The main support services are for the NRCS biologist, irrigation specialist, GIS specialist, soil scientist, and computer specialist. The Central Platte is requesting funding support of \$1,040.00 (\$.50 @ hour x 2080 hours) for FY 99.

The Executive Committee discussed the request, however, they took no action, because of the previous board and committee discussions on field office clerks. John will contact the Central Platte NRD and advise them that we will not provide the financial support they requested.

FINANCIAL STATEMENT

Moore made the motion (Motion # 14) to approve the bills and make payment of the accounts payable as of July 31, 1998. Seconded by Dickinson. Question called. Motion carried.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe,
Moore, Oswald, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Regier, Volkmer

Meeting adjourned at 9:34 p.m.

Vance A. Teegerstrom, Secretary

:nds

BOARD OF DIRECTORS MEETING

September 24, 1998

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 24, 1998 at 7:30 p.m., at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Douglas Dickinson, Gary Eberle, Ed Ediger, Bob Ehlers, Roger Houdersheldt, James Jackson, Linda Luebbe, Larry Moore, Louis Oswald, Kenneth Regier, Roland Schulz, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Prudence Sadler, Rodney DeBuhr, Ken Feather, Anthony Greder, Dave Kohls, Henry J. Rohla, and Gus Brown. Chair Austin called the meeting to order at 7:30 p.m..

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Austin reported that we published the legal notice for the Directors' Meeting in the York News-Times on September 15, 1998. The notice of special hearing to set the property tax request was published September 9, 1998.

ITEM 2. ROLL CALL OF DIRECTORS.

Thirteen directors were present for the calling of the roll.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES.

We received requests for excused absence from Steve Buller, Curt Friesen and Wayne Hansen for the September 24, 1998 Board of Directors' Meeting.

It was moved by Volkmer and seconded by Oswald to approve the requests for excused absence received from Buller, Friesen and Hansen for the September 24, 1998 Directors' Meeting. The motion was approved.:

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz,

Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen, Moore

ITEM 4. ADOPT AGENDA.

It was moved by Ediger and seconded by Jackson to adopt the agenda for the September 24, 1998 Directors' Meeting. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Oswald
Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen, Moore

ITEM 5. APPROVAL OF MINUTES OF THE AUGUST 20, 1998 BOARD OF DIRECTORS' MEETING.

We noted that Ed Ediger's name was omitted from those present at the August 20, 1998 board of directors' meeting.

It was moved by Ehlers and seconded by Volkmer to approved the minutes of the August 20, 1998 Board of Directors' Meeting, as corrected. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Oswald,
Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen, Moore

ITEM 6. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Projects Committee met on September 15, 1998.

ITEM 7. SPECIAL HEARING TO SET PROPERTY TAX REQUEST.

Chair Austin opened the special hearing to set the property tax request at 7:40 p.m.. Turnbull explained that the District adopted the FY 99 Budget at the August board meeting, but because the final valuations were not available we did not act on the official tax request to support the budget. The Budget, Planning & Legislative Committee has forwarded a resolution for the board to consider. Under the statutes that control our budget this year, the board needs to pass a resolution stating how many tax dollars you want to raise for the current fiscal year and compute the tax levy rate. The NRD no longer sets the levy. Once we have adopted the resolution, we will send it to the York County Clerk, who represents the county with the largest valuation in our district. The York County Clerk then sets the tax levy at the rate we have computed and provides the information to the other eight county clerks. The county treasurers collect the taxes based on this levy. We must hold a special hearing. Otherwise, the tax dollars collected will be the same as the amount collected the prior year. Whether you increase or decrease your tax, you have to hold a special hearing. Chair Austin closed the hearing at 8:05 p.m..

ITEM 8. APPROVE PAYMENT OF NRD LAND TREATMENT COST-SHARE.

It was moved by Volkmer and seconded by Luebbe that payment of NRD Land Treatment funds be made in the amount of \$302.40 for one application reviewed by the committee. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore,
Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen

ITEM 9. APPROVE PAYMENT OF NSWCP LAND TREATMENT COST-SHARE.

It was moved by Volkmer and seconded by Oswald that payments of NSWCP Land Treatment funds be made in the amount of \$21,357.37 for 18 applications reviewed by the committee. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore,
Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen

ITEM 10. ULYSSES DAM CONSTRUCTION PROGRESS PAYMENT.

As of September 9, 1998, Van Kirk Brothers had completed 14.79% of the work on the dam. The total earned for the period July 20 to September 9 was \$43,383.08.

It was moved by Volkmer and seconded by Houdersheldt that Van Kirk Brothers be paid \$43,383.08, \$4,338.31 of which is to be withheld as retainage, for work completed during the July 20, 1998 to September 9, 1998 pay period on Project 23-13-02E. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore,
Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen

ITEM 11. PAYMENT FOR O&M AT YORK GROUND WATER RECHARGE PROJECT.

Maintenance on the dam at the York Ground Water Recharge Project is completed. Staff recommends that payment of \$1,250.00 be made to Chuck Kaiser Excavation for labor to place 312 tons of riprap.

It was moved by Volkmer and seconded by Luebbe that the District pay Chuck Kaiser Excavation \$1,250.00 for labor to place 312 tons of riprap on the dam at the York Ground Water Recharge Project. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore,
Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen

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

Eberle reported that the Executive Committee met on September 15, 1998.

ITEM 13. NARD VOTING DELEGATE AND ALTERNATE.

Both Doug Dickinson and Jim Jackson are unable to attend the September Conference. The Executive Committee appointed Bob Ehlers the delegate and Yvonne Austin as the alternate for the September NARD Conference.

ITEM 14. APPOINT ACTING NARD BOARD REPRESENTATIVE.

Since Doug Dickinson and Jim Jackson will not be at the conference, another board member must represent the District at the September NARD Board meeting. Austin appointed Bob Ehlers as the representative for the September 1998 NARD Board meeting. Austin will be alternate.

ITEM 15. ATTORNEY FEES.

It was moved by Eberle and seconded by Ediger to approve payment of \$62.50 to Crosby, Guenzel, Davis,

Kessner & Kuester for Steve Seglin's work through August 20, 1998. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore,
Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen

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

Jackson reported that the Water Committee met on September 17, 1998.

ITEM 17. AQWACAP FINAL PAYMENTS.

It was moved by Jackson and seconded by Ehlers to approve final payment for four well abandonments, as reviewed by the committee, at a total cost of \$1,438.90. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore,
Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen

ITEM 18. PAYMENT TO UNL WATER SCIENCES LABORATORY.

It was moved by Jackson and seconded by Regier to pay the University of Nebraska Water Sciences Laboratory \$4,050.00 for 36 pesticide analyses conducted on samples taken at the York Ground Water Recharge Project. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore,
Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen

ITEM 19. PAYMENT TO SERVI-TECH INC.

It was moved by Jackson and seconded by Regier to pay Servi-Tech Inc. \$792.45 for seven water analyses of samples collected as part of the Indian Creek Water Quality Study. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore,
Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen

ITEM 20. REPORT OF EDUCATION AND PARKS COMMITTEE AND
CONSIDERATION OF RECOMMENDATIONS.

Oswald reported that the Education and Parks Committee met on September 17, 1998.

ITEM 21. RAILS FOR TRAILS, FILLMORE COUNTY.

Oswald reported on the discussion that took place at the Education & Parks Committee meeting.

The Fillmore Western Railway has filed the necessary documents for abandoning the railroad from Geneva to Strang to Tobias, from Strang to Bruning and from Strang to Shickley. The Nebraska Trail Foundation has filed an interim trail-use request from the Surface Transportation Board to develop a trail.

NRD General Manager John Turnbull explained to the group what an NRD is, how it works, the process of developing a trail and the process it takes to make it happen.

Helen Johnson, representing the Rails for Trails Committee in Fillmore County, spoke on the local support in Fillmore County for a trail and having the NRD manage and accept the liability of the trail once they construct it. She presented a list of signatures (on file at the NRD Office) in support of having a trail in Fillmore County. A large portion of the people who signed the petition said they would also use the trail once they construct it.

Mrs. Johnson asked that the Little Blue NRD and/or the Upper Big Blue NRD assume the ownership of the Fillmore Western Railway right-of-way from Geneva to Strang to Tobias, from Strang to Bruning, and from Strang to Shickley for the purpose of managing and maintaining the trail.

Several landowners and individuals from Fillmore County, who were present at the meeting, are not in favor of having a trail constructed. A number of issues were presented by those present such as who would manage the trail, liability, weed control, maintenance, funding and tax issues.

The Education & Parks Committee took no action at this time. We will discuss the subject at the October Committee meeting.

ITEM 22. PAYMENT TO CORNERSTONE SPORTS COMPLEX.

In January 1998, the District agreed to fund the York County Sports Authority, Inc. not to exceed \$5,000 for trees and shrubs to be planted at the Cornerstone Sports Complex in the city of York. They have completed part of the planned plantings and hopefully can complete another portion by the end of October 1998.

It was moved by Oswald and seconded by Regier that the Upper Big Blue Natural Resources District make a partial payment of \$2,500 to the York County Sports Authority, Inc. For the trees and shrubs planted at the Cornerstone Sports Complex in the city of York under the Community Tree Resources Program I. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore,
Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen

ITEM 23. HANDICAPPED RESTROOMS FOR PROJECT 23-13-2E.

The Rising City High School industrial arts class is willing to provide the labor for a vault-type handicapped accessible restroom at Project 23-13-2E located east of Ulysses if the District will provide the materials, installation and design. The preliminary estimates for materials and installation is \$7,000.

Questions arose about possible design changes to reduce vandalism of the facilities. After some discussion we agreed that we would place L-shaped walls or fences in front of the restroom openings instead of doors.

It was moved by Oswald and seconded by Regier that the Upper Big Blue NRD have the Rising City Industrial Arts Class construct the handicapped restroom and the District provide the design, materials and installation at an estimated cost of \$7,000. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore,
Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen

ITEM 24. REPORT OF BUDGET, PLANNING AND LEGISLATIVE COMMITTEE

AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning and Legislative Committee met on September 17, 1998.

ITEM 25. RESOLUTION 98-1 REPEAL SALES TAX ON DOMESTIC WATER,
INTRODUCED BY LBNRD.

It was moved by Moore and seconded by Volkmer that the District not support NARD Resolution 98-1.

The motion failed.

AYE: Dickinson, Eberle, Ediger, Ehlers, Oswald, Regier, Teegerstrom

NAY: Houdersheldt, Jackson, Luebbe, Moore, Schulz, Volkmer, Austin

NOT PRESENT: Buller, Friesen, Hansen

It was moved by Moore and seconded by Houdersheldt to support the introduction of NARD Resolution 98-1.

The motion was approved.

AYE: Dickinson, Ediger, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier,

Teegerstrom, Austin

NAY: Eberle, Ehlers, Schulz, Volkmer

NOT PRESENT: Buller, Friesen, Hansen

ITEM 26. RESOLUTION 98-3 REQUIRE WELL PERMITS FOR ALL WATER
WELLS, INTRODUCED BY LBNRD.

It was moved by Moore and seconded by Jackson that the District support the introduction of NARD Resolution 98-3. The motion was approved.

AYE: Dickinson, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore, Oswald,
Regier, Schulz, Teegerstrom, Austin

NAY: Volkmer

NOT VOTING: Eberle

NOT PRESENT: Buller, Friesen, Hansen

It was moved by Eberle and seconded by Moore to support NARD Resolution 98-3. The motion failed.

AYE: Dickinson, Eberle, Jackson, Moore, Oswald, Teegerstrom, Austin

NAY: Ediger, Ehlers, Houdersheldt, Luebbe, Regier, Schulz, Volkmer

NOT PRESENT: Buller, Friesen, Hansen

ITEM 27. RESOLUTION 98-4 INTERSTATE STREAMS LITIGATION,
INTRODUCED BY NPNRD AND MRNRD.

It was moved by Moore and seconded by Jackson that the District support NARD Resolution 98-4. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore,
Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen

ITEM 28. RESOLUTION ON NEBRASKA CONSTITUTIONAL AMENDMENT TO
LIMIT STATE AND LOCAL TAX REVENUE, SUBMITTED BY LPSNRD.

It was moved by Moore and Seconded by Houdersheldt that the District support the resolution which opposes the Nebraska Constitutional Amendment to limit State and Local taxation. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore,
Oswald, Regier, Teegerstrom, Austin

NAY: Schulz, Volkmer

NOT PRESENT: Buller, Friesen, Hansen

ITEM 29. RESOLUTION REGARDING NARD DIRECTORS & NRD MANAGERS MEETINGS, SUBMITTED BY UENRD.

It was moved by Moore and seconded by Volkmer to oppose the introduction of the Upper Elkhorn NRD's resolution. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen

ITEM 30. FY 99 BUDGET TAX REQUEST.

It was moved by Moore and seconded by Oswald to adopt the following resolution. The motion was approved.

RESOLUTION 98- 2

Whereas the FY 99 Budget for the Upper Big Blue NRD, as adopted by this board of directors on August 20, 1998, has a property tax requirement of \$953,320.48;

Whereas the final total valuation of the NRD is \$ 3,833,210,968;

Whereas the FY 98 Budget (prior year) required a tax request of \$ 906,523.10 and a property tax rate of \$ 0.02534;

Whereas the FY99 (current year) property tax rate would be \$0.02365 to generate \$906,523.10.

Therefore be it resolved by this Board of Directors on September 24, 1998, to set the **FY 99 tax request at \$953,320.48** for the Upper Big Blue Natural Resources District which will require a **property tax rate of \$ 0.02487.**

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen

ITEM 31. FINANCIAL REPORT, AUGUST 1, 1998 THROUGH AUGUST 31, 1998, AND CONSIDERATION OF EXPENDITURES FOR AUGUST 1998.

Turnbull reviewed the financial report for the period August 1, 1998 through August 31, 1998 that we had distributed. It was moved by Volkmer and seconded by Oswald to approve the financial report as presented and publish the expenditures for August 1998. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Jackson, Luebbe, Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Friesen, Hansen

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

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on September 24, 1998, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24)

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

Vance A. Teegerstrom, Secretary

nds

BOARD OF DIRECTORS MEETING
October 22, 1998

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 22, 1998 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Steve Buller, Douglas Dickinson, Gary Eberle, Ed Ediger, Bob Ehlers, Curt Friesen, Wayne Hansen, Roger Houdersheldt, James Jackson, Linda Luebbe, Kenneth Regier, Roland Schulz, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Prudence Sadler, Rodney DeBuhr, Ken Feather, Henry J. Rohla, Bob Bettger, Roger Lundberg, Raymond Lundberg, Augustus M. Brown, William Gilliam, Dave Zeleny, Jim Zeleny, Bernard Zeleny, Robert Zeleny, Anthony Greder of the York News-Times, Robert Votipka, Tom Votipka, Dustin Weber, Tom Weber, Albert Simacek, Lynn Yates, Gerald Slezak, S. Luttich, Helen Johnson, Vina Mody and Paul Kuska. Chair Austin called the meeting to order at 7:40 p.m..

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Austin reported that we published the legal notice for the Directors' Meeting in the York News-Times on October 15, 1998.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Jackson arrived later in the meeting.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES.

We received requests for excused absences from Larry Moore and Buzz Oswald for the October 22, 1998 Board of Directors' Meeting.

It was moved by Volkmer and seconded by Houdersheldt to approve the requests for excused absences received from Moore and Oswald for the October 22, 1998 Directors' Meeting. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt,
Luebbe, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None

NOT PRESENT: Jackson, Moore, Oswald

ITEM 4. ADOPT AGENDA.

It was moved by Hansen and seconded by Luebbe to adopt the agenda for the October 22, 1998 Directors' Meeting, and to move the Education and Parks Committee report up on the agenda to follow the chairman's report. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt,
Luebbe, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Jackson, Moore, Oswald

ITEM 5. APPROVAL OF MINUTES OF THE SEPTEMBER 24, 1998 BOARD OF DIRECTORS' MEETING.

It was moved by Ediger and seconded by Volkmer to approved the minutes of the September 24, 1998 Board of Directors' Meeting. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Houdersheldt, Luebbe, Regier, Schulz,
Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Buller, Friesen, Hansen, Jackson

NOT PRESENT: Moore, Oswald

ITEM 6. REPORT OF EDUCATION AND PARKS COMMITTEE AND
CONSIDERATION OF RECOMMENDATIONS.

Ediger reported that the Education and Parks Committee met on October 15, 1998.

ITEM 7. NAME THE ULYSSES PROJECT RESERVOIR.

Staff proposed two potential names for the reservoir at the Ulysses Project. They were: Ulysses Reservoir (because Ulysses is the closest town) or Oxbow Trail Reservoir (because the Oxbow Trail - a cutoff to the Oregon Trail - crosses through Butler County in the general area of the site and it is in keeping with the District's tradition of naming reservoirs after historic trails.)

It was moved by Ediger and seconded by Houdersheldt to name the Ulysses Project reservoir the Oxbow Trail Reservoir. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Houdersheldt, Jackson
Luebbe, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: Hansen

NOT PRESENT: Moore, Oswald

ITEM 8. YORK COLLEGE STUDENT PLAZA.

Todd Faller of Faller Landscaping and Nursery and Randy Givens with York College presented the committee with tree, shrub and native grass plantings the college wishes to plant the spring of 1999. Todd Faller is designing the area to be located on the north side of the new student union. The planted area would be used as a study area for the science classes and a gathering area for students to relax. The total estimated cost of this portion of the project is \$6,072.

It was moved by Ediger and seconded by Buller that the Upper Big Blue Natural Resources District fund the York College Student Plaza and Biological study area at a cost not to exceed \$1,675.50 for the tree, shrub and native grass plantings as designed by Todd Faller of Faller Landscaping and Nursery. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt,
Jackson, Luebbe, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore, Oswald

ITEM 9. FISCAL YEAR 99 TREE PROGRAM.

The tree prices from Bessey Nursery at Halsey, Nebraska have increased approximately 10 percent. Based on the number of trees the district purchased last year, the price will increase from 40 cents to 45 cents per tree.

It was moved by Ediger and seconded by Hansen that the Upper Big Blue Natural Resources District adopt the following tree and planting cost for fiscal year 99. Trees and shrubs 55 cents each, planting 30 cents each. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt,
Jackson, Luebbe, Regier, Schulz, Teegerstrom, Austin

NAY: Volkmer

NOT PRESENT: Moore, Oswald

ITEM 10. WILDLIFE HABITAT IMPROVEMENT PROGRAM.

John Budler 909 East Ave York, Ne 68467
Site (1) Location NE1/4 8-8-3W Fillmore County
Practice III Improvement of Existing Wildlife Habitat 20.0 Acres
Practice I Establishing Permanent Habitat for wildlife 6.0 Acres
Public Access 26.0 Acres
Annual Payment \$515.00
Contract Term 10 Years
Total contract payment \$5,150.00

The annual payment is funded 75% Nebraska Game and Parks Commission and 25% Upper Big Blue Natural Resources District. The seeding of the warm season grasses on the 6.0 acres of crop ground will be shared 75% Nebraska Game and Parks Commission and 25% Upper Big Blue Natural Resources District up to \$60.00 per acre.

It was moved by Ediger and seconded by Jackson that the Upper Big Blue Natural Resources District accept John Budler's Wildlife Habitat Improvement Contract for a period of ten years with an annual payment of \$515 per year. The motion was approved.

AYE: Buller, Eberle, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Regier,
Schulz, Teegerstrom, Volkmer, Austin

NAY: Dickinson, Ediger, Ehlers

NOT PRESENT: Moore, Oswald

ITEM 11. RAILS FOR TRAILS PROPOSALS.

Following a presentation from Helen Johnson of Geneva representing the trails group, the Education and Parks Committee presented two recommendations for the Board's consideration.

ITEM 11a. RAILS TO TRAILS POLICY.

It was moved by Ediger and seconded by Schulz that the Upper Big Blue Natural Resources District Board adopt a policy to own and operate trails.

An amendment was offered by Ehlers and seconded by Hansen to strike the word "adopt" and replace it with the word "develop" and strike everything after the word "operate" and add the phrase "rails to trails and direct the staff to draft such a policy for the board's consideration."

Jackson: If this motion passes, in light of proposed constitutional amendment 413, how long are we going to wait to adopt this policy?

Ehlers: We haven't gotten that far yet.

Jackson: We never have anybody come here and tell us to get rid of a program, but we get suggestions for spending money. We spend a lot of money for many things.

Ehlers: I've had people tell me not to get rid of programs, but quit spending so damn much money.

Jackson: Nobody ever suggests a line item to cut.

Austin: I guess the only way we could cut spending would be not to fund a program. Not necessarily get rid of it, but just not fund it.

Ehlers: Well, you don't have to build a trail. I'm concerned about the impact of the rails to trail's program, if

you visualize the entire district, there are many miles of railroad that they may abandon.

Friesen: I question the need for a policy at all. In the past, have we followed any criteria when someone approached NRD about a trail, for example the cities? Or is it on a case by case basis?

Turnbull: Each project is considered on a case by case basis, even when we have a policy.

Friesen: If we establish a policy, it might include things that limit us in the future, and then we'd have to go back and change policy.

Schulz: I think it's a broader issue than that. We need to look at the number of people who use these things and where the money goes. Most of the district's money goes to individuals for things like land treatment, where something like a trail benefits a much larger group.

Paul Kuska: Concerning the rails to trails, you're short on natural resources, this is supposed to save natural resources, instead it seems like you're trying to spend money on a trail for recreation. You're not really saving ground, because if we farmed the land it would still be producing a crop and tax revenue. This way, there's not going to be any tax revenue. As for wildlife, pheasants and such, the pheasants have nests in fields and ditches, all kinds of places. You're not going to be saving much wildlife. I don't see any natural resources being saved, I only see a recreation trail for people that want to play. That's all you're putting the money toward. I want the board to say no to developing any policy on rails to trails in this area.

Stu Luttich?: I disagree with Mr. Kuska. We're already trying to convert much of the land around here to farmland. Wildlife habitat is becoming more limited. You say nobody will use the trail, but somebody will, and the wildlife will benefit from the trail. We have people around here who like to hunt.

Chair Austin instructed those present to limit the discussion to the matter of the amendment currently before the board.

Bob Bettger: I question whether NRD really wants to become involved in the ownership of trails. A class action lawsuit has been filed, Swisher v. U.S. Government, to determine who owns the property once they abandon a railroad line. I like the idea of not adopting a policy, but looking at projects individually. I think that will give you more flexibility. I'm all for trails, if they're in the right place, and if you get the ownership taken care of ahead of time.

It was moved by Regier and seconded by Jackson to refer the motion back to the Education & Parks Committee. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Jackson, Luebbe, Regier, Teegerstrom

NAY: Buller, Friesen, Hansen, Houdersheldt, Schulz, Volkmer, Austin

NOT PRESENT: Moore, Oswald

ITEM 11b. RAILS TO TRAILS PROPOSAL FOR THE FILLMORE
WESTERN RAILWAY.

It was moved by Ediger and seconded by Hansen that the Upper Big Blue Natural Resources District consider negotiating with the trails group to accept title on the Fillmore Western railway corridor running south from mile marker 10 (south of Geneva) to the NRD border, providing the District spends no money to acquire the corridor and that the district accepts liability for operation and maintenance on a fully constructed trail.

The main points of discussion were:

Volkmer: Did you ever determine the location of mile marker ten?

Turnbull: To the best of my knowledge mile marker ten is in the middle of section twelve about 1 mile south of the Geneva city limits. That would put it one and one-half miles south of the mile road that goes east-west through the center of Geneva. The abandonment filing for Fillmore and Western is from that point south to Strang, west to Shickley, from Strang east to Tobias and Daykin, and from Strang south to Bruning. Our NRD boundary is one mile north of Strang.

Hansen: Where is the access point for this trail?

Turnbull: I would recommend that we use the township road south of town as the access point for the next five miles of trail. It would be the most logical place and a parking area could be placed within the width of the railroad right-of-way.

Dickinson: So the people of Geneva must use highway 81 for access?

Turnbull: They'll either use Highway 81 or go to the county road west of town and then south. Either way, this is a half mile in from the nearest road.

Schulz: Is there any possibility that this trail would connect with the City of Geneva eventually?

Turnbull: There's always that possibility, but right now the official filing with the Surface Transportation Board is for the stretch marked on the map. When I talked to the representatives from the Fillmore and Western Railroad on October 15, they had not decided to abandon any other railroad. That doesn't mean it can't happen at some future date. The Fillmore and Western line begins at Fairmont, comes off the main Burlington line and runs south to Geneva. Under the current filing the mile and a half south of Geneva will be the end of the operating railroad.

Ehlers: I would urge the board to vote no on this motion. This land should revert to agricultural use and get taxed accordingly. The additional tax revenue would help the Geneva School District, the county, and the NRD.

Helen Johnson: I have a petition with approximately 320 signatures of Fillmore County citizens in support of a trail. We do need places for wildlife. I think many adjacent land owners who are interested in acquiring this land don't plan to develop it. I have heard they plan to leave it as is for wildlife purposes. That's what the trails group is interested in as well. There will be no increase in tax revenue on the land if they do not farm it. You would not be the first NRD in Nebraska to say yes to a rail trail. Fortunately there are NRDs in the eastern part of the state that have paved the way. Rails to trails is not a new concept in the United States. Keeping these rail corridors open is important. Rail banking will leave this corridor open for future use, if needed, for other high-speed transportation or fiber optic cables. I think this is important. The people who like to recreate and keep in shape have a need for this trail.

Paul Kuska: I'd like you to look at the cost-benefit ratio. If this goes through, we're going to be putting a lot of money into it. If they can only get 325 signatures, it doesn't look as though they'll have more than 500 users a year. People from Lincoln aren't going to drive out to use

the trail. People from York aren't going to drive there in large numbers. Even people from Geneva are going to have a hard time getting to this trail. So you'll have a large cost per user on this trail. The loss of tax revenue for NRD may also be a concern if times get tough.

Buller asked one of the adjacent land owners to describe the terrain surrounding the proposed trail.

Lynn Yates: My family and I own some property along there. We have three pivots on one side and ground on the other side. The first quarter of a mile there's some drainage through there, but beyond that it's all tillable ground. They could work it back into the surrounding fields without too much trouble. There are no creeks or streams along there.

Buller: The reason I wanted that clarified is that I'm not sure why the trails people would want to walk between corn fields. I drive past corn fields all the time and I don't see much activity on field roads. It's not the most pleasant place to walk. I think there are other places that we could look at that have some scenery and that would make better trails.

Helen Johnson: Beauty is in the eye of the beholder. Some of us think fields are beautiful. We enjoy the change in seasons and color. Many farmers and land owners share that view. We think this is the perfect place for a trail because it's already made. The railroad, or salvage company, would only need to remove the ties, rails and some rock. We would put in place and compact screened limestone and we would have a trail. The wildlife would be found along the ditches, as it is now.

Jackson: I agree we need to diversify the vegetative cover in this NRD, because agriculture is too intensive. However, I don't think we can afford to spend this much money on the maintenance of the trail. If 413 passes, we're going to be under even more financial pressure. We have to make some choices, and my choice is not to fund the trail.

Lynn Yates: Because of the highway 81 project the state will be acquiring some property on the west side. There are many pivots along this stretch. They're going to take anywhere from 64 feet, up to 80 or 90 feet. If the property owner could acquire the abandoned railroad right of way along there, this could help to offset some of their loss. Every time you shorten a pivot, 16 ½ feet, that's 3 acres of irrigated ground. I've been in contact with all of the adjoining land owners and they're really interested in getting hold of that strip, because it is valuable farm ground.

Paul Kuska: The railroad considers hunters trespassers although they don't prosecute them. If there's an accident, because they consider the hunter a trespasser, it's the hunter's liability if he gets hurt. If the NRD assumes the trail and invites hunters to come onto the trail to hunt they could be liable for any injuries.

Turnbull: The NRD owns and operates three recreation sites in connection with dams and reservoirs. We don't allow hunting on these areas because members of the public and hunters don't mix. A couple of the sites have homes nearby and safety issues are involved. It would be my recommendation to the board that they allow no hunting on any trail. I would also recommend the board adopt public use regulations restricting hunting in any kind of trail situation. The district has liability insurance. We are under the same statutes that individuals are. That's the recreational liability act in the state of Nebraska. If we don't require a fee for the public use area, we have no more responsibility than a private land owner who lets someone on his property to walk or hunt. If we haven't caused gross negligence, we're not financially responsible for those accidents. It doesn't mean they can't sue us.

Yates asked Merlin Volkmer what the people in his subdistrict want.

Volkmer: If you ask the farmers, they don't want it. If you ask some people who signed Helen Johnson's

petition, they weren't aware it would raise their taxes. As a result, some of them are no longer very interested. Some of the ones who walk say they don't need six miles, a couple of miles would be plenty. Most that I have talked with thought the trail would start at 41 and go south. I've felt all along that we should not own the trail, but work with the City of Geneva because they're interested in what's in the city limits. I haven't talked to anyone else since we found out that mile marker ten was outside the city limits.

Ehlers asked Turnbull if the county board or any other taxing entity had taken a position on the proposed trail.

Turnbull: The Fillmore County Board has passed a motion that they would like to see the land revert to private land owners. The Geneva City Council has discussed the general issue but I'm not aware of their formal position. The Little Blue NRD board has yet to vote on the matter.

The question was called for. We read the motion again. The motion failed.

AYE: Hansen, Schulz, Austin

NAY: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Houdersheldt, Jackson,
Luebbe, Regier, Teegerstrom, Volkmer

NOT PRESENT: Moore, Oswald

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

Hansen reported that the Projects Committee met on October 13, 1998.

ITEM 13. LAND TREATMENT PROGRAM NSWCP FUND PAYMENTS.

It was moved by Hansen and seconded by Friesen that payment of NSWCP Land Treatment funds be made in the amount of \$31,053.57 for twenty applications reviewed by the committee. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson,
Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Moore, Oswald, Schulz

ITEM 14. ULYSSES PROJECT 23-13-02E - CONSTRUCTION PROGRESS
PAYMENT.

It was moved by Hansen and seconded by Luebbe that VanKirk Brothers Construction be paid \$84,299.30, \$8,429.93 of which is to be withheld as retainage, for work completed during the September 10, 1998 to September 30, 1998 pay period on Project 23-13-02E. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson,
Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Moore, Oswald, Schulz

ITEM 15. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION
OF RECOMMENDATIONS.

Eberle reported that the Executive Committee met on October 13, 1998.

ITEM 16. THIRD QUARTER DIRECTORS' PER DIEM & EXPENSES.

It was moved by Eberle and seconded by Ediger to approve payment of third quarter directors' per diem of \$7,050 and expenses of \$1,993.20. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson,
Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Moore, Oswald, Schulz

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

Jackson reported that the Water Committee met on October 15, 1998.

ITEM 18. PAYMENT TO UNL WATER SCIENCES LABORATORY.

It was moved by Jackson and seconded by Hansen to pay the University of Nebraska Water Sciences Laboratory \$4,785.00 for 33 pesticide analyses and 48 ion analyses conducted on samples taken at the York Ground Water Recharge Project. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Moore, Oswald, Schulz

ITEM 19. PAYMENT TO SERVI-TECH, INC.

It was moved by Jackson and seconded by Houdersheldt to pay Servi-Tech Inc. \$514.05 for five water analyses of samples collected as part of the Indian Creek Water Quality Study. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Moore, Oswald, Schulz

ITEM 20. AUTOMATED RECORDER WELLS AGREEMENT.

It was moved by Jackson and seconded by Friesen to pay the U.S. Geological Survey \$1,190.00 for the FY 98 maintenance of the Aurora, Burress, Rising City and Seward automated recorder wells. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Moore, Oswald, Schulz

It was moved by Jackson and seconded by Ediger to enter into the joint funding agreement with the U.S. Geological Survey for the FY 99 maintenance of the Aurora, Burress, Rising City and Seward automated recorder wells as a cost to the district of \$1,290.00. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Regier, Teegerstrom, Austin

NAY: Volkmer

NOT PRESENT: Buller, Moore, Oswald, Schulz

ITEM 21. REPORT OF BUDGET, PLANNING AND LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Budget, Planning and Legislative Committee met on October 22, 1998.

ITEM 22. FY 98 AUDIT.

Steve Wiemer, the auditor, presented the FY 98 audit to the Budget, Planning & Legislative Committee. He reviewed the findings of the audit, and the changes in the fixed assets.

It was moved by Friesen and seconded by Dickinson to accept the FY 98 audit. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson,
Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Moore, Oswald, Schulz

ITEM 23. FINANCIAL REPORT, SEPTEMBER 1, 1998 THROUGH SEPTEMBER
30, 1998, AND CONSIDERATION OF EXPENDITURES FOR
SEPTEMBER 1998.

Turnbull reviewed the financial report for the period September 1, 1998 through September 30, 1998 that we had distributed.

It was moved by Volkmer and seconded by Regier to approve the financial report as presented and publish the expenditures for September 1998. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson,
Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Buller, Moore, Oswald, Schulz

There being no other business, we adjourned the meeting at 10:16 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on October 22, 1998, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Vance A. Teegerstrom, Secretary

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BOARD OF DIRECTORS MEETING
November 19, 1998

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 19, 1998 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Steve Buller, Doug Dickinson, Gary Eberle, Ed Ediger, Bob Ehlers, Curt Friesen, Wayne Hansen, James Jackson, Linda Luebbe, Larry Moore, Louis Oswald, Kenneth Regier, Roland Schulz and Vance Teegerstrom. Staff and others attending were John Turnbull, Nancy Schneider, Prudence Sadler, Jay Bitner, Rod DeBuhr, Russ Callan, Ken Feather, Gus Brown and Anthony Greder of the York News-Times. Chair Austin called the meeting to order at 1:30 p.m..

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Austin reported that we published the legal notice for the Directors' Meeting in the York News-Times on November 12, 1998.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll. Luebbe arrived a short time later.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES.

We received a request for excused absence from Roger Houdersheldt for the November 19, 1998 Board of Directors' Meeting.

It was moved by Ehlers and seconded by Regier to approve the request for excused absence received from Houdersheldt for the November 19, 1998 Directors' Meeting. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Moore,
Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe

ITEM 4. ADOPT AGENDA.

It was moved by Volkmer and seconded by Regier to adopt the agenda for the November 19, 1998 Directors' Meeting. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe,
Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

ITEM 5. APPROVAL OF MINUTES OF THE OCTOBER 22, 1998, BOARD OF DIRECTORS' MEETING.

It was moved by Oswald and seconded by Moore to approved the minutes of the October 22, 1998 Board of Directors' Meeting. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe,
Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

ITEM 6. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Hansen reported that the Projects Committee met on November 10, 1998

ITEM 7. NSWCP LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Luebbe that payments of NSWCP land treatment funds be made in the amount of \$23,345.92 for eleven applications reviewed by the committee. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Jackson, Luebbe,
Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Ehlers

NOT PRESENT: Houdersheldt

ITEM 8. NRD LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Volkmer that payment of NRD land treatment funds be made in the

amount of \$405.00 for one application reviewed by the committee. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe,
Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

ITEM 9. NEBRASKA BUFFER STRIP PROGRAM.

The 1998 Nebraska Legislature created the Nebraska Buffer Strip (BSP). The purpose of the program is to provide incentive payments for applicants to install buffer strips along streams and shorelines of lakes next to crop land. The Nebraska Department of Agriculture will administer the program and provide funding; the NRD would help with processing applications and inspecting installations to assure compliance with the Buffer Strip Program.

It was moved by Hansen and seconded by Ediger that the Upper Big Blue NRD amend its Land Treatment Program to include the Nebraska Buffer Strip Program in accordance with Nebraska Department of Agriculture rules and regulations, and that cost share payments for buffer strips be funded entirely with funds from the Nebraska Department of Agriculture, and that the NRD staff be authorized to accept cost share applications and enter into agreement with producers on applications which are in compliance with Natural Resource Conservation Service technical guidelines. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe,
Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

ITEM 10. SEWARD FLOOD HAZARD MITIGATION PROJECT PROGRESS PAYMENT.

Claim 23 of the buy out phase and claim 5 of the demolition phase of the Seward Flood Hazard Mitigation Project include expenditures by the City of Seward during October 1998. The total amount of the claim is \$88,235. FEMA's share is \$67,419.53. The City's share is \$10,407.74 and the NRD share is \$10,407.73.

It was moved by Hansen and seconded by Oswald that payments of \$10,407.73 in NRD funds be made to the City of Seward and that the District file a claim in the amount of \$57,419.53 for the FEMA share of claims 23 and 5 of the Seward Flood Hazard Mitigation Project, and that \$67,419.53 of the FEMA share be paid to the city when it is received by the District. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe,
Moore, Oswald, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Schulz

ITEM 11. OXBOW TRAIL RESERVOIR - 23-13-02E - PROGRESS PAYMENT.

As of October 31, 1998, VanKirk Brothers Construction Company had completed 79 percent of the work on Project 23-13-2E. The total earned for the October 1998 pay period is \$104,422.35.

It was moved by Hansen and seconded by Luebbe that VanKirk Brothers Construction be paid \$104,422.35 (\$10,442.24 of which is to be held as retainage) for work completed during the October 1, 1998 to October 31, 1998 pay period on Project 23-13-2E. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe,

Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

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

Eberle reported that the Executive Committee met on November 10, 1998.

ITEM 13. ATTORNEY FEES.

It was moved by Eberle and seconded by Hansen to approve payment of \$52.40 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through October 20, 1998. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe,
 Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

ITEM 14. EMPLOYEE'S LEAVE OF ABSENCE.

Carm Hinrichs, who is the field office clerk in Geneva, has been with the District less than six months. She had a baby October 20 and is not eligible for family and medical leave. Turnbull placed her on leave of absence October 29, after her sick leave and vacation time were used up. Carm Hinrichs is requesting an additional 15 calendar days leave of absence to take care of her newborn. She plans to return to work on December 15, 1998. The policy only allows the General Manager to grant 30 calendar days for leave of absence. The Board must approve any additional leave of absence.

Leave of absence is leave without pay. Sick and vacation do not accrue during a leave of absence. We require that the employee pay insurance premiums normally paid by the District during a leave of absence. Turnbull recommends the extension of her leave of absence.

It was moved by Eberle and seconded by Hansen to extent the leave of absence for Carm Hinrichs from November 30 to December 15, 1998, as per Personnel Policy #23, to care for her newborn child. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe,
 Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

ITEM 15. FY 98 AUDIT.

We received an invoice for \$2,150.00 from Romans, Wiemer and Associates for the FY 98 audit. Turnbull reviewed the cost of the audit for the two previous years.

	FY 96	FY 97	FY 98
Audit	\$ 1,500.00	\$ 1,650.00	\$ 2,150.00
Federal Single Audit	425.00	1,350.00	0.00
Total	\$ 1,925.00	\$ 3,000.00	\$ 2,150.00

It was moved by Eberle and seconded by Ehlers to approve payment of \$ 2,150.00 to Romans, Wiemer, and Associates for the FY 98 audit. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe,
Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

ITEM 16. BOOKKEEPING AND AUDITING SERVICES

Turnbull and Schneider are recommending a change in accountants for both the bookkeeping and auditing services effective January 1, 1999. The District has been with Romans, Wiemer, and Associates since 1978, but the firm has not kept up with changes in bookkeeping and computer software. Employee turnover has also affected the quality of their work.

Schneider, with Turnbull's approval, has been converting the District's accounting to QuickBooks Pro over the past five years. The conversion was done to increase efficiency and to save Schneider's time. We now enter all the monthly income and expenses into QuickBooks. However, the current accounting firm still uses an old, somewhat inflexible system. Therefore, Schneider takes extra time to print out various reports and provide them to the bookkeepers, who then retype all of the data into their system. The bookkeepers prepare the financial report, journals, and ledgers based on that information. The duplication and printing of data by the accountant results in a loss of efficiency and the time gained by using QuickBooks.

QuickBooks Pro is set up so that once the staff enters the receipts and expenses, we can provide the bookkeeper or accountant with a computer file. With QuickBooks Pro software the accountant can review the data, prepare the financial statement, direct or make the journal entries, keep track of the assets and liabilities, and advise the staff on the necessary report printing, without having to retype the receipts and expenses.

Turnbull has requested and received proposals from Kopsa, Sylvester & Associates and Mierau and Company for bookkeeping services based on QuickBooks Pro. He also requested quotes on auditing services. He and Schneider met with both firms, and Romans, Wiemer, and Associates to discuss levels of service, schedules and fees. If the Board approves a change in accountants, we will ask Romans, Wiemer and Associates to finish the accounting through the month of December to complete the calendar year. The new accounting firm will be responsible for the books and accounting for January 1 forward. The new firm will provide the January statement for the February Board meeting.

QUOTES FOR ACCOUNTING SERVICES

Service	Romans, Wiemer & Associates	Kopsa, Sylvester & Associates	Mierau & Company
QuickBooks setup charges		\$ 75 @ hour not to exceed \$ 450	
Bookkeeping Services	\$ 205 @ month	\$ 150 @ month	\$ 80 @ month
Quarterly and year end payroll returns	included	\$ 23 @ month	included
Employee W-2	included	\$ 43 plus \$6.45 @ employee (NRD estimate = \$281.65)	included
IRS 1099 forms	Charges extra	\$ 43 plus \$6.45 @ form	included
TOTAL BOOKKEEPING SERVICES	\$2,460 @ year	\$2,076 @ year plus Setup Charges, W-2 and 1099 costs	\$960 @ year Quote for 3 years
Annual Audit	FY 98 Audit \$2,150 FY 97 Federal single audit \$3,000	Not available for audit	FY 99 Audit \$1,800 unless Federal single audit then \$2,200

It was moved by Eberle and seconded by Volkmer to hire Mierau and Company to do the FY 99 audit for a fee of \$1,800 or, if a Federal single audit is required, for a fee of \$2,200. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe, Moore, Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Regier

NOT PRESENT: Houdersheldt

Mierau and Company have somewhat less experience with QuickBooks Pro than Kopsa, Sylvester & Associates, but are offering services at a big savings. If the Board decides to hire Mierau and Company for accounting services, Turnbull will hire Vicki Obermiller of Computer Spectrum, Inc. to consult on the initial setup and possible changes to the QuickBooks program. Vicki Obermiller will provide the technical assistance, based on Randy Mierau's accounting requirements.

It was moved by Eberle and seconded by Oswald to hire Mierau and Company for bookkeeping and accounting services effective January 1, 1999 for \$ 80.00 per month; further to authorize the Manager to hire Vicki Obermiller of Computer Spectrum for consulting work on QuickBooks. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Luebbe, Moore,
Oswald, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Jackson, Regier

NOT PRESENT: Houdersheldt

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

Jackson reported that the Water Committee met November 12, 1998.

ITEM 18. WELL ABANDONMENT COST-SHARE.

It was moved by Jackson and seconded by Ehlers to approve final payment for ten well
abandonments as reviewed at a cost of \$3,569.02. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe,
Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Buller

NOT PRESENT: Houdersheldt

ITEM 19. GROUND WATER QUALITY MANAGEMENT AREA FERTILIZER
VIOLATIONS.

ITEM 19a. PROCESS IN OBTAINING A WRITTEN COMPLAINT.

Staff made the Water Committee aware of several alleged violations of Rule 5, Chapter 19, Paragraph .02. That rule restricts the application of anhydrous ammonia prior to November 1 throughout the District. No one in the neighborhood of the alleged violations is willing to sign a written complaint.

Turnbull reviewed the regulatory procedure with the Water Committee. The procedure is the same as in dealing with an irrigation runoff complaint. If the matter warrants it, a resident of the District signs a written complaint. The staff investigates. If they decide that a violation has occurred then they give the violator the option of agreeing with and accepting the inspector's findings. By agreement and acceptance the violator must consent in writing to cease and desist from continuing or allowing the recurrence of such violation. We also require a schedule of compliance by the violator. If the violator disagrees with the inspector's findings the Board holds a formal hearing to decide the facts and reach a decision.

Chapter 11, Rule 4 states that the Board may initiate appropriate legal action in district court to enforce any actions or orders of the District. Such court action may result in a finding for the District which results in a Class IV Misdemeanor ruling against the violator, resulting in a \$100 to \$500 fine. The District does not have the authority to levy fines for any enforcement action. The Nebraska Legislature has given that authority to the courts.

Turnbull asked the Water Committee to recommend that the Board issue a written complaint on its own motion for the recent fertilizer application rule problems. The staff, as a matter of long standing practice, has not signed complaints.

It was moved by Jackson and seconded by Regier that upon receipt of a report of an alleged

violation of Rule 5, Chapter 19, paragraph .02, which restricts the application of anhydrous ammonia prior to November 1 throughout the District, the General Manager may sign a written complaint if the General Manager deems a written complaint necessary; and that this authority also be retroactive for actions reportedly to have occurred in October 1998. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe,
Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

ITEM 19b. DETERMINATION OF FERTILIZER EQUIPMENT CALIBRATION
BEFORE NOVEMBER 1.

Turnbull informed the Committee that the staff has verbally given the OK for individual farmers to test their anhydrous rigs in fields prior to November 1, but that maybe it is time to stop this practice. Steve Buller of Central Irrigation and Fertilizer, stated that early testing is desirable. Mr. Buller is also concerned about the logistics of delivering anhydrous tanks to farms on November 1, in order for farmers to begin fertilization. He said that fertilizer dealers ought to be able to make such deliveries prior to November 1 to meet the demand.

The Water Committee felt that maybe they should adopt a rule to clarify the question of testing. Therefore, the Advisory Committee needs to discuss field testing of anhydrous application and whether we should allow it, and if so, how we should handle it administratively.

ITEM 20. REPORT OF EDUCATION AND PARKS COMMITTEE AND
CONSIDERATION OF RECOMMENDATIONS.

Oswald reported that the Education and Parks Committee met November 12, 1998.

ITEM 21. YORK COUNTY SPORTS AUTHORITY.

It was moved by Oswald and seconded by Regier that the Upper Big Blue Natural Resources District make the final payment of \$2,500 to the York County Sports Authority, Inc., for the trees and shrubs planted at the Cornerstone Sports Complex in the city of York, under the Community Trees Resources Program I. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe,
Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

ITEM 22. NOVEMBER WILDLIFE PROGRAM PAYMENTS.

It was moved by Oswald and seconded by Volkmer that the Upper Big Blue Natural Resources District make the payments totaling \$3,623.75 to the cooperators of the Wildlife Habitat Improvement Program for the month of November. The motion was approved.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Jackson, Luebbe, Moore, Oswald,
Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: Dickinson, Ehlers

NOT PRESENT: Houdersheldt

ITEM 23. FINANCIAL REPORT, OCTOBER 1, 1998 THROUGH OCTOBER 31, 1998,
AND CONSIDERATION OF EXPENDITURES FOR OCTOBER 1998.

Turnbull reviewed the financial report for the period October 1, 1998 through October 31, 1998 that we had distributed.

It was moved by Volkmer and seconded by Regier to approve the financial report as presented and publish the expenditures for October 1998. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Jackson, Luebbe,
Moore, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

There being no other business, we adjourned the meeting at 3:44 p.m..

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on November 19, 1998, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Vance A. Teegerstrom, Secretary

nds

**BOARD OF DIRECTORS MEETING
December 17, 1998**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, December 17, 1998 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Steve Buller, Doug Dickinson, Ed Ediger, Bob Ehlers, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Linda Luebbe, Louis Oswald, Kenneth Regier, Roland Schulz, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Prudence Sadler, Jay Bitner, Rod DeBuhr, Ken Feather, Gus Brown, William Gilliam, NRCS, Richard Jiskra, NNRC and Anthony Greder of the York News-Times. Chair Austin called the meeting to order at 1:30 p.m..

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Austin reported that we published the legal notice for the Directors' Meeting in the York News-Times on December 10, 1998.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll. Luebbe arrived a short time later.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES.

We received a request for excused absence from Larry Moore for the December 17, 1998 Board of Directors' Meeting.

It was moved by Volkmer and seconded by Hansen to approve the request for excused absence received from Larry Moore for the December 17, 1998 Directors' Meeting. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt,
Jackson, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Moore

ITEM 4. ADOPT AGENDA.

It was moved by Oswald and seconded by Regier to adopt the agenda for the December 17, 1998 Directors' Meeting. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt,
Jackson, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Moore

ITEM 5. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Hansen reported that the Projects Committee met on December 8, 1998.

ITEM 6. LAND TREATMENT PROGRAM, NSWCP FUND PAYMENTS.

It was moved by Hansen and seconded by Volkmer that payments of NSWCP land treatment funds be made in the amount of \$23,611.43 for seven applications reviewed by the committee.

The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt,
Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore

ITEM 7. LAND TREATMENT PROGRAM - NEBRASKA BUFFER STRIP PROGRAM.

At the November 1998 NRD Board Meeting, the District adopted the Nebraska Buffer Strip Program as part of the District's Land Treatment Program. This month, the Nebraska Department of Agriculture requested that the District enter into a Memorandum of Understanding (MOU) which specifies administrative procedures for the District and Department in carrying out the Nebraska Buffer Strip Program.

It was moved by Hansen and seconded by Ediger that the Upper Big Blue NRD approve the Memorandum of Understanding between the District and Nebraska Department of Agriculture, and that the Board Chairman be authorized to sign the MOU, and that the District's General Manager be authorized to act as the District's representative for the Nebraska Buffer Strip Program. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore

ITEM 8. OXBOW TRAIL RESERVOIR CONSTRUCTION PROGRESS PAYMENT.

As of December 1, 1998, Van Kirk Brothers Construction Company has completed 100 percent of the work on Project 23-13-02E. The total earned for the November 1, 1998 to December 1, 1998 pay period is \$52,131.14. Staff recommends that final payment of \$75,341.62 be made to Van Kirk Brothers Construction Company, including all retainage previously withheld.

It was moved by Hansen and seconded by Houdersheldt that final payment of \$75,341.62 be made to Van Kirk Brothers Construction, including \$52,131.14 for work completed in November 1998, and \$23,210.48 for previously withheld retainage for construction work on Project 23-13-02E. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore

ITEM 9. OXBOW TRAIL PAYMENT FOR GAS LINE CONSTRUCTION.

Northern Natural Gas Company has invoiced the NRD for payment of \$14,000 according to our previously approved agreement. Construction of the new gas line and removal of the old gas line are complete. Staff recommends payment.

It was moved by Hansen and seconded by Ediger that payment of \$14,000 be made to Northern Natural Gas Company for construction of new gas line and removal of old gas line in accordance with the July 2, 1998 agreement between Northern Natural Gas Company and the District. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore

ITEM 10. APPROVAL OF MINUTES OF THE NOVEMBER 19, 1998, BOARD OF DIRECTORS' MEETING.

It was moved by Regier and seconded by Hansen to approve the minutes of the November 19,

1998 Board of Directors meeting as distributed. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt,
Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore

ITEM 11. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Executive Committee met on December 8, 1998.

ITEM 12. ATTORNEY FEES.

It was moved by Eberle and seconded by Hansen to approve payment of \$75.00 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through November 1998. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson,
Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore

ITEM 13. FOURTH QUARTER PER DIEM - YVONNE AUSTIN.

Because of a bookkeeping error, not enough Medicare was withheld from Yvonne Austin's third quarter per diem check in October. To correct this error we need to pay Yvonne Austin per diem for October and November 1998, before the end of the calendar year. Her per diem for this period is \$300.

It was moved by Eberle and seconded by Jackson to approve payment of \$300 to Yvonne Austin for per diem earned in October and November 1998. The motion was approved

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson,
Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer

NAY: None

NOT VOTING: Austin

NOT PRESENT: Moore

ITEM 14. PICKUP REPLACEMENT.

The 1989 Ford half-ton pickup assigned to the Water Department has 127,000 miles on it and should be replaced. The funds to replace the pickup are in the budget, and staff is requesting authority to advertise for bids. The staff will prepare and submit specifications to interested bidders.

It was moved by Eberle and seconded by Ehlers to advertise for bids for a half-ton pickup to replace the 1989 Ford half-ton. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt,
Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore

ITEM 15. VIDEO AND COMPUTER PROJECTOR.

The staff is requesting the purchase of a video and computer projector. The projector will be used for various group presentations. A projector of this type will allow the use of a VCR or a computer to present full screen programs on a variety of subjects. With a computer, the

projector allows a large screen in a room to become the monitor for the entire audience. The funds are in the budget. Because of the planned use for water quality presentations and land owner/operator water quality certifications, the money from the fertilizer fees may be used to fund the purchase.

Sadler, DeBuhr and Turnbull have looked at several different projectors. We list quotes below. The staff is recommending that the District purchase the Eiki 860 Projector from Pratt Audio-Visual. We made side by side comparisons of the Eiki 860 and the lower priced Panasonic PL-L595U. However, the Eiki has the best image for clarity, contrast, and brightness, has the better sounding speakers, and is a reasonable price.

Supplier	Projector	Rated lumens (brightness)	Weight	Warranty	Quote
Pratt Audio-Visual Lincoln	Panasonic PL-L595U with wheeled padded case	700	23 lbs.	3 years	\$3,995
Pratt Audio-Visual Lincoln	Eiki 860 with wheeled padded case	700	14 lbs.	3 years	\$4,395
Modern Sound Omaha	Eiki 860	700	14 lbs.	3 years	\$4,695
Business Media Lincoln	Proxima 5900	700	14 lbs.	2 years	\$4,490
Software City Omaha	Proxima 5900	700	14 lbs.	2 years	\$4,795
Business Media Lincoln	Epson 5300	1200			\$4,900
Modern Sound Omaha	Proxima 5900	700	14 lbs.	2 years	\$5,495

It was moved by Eberle and seconded by Hansen to approve the purchase of the Eiki 860 Projector with the wheeled case from Pratt Audio-Visual of Lincoln for \$4,395.00, plus tax. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt,
Jackson, Luebbe, Oswald, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Moore, Schulz

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

Regier reported that the Water Committee met on December 10, 1998.

ITEM 17. AQWACAP FINAL PAYMENTS.

There are eight final payments totaling \$2,412.98 for December. Staff recommends payment of these claims.

It was moved by Regier and seconded by Oswald to approve final payment for eight well abandonments as reviewed at a cost of \$2,412.98. The motion was approved.

AYE: Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson,
Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
NOT VOTING: Buller
NOT PRESENT: Moore

ITEM 18. YORK GROUND WATER RECHARGE DEMONSTRATION PROJECT. PROPOSED REQUEST FOR CHANGES TO THAT THE RECHARGE LAKE MIXING ZONE MANAGEMENT PLAN AND NPDES VARIANCE.

The staff has prepared a request to the US Bureau of Reclamation (BOR) and the Department of Environmental Quality (DEQ) to change the York Ground Water Recharge Project Mixing Zone Management Plan and the National Pollution Discharge Elimination System (NPDES) permits to eliminate the water testing requirements at Recharge Lake and allow the District to continue to discharge water from the three recovery wells to the lake. The studies and demonstration conducted at Recharge Lake show that the Atrazine applied in the watershed has been reduced by almost 50%. Peak Atrazine levels in the lake are much lower than they were in 1991 and 1992. Recharge data also indicates that the seepage rate from the lake has been reduced by almost one-half.

The annual cost of sampling and testing is approximately \$20,500. We currently share this cost on an 80/20 basis with BOR. After September 2000 the cost would be the responsibility of the NRD.

It was moved by Regier and seconded by Hansen to submit the request for changes to the York Ground Water Recharge Project Mixing Zone Management Plan and the National Pollution Discharge Elimination System (NPDES) permits to BOR and DEQ. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt,
Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Moore

ITEM 19. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Ediger reported that the Education and Parks Committee met December 10, 1998.

ITEM 20. SOUTH CENTRAL RC&D REQUEST FOR FUNDING.

It was moved by Ediger and seconded by Oswald that the Upper Big Blue NRD pay an annual membership fee of \$25 to the South Central RC&D. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Ehlers

NOT PRESENT: Houdersheldt, Moore

ITEM 21. JOHN BUDLER - WHIP CONTRACT #390 - MATERIAL REIMBURSEMENT.

It was moved by Ediger and seconded by Volkmer that the Upper Big Blue NRD make payment of \$360 to John Budler for the seeding of warm season grasses on his wildlife area located in the NE 1/4 of Section 8, Township 8 North, Range 3 West of the 6th P.M., Fillmore County, Nebraska. The motion was approved.

AYE: Buller, Eberle, Ediger, Friesen, Hansen, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: Dickinson, Ehlers, Houdersheldt

NOT PRESENT: Moore

ITEM 22. FINANCIAL REPORT, NOVEMBER 1, 1998 THROUGH NOVEMBER 30, 1998, AND CONSIDERATION OF EXPENDITURES FOR NOVEMBER 1998.

Turnbull reviewed the financial report for the period November 1, 1998 through November 30, 1998 that we had distributed. It was moved by Volkmer and seconded by Regier to approve the financial report as presented and publish the expenditures for November 1998. The motion was approved.

AYE: Buller, Dickinson, Eberle, Ediger, Ehlers, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Oswald, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore

There being no other business, we adjourned the meeting at 2:30 p.m..

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on December 17, 1998, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Vance A. Teegerstrom, Secretary

nds

BOARD OF DIRECTORS MEETING
January 21, 1999

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 21, 1999 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Steve Buller, Doug Dickinson, Gary Eberle, Ed Ediger, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Linda Luebbe, Larry Moore, Kenneth Regier, Roland Schulz, and Vance Teegerstrom.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rodney DeBuhr, Ken Feather, Sam Keezer, Russell Callan, Prudence Sadler, Ray Naber, Seward County Commissioner and Anthony Greder of the York News-Times. Chair Austin called the meeting to order at 1:30 p.m..

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Austin reported that we published the legal notice for the Directors' Meeting in the York News-Times on January 14, 1999.

ITEM 2. ROLL CALL OF DIRECTORS.

Thirteen directors were present for the calling of the roll. Luebbe arrived a short time later.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES.

We received requests for excused absences from Jim Jackson and Merlin Volkmer for the January 21, 1999 Board of Directors' Meeting.

It was moved by Houdersheldt and seconded by Moore to approve the requests for excused absences received from Jackson and Volkmer for the January 21, 1999 Directors' Meeting. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Moore, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Jackson, Luebbe, Volkmer

ITEM 4. BOARD VACANCY.

Turnbull advised the board that all of the directors elected in the general election have taken the oaths of office, except Linda Luebbe. A vacancy exists on the board of directors, since no one filed for election to subdistrict five. Turnbull said official notice of the vacancy would be published Friday. He has already received letters from at least two individuals who are interested in the position. The Executive Committee will review the information received from interested candidates before forwarding their names to the board for consideration.

ITEM 5. ADOPT AGENDA.

It was moved by Hansen and seconded by Friesen to adopt the revised agenda for the January 21, 1999 Directors' Meeting. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Moore, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Jackson, Luebbe, Volkmer

ITEM 6. ADMINISTER OATH OF OFFICE.

When Linda Luebbe arrived at the board meeting, John Turnbull administered the oath of office for the Upper Big Blue NRD Board.

ITEM 7. APPROVAL OF MINUTES OF THE DECEMBER 17, 1998, BOARD OF DIRECTORS' MEETING.

It was moved by Regier and seconded by Ediger to approve the minutes of the December 17, 1998 Board of Directors meeting as distributed. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Moore, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT VOTING: Luebbe

NOT PRESENT: Jackson, Volkmer

ITEM 8. EMPLOYEE RECOGNITION.

Sam Keezer, NRD maintenance person, was presented with an engraved paper weight in recognition of five years of service to the District.

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

Hansen reported that the Projects Committee met on January 12, 1999.

ITEM 10. LAND TREATMENT PROGRAM, NSWCP FUND PAYMENTS.

It was moved by Hansen and seconded by Luebbe that payments of NSWCP land treatment funds be made in the amount of \$32,423.75 for eleven applications reviewed by the committee. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Luebbe, Moore, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Jackson, Volkmer

ITEM 11. SEWARD FLOOD HAZARD MITIGATION PROJECT PROGRESS PAYMENT.

Claim 24 includes expenditures by the City of Seward on the Flood Hazard Mitigation Project buy out phase. The total amount of the claim is \$80,418. FEMA's share is \$60,313.50; the city

and NRD shares are each \$10,052.25.

It was moved by Hansen and seconded by Houdersheldt that payment of \$10,052.25 in NRD funds be made to the City of Seward and that the District file a claim in the amount of \$60,313.50 for the FEMA share of claim number 24 of the Seward Flood Hazard Mitigation Project, and that \$60,313.50 of the FEMA share be paid to the City when it is received by the District. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
 Luebbe, Moore, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Jackson, Volkmer

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

Eberle reported that the Executive Committee met on January 12, 1999.

ITEM 13. FOURTH QUARTER DIRECTORS' PER DIEM AND EXPENSES.

It was moved by Eberle and seconded by Hansen to approve payment of fourth quarter directors' per diem of \$5,000 and expenses of \$1,599. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
 Luebbe, Moore, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Jackson, Volkmer

ITEM 14. VEHICLE PURCHASE.

We received bids from area dealers on January 11, 1999, for a half ton 2-wheel drive pickup to replace the 1989 Ford F-150. The bids listed below conform to the District's specifications for a 1999 regular cab, fleetside, long box pickup, with a V6 or V8, 4-speed automatic transmission, cloth split seats and snow & mud tires on the rear. We show the bids that met the specifications in the table below.

VEHICLE BIDS			
½ Ton Pickup			
January 11, 1999			
COMPANY	MAKE	WITH TRADE	WITHOUT TRADE
ACME Motor Co., York	1999 GMC 1500 V6 4.3L	\$15,320	\$17,820

Laird Motor, Hastings	1999 Ford F-150 V6 4.2L but without mud & snow tires on rear	No Trade	\$15,542
Rediger Chevrolet, Milford	1999 Chevrolet 1500 V6 4.3L	No Trade	\$15,900
Moses Motor Co., York	1999 Ford F-150 V8 4.6L V6 4.2L	\$14,853 \$14,042	\$16,753 \$15,942

It was moved by Eberle and seconded by Dickinson to approve the purchase of a 1999 Ford F-150 as specified from Moses Motor Company of York, Nebraska for \$14,042.00 plus tax with trade-in of the 1989 Ford F-150 pickup. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
 Luebbe, Moore, Regier, Schulz, Teegerstrom, Austin
 NAY: None
 NOT PRESENT: Jackson, Volkmer

ITEM 15. NARD VOTING DELEGATE AND ALTERNATE.

The Board needs to submit the names of the voting delegate and alternate for the January conference.

It was moved by Eberle and seconded by Hansen to appoint Doug Dickinson as the Voting Delegate and Ed Ediger as the Alternate Delegate to the January NARD Conference. The motion was approved.

AYE: Brown, Buller, Eberle, Friesen, Hansen, Houdersheldt, Luebbe, Moore,
 Regier, Schulz, Teegerstrom, Austin
 NAY: None
 NOT VOTING: Dickinson, Ediger
 NOT PRESENT: Jackson, Volkmer

ITEM 16. NARD WASHINGTON, D.C. CONFERENCE.

The 1999 NARD Washington, D.C. Conference will be held March 7 through March 10, 1999. The District needs to make hotel reservations and purchase airline tickets.

The Executive Committee approved out-of-state travel for Steve Buller, Gary Eberle and John Turnbull to attend the NARD Washington, D.C. Conference from March 7 through March 10, 1999. They also approved travel for Vance Teegerstrom to the same event if either Buller or Eberle is unable to attend.

Buller informed the Board that he would be unable to attend the conference as planned and that

Teegerstrom should take his place.

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

Regier reported that the Water Committee met on January 14, 1999.

ITEM 18. GROUND WATER MANAGEMENT AREA 2 - QUALITY.

ITEM 18a. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

We have twenty claims for payments totaling \$6,289.84. Staff recommends payment of the claims.

It was moved by Regier and seconded by Moore to approve final payment for twenty well abandonments as reviewed at a total cost of \$6,289.84. The motion was approved.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Luebbe, Moore, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT VOTING: Buller

NOT PRESENT: Jackson, Volkmer

ITEM 18b. EUGENE FRIESEN ANHYDROUS APPLICATION COMPLAINT.

Staff presented the findings of the investigation into the complaint filed against Eugene Friesen for the application of anhydrous ammonia violating District Rule 5. A copy of the report is attached.

It was moved by Regier and seconded by Moore to approve the order dated January 21, 1999 in the matter of John C. Turnbull v. Eugene Friesen which orders Eugene Friesen to cease and desist the application of anhydrous ammonia in violation of District Rule 5 or to allow the recurrence of said violation at any time in the future. A copy of the order is attached.

Rod reported that Friday, January 15, Eugene Friesen came to the office to discuss the complaint. He apologized for violating the rules, and ignoring previous attempts to contact him. He didn't think the NRD was serious until he received notice that the board would consider the complaint at the board meeting. He was advised that the board would likely issue a cease and desist order against him. Rod explained the procedure to him and invited him to attend the board meeting. He declined to attend the meeting, but indicated that he would not violate District Rule 5 again.

Question was called for and the motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Luebbe, Moore, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Jackson, Volkmer

ITEM 19. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Ediger reported that the Education and Parks Committee met January 14, 1999.

ITEM 20. CHAPTER 35 RULES AND REGULATIONS FOR OXBOW TRAILS RESERVOIR AND ASSOCIATED RECREATION AREA SPECIAL REGULATION.

The Education and Parks Committee reviewed a copy of Chapter 35 of the NRD Rules and Regulations for Oxbow Trails Reservoir and Associated Recreation Area and forwarded it to the Upper Big Blue NRD Board of Directors for public hearing.

It was moved by Ediger and seconded by Regier that the proposed Chapter 35 of the NRD Rules and Regulations for Oxbow Trails Reservoir and Associated Recreation Area be forwarded to the Upper Big Blue NRD Board of Directors for the purpose of holding a public hearing February 18, 1999 at 1:30 p.m. in the NRD office. The motion carried.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Luebbe, Moore, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Jackson, Volkmer

ITEM 21. BUILDERS SUPPLY OF OSCEOLA.

The Rising City Public School has been purchasing the materials from Builders Supply of Osceola for the construction of restroom facilities at Oxbow Trails Reservoir and Associated Recreation Area.

It was moved by Ediger and seconded by Regier that the Upper Big Blue Natural Resources District make payment of \$2,515.35 to the Builders Supply of Osceola for the materials used in constructing the restroom facilities located at Oxbow Trails Reservoir. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Luebbe, Moore, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Jackson, Volkmer

ITEM 22. WALK-IN GATE ALONG EAST COUNTY ROAD AT OXBOW TRAILS RESERVOIR.

It was moved by Ediger and seconded by Houdersheldt that a walk-in gate be constructed at the east end of the reservoir along the county road at Oxbow Trails Reservoir.

Ediger expressed concern about people fishing parking along the county road. He felt it was a hazard for the county maintenance crews and farmers driving equipment on the county road.

Motion was amended by Ediger and seconded by Moore that NRD make provisions for off-road parking at the east end of the reservoir along the county road at Oxbow Trails Reservoir.

There was some discussion and several ideas about design and how to best provide access. Staff suggested they be allowed time to develop a plan for the board's approval.

It was moved by Dickinson and seconded by Friesen to refer the matter back to committee. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Houdersheldt, Moore, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT PRESENT: Jackson, Luebbe, Volkmer

ITEM 23. LEGISLATIVE BILLS.

ITEM 23a. LB232: Eliminate Sales and Use Tax for NRD Purchases; introduced by Beutler.

It was moved by Moore and seconded by Buller to send a staff member to testify in support of LB 232. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Moore, Regier, Schulz, Teegerstrom, Austin

NAY: None

NOT VOTING: Houdersheldt

NOT PRESENT: Jackson, Luebbe, Volkmer

ITEM 23b. LB286: Prevent NRDs from Using Eminent Domain on Recreation and Parks Areas; introduced by Jones.

It was moved by Moore and seconded by Houdersheldt to oppose LB 286 and that a staff member testify against it.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Jackson, Luebbe, Schulz, Volkmer

ITEM 23c. LB639: Merging NRC, DWR, DEQ, and DOA; introduced by Thompson and Robak.

It was moved by Houdersheldt and seconded by Brown to oppose LB 639 and have a board member testify against it. The motion was approved.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT VOTING: Buller

NOT PRESENT: Jackson, Luebbe, Schulz, Volkmer

ITEM 24. FINANCIAL REPORT, DECEMBER 1, 1998 THROUGH DECEMBER 31, 1998, AND CONSIDERATION OF EXPENDITURES FOR DECEMBER 1998.

Turnbull reviewed the financial report for the period December 1, 1998 through December 31, 1998 that we had distributed.

It was moved by Regier and seconded by Moore to approve the financial report as presented and publish the expenditures for December 1998. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Jackson, Luebbe, Schulz, Volkmer

ITEM 25. NOMINATING COMMITTEE REPORT.

Regier reported that the nominating committee met on December 17, 1998 and presented the slate of candidates for 1999.

ITEM 25a. NOMINEES FOR CHAIRMAN.

The nominees for chairman of the board were Yvonne Austin and Curt Friesen. There were no other nominations from the floor, so we asked that members cast their ballots. They asked that Jay Bitner and Ken Feather collect and count the ballots. Austin was elected Chairman by a vote of seven to five.

ITEM 25b. NOMINEES FOR VICE CHAIRMAN.

The nominees for vice chairman were Gary Eberle and Roger Houdersheldt. There were no other nominations from the floor, so the chair instructed the members to cast their ballots. The first vote resulted in a tie. Ballots were cast again, and Eberle was elected Vice Chairman by a vote of eight to four.

ITEM 25c. NOMINEES FOR SECRETARY.

The nominees for secretary were Vance Teegerstrom and Wayne Hansen. There were no nominations from the floor, so the chair instructed the members to cast their ballots. Hansen was elected Secretary by a vote of seven to five.

ITEM 25d. NOMINEES FOR TREASURER.

The nominees for treasurer were Steve Buller and Merlin Volkmer. There were no nominations from the floor, so the chair instructed the members to cast their ballots. Buller was elected Treasurer by a vote of nine to three.

ITEM 25e. NOMINEES FOR NARD REPRESENTATIVE AND ALTERNATE.

The nominees for NARD representative and alternate were Doug Dickinson and Ed Ediger. There were no nominations from the floor. The chair instructed the members to cast their ballots, and that the nominee with the most votes will serve as NARD representative and the runner-up will be the alternate. Dickinson was elected NARD Representative by a vote of eleven to one. Ediger will serve as the NARD Alternate.

There being no other business, we adjourned the meeting at 4:10 p.m..

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on January 21, 1999, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Wayne M. Hansen, Secretary

nds
attachments (2)

**BOARD OF DIRECTORS MEETING
February 18, 1999**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 18, 1999 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Steve Buller, Doug Dickinson, Ed Ediger, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Larry Moore, Kenneth Regier, Roland Schulz, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rodney DeBuhr, Ken Feather, Prudence Sadler, William Gilliam, George Lyons, Keith E. Keller, Bob Donahue, Dean Krull, Earl Hultman and Anthony Greder of the York News-Times. Chair Austin called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Austin reported that we published the legal notice for the Directors' Meeting in the York News-Times on February 11, 1999.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll.

ITEM 3. CONSIDERATION OF DIRECTORS - ABSENCES.

We received requests for excused absences from Gary Eberle and Linda Luebbe for the February 18, 1999 Board of Directors' Meeting.

It was moved by Regier and seconded by Moore to approve the requests for excused absences received from Eberle and Luebbe for the February 18, 1999 Directors' Meeting. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

ITEM 4. PUBLIC HEARING FOR OXBOW TRAIL RESERVOIR AND ASSOCIATED RECREATION AREA SPECIAL REGULATIONS.

Chair Austin opened the public hearing for the rules and regulations at Oxbow Trail Reservoir and Recreation Area at 1:37 p.m. Austin noted for the record that we published notice of this public hearing in the York News-Times on February 11, 1999.

Turnbull read aloud a letter we received from Verdayne Kilgore and enter it in the hearing record. We have attached a copy to these minutes.

Moore said that there had been much vandalism in the area in the past few months, but speaking from his own experience, law enforcement can usually respond within 20-25 minutes; not 45

minutes as Mrs. Kilgore stated in her letter.

Schulz questioned whether the NRD Board had the option of closing the area to hunters.

Turnbull advised the board that they do have the right to decide whether they will allow hunting. Turnbull reviewed a copy of Chapter 35 Oxbow Trail Reservoir and Associated Recreation Area Special Regulations, which we provided to those present. He explained that the NRD has a set of general regulations, which cover the basic regulations, and then we adopt a special set of regulations for each site where we allow public access or recreation. Under Paragraph 02 we list the permitted activities for this site. Paragraph 02.07 covers hunting and Paragraph 03 lists prohibited activities.

Once the Board adopts the regulations, we send copies of the regulations to the Nebraska Game and Parks Commission and the local county sheriff. It is their responsibility to enforce the regulations. The state has not given NRDs the authority to patrol and enforce the regulations.

Regier asked whether we allow hunting on any other recreation areas. Feather said we allow hunting north of the county road at Pioneer Trails. We allow waterfowl hunting at Smith Creek Recreation Area.

Houdersheldt said two of the landowners whom own property just across the road from the tailwaters asked whether we would allow hunting at Oxbow Trail Reservoir. They are both in favor of allowing hunting. They have a cattle lot a half mile from the tailwaters.

Turnbull asked the board to keep in mind that the property just south of the reservoir is a 30-40 acre pasture. The owners of the land north of that property run cattle too. Mrs. Kilgore is correct in her statements that there are cattle around the site.

Houdersheldt agreed the pasture was there, but most of the time you are not pasturing livestock during hunting seasons; they're usually in the stalks.

Chair Austin asked for any other comments, but there were none. She left the hearing open to allow time for further comments.

ITEM 5. ADOPT AGENDA.

It was moved by Volkmer and seconded by Jackson to adopt the agenda for the February 18, 1999 Directors' Meeting. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson,
Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

ITEM 6. APPROVAL OF MINUTES OF THE JANUARY 21, 1999, BOARD OF DIRECTORS' MEETING.

It was moved by Teegerstrom and seconded by Volkmer to approve the minutes of the January

21, 1999, Board of Directors meeting as distributed. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson,
Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

ITEM 7. RESUMPTION OF PUBLIC COMMENTS ON OXBOW TRAIL REGULATIONS.

Chair Austin asked if anyone had further comments on the proposed regulations for the Oxbow Trail Recreation Area.

Buller asked why we did not permit trapping at Oxbow Trail and whether we allowed it at any other public use area. As a rule, we do not allow it at any other recreation site. The exception is Smith Creek, which is by permission only, prior to a certain date. Turnbull said the district had never received a request.

Feather said the primary reasons we do not permit trapping is to prevent injury to hikers and other foot traffic in the area.

Moore said he would like to see the regulations adopted, as presented, to allow hunting. If a problem develops, we can correct it, but he doesn't believe hunting will be a problem at this site.

Someone asked what types of hunting we proposed to allow. We decided that we would allow all types of hunting if we adopt the regulations as presented.

ITEM 8. CLOSE PUBLIC HEARING FOR OXBOW TRAIL REGULATIONS.

It was moved by Jackson and seconded by Moore to close the public hearing for the Oxbow Trail Reservoir and Recreation Area Rules and Regulations. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson,
Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

ITEM 9. ADOPTION OF OXBOW TRAIL RULES AND REGULATIONS.

It was moved by Jackson and seconded by Regier to adopt the rules and regulations for Oxbow Trail Reservoir and Associated Recreation Area, as attached.

An amendment was offered by Schulz and seconded by Dickinson to strike paragraph 02.07 "Hunting is permitted in designated areas in accordance with Chapter 13 of these regulations," and add paragraph 03.06 "Hunting is not permitted." The amendment failed.

AYE: Brown, Buller, Dickinson, Ediger, Regier, Schulz, Austin

NAY: Friesen, Hansen, Houdersheldt, Jackson, Moore, Teegerstrom, Volkmer

NOT PRESENT: Eberle, Luebbe

They called the question on the original motion. The motion was approved.

AYE: Brown, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Moore, Regier,
Schulz, Teegerstrom, Volkmer

NAY: Buller, Dickinson, Austin

NOT PRESENT: Eberle, Luebbe

ITEM 10. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Hansen reported that the Projects Committee met on February 9, 1999.

ITEM 11. LAND TREATMENT PROGRAM, NSWCP FUND PAYMENTS.

It was moved by Hansen and seconded by Jackson that payments of NSWCP land treatment funds be made in the amount of \$9,039.58 for two applications reviewed by the committee. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson,
Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

ITEM 12. CITY OF SEWARD REQUEST FOR TECHNICAL ASSISTANCE.

The Seward City Administrator, and his staff, were present at the Projects Committee meeting to request technical assistance from the NRD to provide drainage master planning and design, and design for principal drainage ways north and west of the city. City personnel explained that drainage planning will help the city to deal with developers who will want to construct housing and other facilities in the future.

The NRD already has an interlocal agreement with Seward to provide drainage planning and design for an area north and east of the city (phase one). If the NRD board and city council approve the city's request, the existing interlocal agreement for phase one could be modified to include planning for the areas north and west of the city (phase two).

The engineering budget for phase one was \$14,550. Six thousand five hundred dollars of this amount were for mapping and \$8,050 for design. The proposed phase two engineering budget is \$26,600; \$15,400 for mapping and \$11,200 for design. The total budget for both phases is \$41,150.

As stated in the interlocal agreement, the City would reimburse the NRD for 50 percent of actual engineering costs. Staff recommends that the Board of Directors enter into the amended interlocal agreement to provide technical assistance for drainage planning and design to the City of Seward.

It was moved by Hansen and seconded by Moore that the NRD Board of Directors enters into an amended Interlocal Agreement, a copy of which is attached, with the City of Seward and that the NRD provide technical assistance to the City, as stated in the Interlocal Agreement, for drainage planning and design. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson,
Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

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

Friesen reported that the Water Committee met on February 11, 1999.

ITEM 14. GWMA 1 - GROUND WATER SUPPLY.

ITEM 14a. MOISTURE BLOCKS SALES FOR 1999.

The Water Committee reviewed the 1998 moisture block sales. The 1999 price will remain the same as 1998 at \$5.36 per block.

ITEM 15. GWMA 2 - GROUND WATER QUALITY.

ITEM 15a. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

We received one request for final payment for \$181.06. Staff recommends payment of this claim.

It was moved by Friesen and seconded by Jackson to approve final payment for one well abandonment as reviewed, at a total cost of \$181.06. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson,
Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

ITEM 16. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Ediger reported that the Education and Parks Committee met February 11, 1999.

ITEM 17. PROPOSED RC&D.

George Lyons, general manager of the Polk County Rural Public Power District, spoke in favor

of forming a Resource Conservation and Development Area (RC&D) for Butler, Polk, Saunders, Seward and York Counties. He is looking for support from area agencies.

It was moved by Ediger and seconded by Houdersheldt to support the creation of an RC&D covering Butler, Polk, Saunders, Seward and York Counties. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson,
Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

ITEM 18. TRAILBLAZER RC&D REQUEST FOR FINANCIAL CONTRIBUTION.

The Trailblazer RC&D has asked the District to renew its annual contribution of \$50 for 1999.

It was moved by Ediger and seconded by Volkmer to authorize payment of \$50 to the Trailblazer RC&D as the Upper Big Blue NRD's annual contribution. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson,
Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

ITEM 19. FUNDING REQUEST FROM SOAR.

The SOAR (Summer Orientation About Rivers) from Hamilton County is requesting support of \$1,500 for the 1999 program. SOAR is a natural resource educational program for upper level elementary students operating for two weeks each year in midsummer.

It was moved by Ediger and seconded by Teegerstrom to authorize payment of \$1,500 to the Prairie Plains Resources Institute to support the 1999 SOAR program, acknowledging the possibility of future funding reductions. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson,
Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

ITEM 20. FEBRUARY WILDLIFE PAYMENTS.

It was moved by Ediger and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment totaling \$6,300 to the cooperators of the Wildlife Habitat Improvement Program for the month of February. The motion was approved.

AYE: Brown, Buller, Friesen, Hansen, Houdersheldt, Jackson, Regier, Schulz,
Teegerstrom, Volkmer, Austin

NAY: Dickinson, Ediger

NOT VOTING: Moore
NOT PRESENT: Eberle, Luebbe

ITEM 21. CORNERS FOR WILDLIFE CONTRACT.

It was moved by Ediger and seconded by Volkmer that the Upper Big Blue NRD Board of Directors accept the corners for wildlife contract for Sylvia N. Daake for the amount of \$375 per year for five years and authorize the Chairman of the Board to sign said contract and submit it to Pete Berthelsen, Regional Biologist for Pheasants Forever. The motion was approved.

AYE: Brown, Buller, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Moore,
Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
NOT VOTING: Dickinson
NOT PRESENT: Eberle, Luebbe

ITEM 22. OXBOW TRAIL PARKING.

It was moved by Ediger and seconded by Jackson that the Upper Big Blue Natural Resources District construct a parking lot at Oxbow Trail Reservoir located on the west side of the north-south county road at a cost not to exceed \$5,000.

There was some discussion about the high cost of the parking lot. The Board wants to investigate other options, and whether the county will help pay some costs involved.

It was moved by Moore and seconded by Schulz to refer the matter to the Education and Parks Committee. The motion to refer was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson,
Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Eberle, Luebbe

ITEM 23. FENCING HASTINGS NORTHWEST PROJECT.

It was moved by Ediger and seconded by Regier that the Upper Big Blue Natural Resources District construct a 4-wire barbwire fence along the west side of the dam of the Hastings Northwest Flood Control Project, which is also along the west right-of-way line of the north-south county road and a fence along a portion of the south line of the east-west county road. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson,
Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Eberle, Luebbe, Schulz

ITEM 24. TRANSFER CORNERS FOR WILDLIFE CONTRACT FROM ERWIN

SCHMIDT TO JUDY FUEHRER.

It was moved by Ediger and seconded by Volkmer that the Upper Big Blue NRD Board of Directors approve the Corners for Wildlife contract transfer from Erwin Schmidt to Judy Fuehrer and authorize the Chairman of the Board to sign said contract. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson,
Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe, Schulz

ITEM 25. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on February 11, 1999.

Turnbull and Dickinson reviewed the status of current legislation.

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

Hansen reported that the Executive Committee met on February 9, 1999.

ITEM 27. ATTORNEY FEES.

It was moved by Hansen and seconded by Ediger to approve payment of \$125 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through January 20, 1999. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson,
Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

ITEM 28. NACD DUES.

The dues for the 1999 National Association of Conservation Districts (NACD) are \$1,650. This is the first increase in eight years. The dues are based on budgets, with the minimum being \$700 and the maximum at \$1,650. Because of their size, the Nebraska Districts always pay the maximum.

It was moved by Buller and seconded by Moore to approve payment of \$1,650 to the NACD for 1999 dues. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson,
Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

ITEM 29. SUBDISTRICT 5 BOARD VACANCY.

Four people submitted letters of application for appointment to the Board representing Subdistrict 5. They are Robert E. Donahue, Earl Hultman, Dean H. Krull and Keith E. Keller. All meet the legal requirements to hold office.

It was moved by Buller and seconded by Regier that secret ballots be cast to select two candidates from the four applicants for membership on the board. The two applicants receiving the most votes will be candidates. In case of a tie, the top three applicants shall be candidates. A director is appointed when the majority of directors present vote for a candidate by secret ballot. If more balloting is necessary, the two candidates with the largest number of votes from the most recently cast ballots will be considered for appointment. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

The Upper Big Blue NRD Board members cast ballots. Chair Austin appointed Rod DeBuhr and Jay Bitner to count the ballots. The result of the first vote was Hultman seven, Krull 4, Keller 3, and Donahue none. We instructed the Board members to recast their ballots for either Hultman or Krull. The final ballot count was Hultman 8 and Krull 6. They appointed Hultman to serve on the board until January 2003.

ITEM 30. COMMITTEE ASSIGNMENTS FOR 1999 AND 2000.

The Executive Committee reviewed the past membership on committees and the requests of the board members for committee assignments. We list the Executive Committee's recommendations for committee assignments below. The assignments are for two years, 1999 and 2000. Each committee selects their own chairman and vice-chairman.

Projects Committee

Augustus M. Brown
Steve Buller
Gary Eberle
Ed Ediger
Roger Houdersheldt
Jim Jackson
Linda Luebbe
Vance Teegerstrom

Ed & Parks Committee

Augustus M. Brown
Gary Eberle
Curtis Friesen
Linda Luebbe
Larry Moore
Roland Schulz
Merlin Volkmer
Earl Hultman

Water Committee

Budget Committee

Doug Dickinson
Ed Ediger
Curtis Friesen
Wayne Hansen
Ken Regier
Roland Schulz
Vance Teegerstrom
Merlin Volkmer

Steve Buller
Doug Dickinson
Wayne Hansen
Roger Houdersheldt
Jim Jackson
Larry Moore
Ken Regier
Earl Hultman

It was moved by Buller and seconded by Schulz to approve the 1999 and 2000 committee assignments as presented. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

ITEM 31. FINANCIAL REPORT, JANUARY 1, 1999 THROUGH JANUARY 31, 1999, AND CONSIDERATION OF EXPENDITURES FOR JANUARY 1999.

Turnbull reviewed the financial report for the period January 1, 1999 through January 31, 1999 that we had distributed.

It was moved by Moore and seconded by Regier to approve the financial report as presented and publish the expenditures for January 1999. The motion was approved.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Eberle, Luebbe

There being no other business, we adjourned the meeting at 4:25 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on February 18, 1999, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Wayne M. Hansen, Secretary

nds
Attachments (3)

**BOARD OF DIRECTORS MEETING
March 18, 1999**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, March 18, 1999 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Steve Buller, Doug Dickinson, Gary Eberle, Ed Ediger, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, Jim Jackson, Linda Luebbe, Larry Moore, Kenneth Regier, Roland Schulz, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rodney DeBuhr, Ken Feather, Prudence Sadler, Delores Gray, Jenny Bailey and Anthony Greder of the York News-Times. Chair Austin called the meeting to order at 1:30 p.m..

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Austin reported that we published the legal notice for the Directors' Meeting in the York News-Times on March 17, 1999.

ITEM 2. ROLL CALL OF DIRECTORS.

Sixteen directors were present for the calling of the roll. Luebbe arrived following the approval of the minutes.

ITEM 3. ADOPT AGENDA.

It was moved by Regier and seconded by Volkmer to adopt the agenda for the March 18, 1999 Directors' Meeting. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe

ITEM 4. APPROVAL OF MINUTES OF THE FEBRUARY 18, 1999, BOARD OF DIRECTORS' MEETING.

It was moved by Regier and seconded by Teegerstrom to approve the minutes of the February 18, 1999 Board of Directors meeting as distributed. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe

ITEM 5. WASHINGTON, D.C. TRIP REPORTS.

Eberle, Teegerstrom and Turnbull reported on their lobbying trip in Washington, D.C. with the NARD group.

ITEM 6. EMPLOYEE RECOGNITIONS.

Delores Gray, NRD field office clerk at Seward, was presented with engraved bookends for fifteen years of service to the District. We recognized Rodney DeBuhr, Water Department Manager, for twenty years service to NRD. Rodney received a laser engraved letter opener.

ITEM 7. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on March 9, 1999.

ITEM 8. LAND TREATMENT PROGRAM NSWCP FUND PAYMENTS.

It was moved by Jackson and seconded by Ediger that payment of NSWCP land treatment funds be made in the amount of \$978.51 for one application reviewed by the committee. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ITEM 9. SEWARD FLOOD HAZARD MITIGATION PROJECT PROGRESS PAYMENT.

Claim 25 includes expenditures by the City of Seward on the Plum Creek Flood Hazard Mitigation Project buyout phase. The total amount of the claim is \$8,864.47. FEMA's share is \$3,749.85. The city and NRD shares are each \$2,557.31.

It was moved by Jackson and seconded by Dickinson that payment of \$2,557.31 in NRD funds be made to the City of Seward and that the District file a claim in the amount of \$3,749.85 for the FEMA share of claim 25 of the Seward Flood Hazard Mitigation Project and that \$3,749.85 of the FEMA share be paid to the City when it is received by the District. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ITEM 10. CITY OF SEWARD DRAINAGE MASTER PLAN, PROJECT PRIORITY.

The City of Seward and Upper Big Blue NRD entered an Interlocal Agreement to prepare a drainage master plan and provide design for principal drainage ways north and west of the City.

This additional planning assistance is an expansion of the scope of drainage planning for the area north and east of the City, previously approved by the NRD and City.

The Projects Committee feels that drainage planning north and west of the City should be combined with the current project for drainage planning north and east of the City and that a separate priority number is not required.

It was moved by Jackson and seconded by Hultman that drainage planning assistance for the City of Seward, including areas north and west of the City, which was approved by the Upper Big Blue NRD Board in February 1999, be combined with and be considered to have the same project priority as, drainage planning for the areas north and east of the City which have been previously prioritized and approved by the City and NRD. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer,
Austin

NAY: None

ITEM 11. CITY OF SEWARD DRAINAGE MASTER PLAN MAPPING.

In April 1997, the City of Seward and Upper Big Blue NRD contracted with Horizons, Inc. of Rapid City, South Dakota, to conduct aerial photography of the City, and to prepare a detailed topographic map of the east half of the City. At the time, FEMA paid for part of the mapping cost as part of the Plum Creek Flood Hazard Mitigation Project. The west half of the city was flown, but not mapped.

At this time staff is requesting that Horizons, Inc. be hired to finish topographic mapping of the west side of the city, according to their proposal dated February 8, 1999, for a fee not to exceed \$22,950. We propose that NRD staff will do surveying to establish ground control for the mapping as part of drainage planning assistance previously approved.

It was moved by Jackson and seconded by Brown that Horizons, Inc. be hired to prepare detailed topographic mapping for a portion of the City of Seward, as part of the drainage master planning effort previously approved by the City of Seward and Upper Big Blue NRD, using existing photography from April 1997, in accordance with Horizons' proposal dated February 8, 1999, for a fee not to exceed \$22,950. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer,
Austin

NAY: None

ITEM 12. CITY OF SUTTON FLOOD PLAIN MAPPING.

In June 1996 the City of Sutton requested assistance from the Upper Big blue NRD to prepare documentation to support a request that FEMA prepare a flood boundary and floodway map along School Creek with the city of Sutton. At that time the NRD Board approved a motion to

prepare an agreement between the City and NRD stating the terms, conditions and cost responsibilities of the City and NRD in preparing the map.

An agreement has been prepared for consideration by the City of Sutton and Upper Big Blue NRD Board. Staff is recommending approval of the agreement.

It was moved by Jackson and seconded by Regier that the interlocal agreement between the City of Sutton and Upper Big Blue NRD, which was reviewed by the Committee, and which specifies the terms and conditions to be met by both parties in preparing a flood boundary and floodway map of School Creek within the City of Sutton, be approved. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Austin

NAY: Schulz, Volkmer

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

Teegerstrom reported that the Water Committee met on March 11, 1999.

ITEM 14. GROUND WATER MANAGEMENT AREA 2.

ITEM 14b. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Teegerstrom and seconded by Volkmer to approve final payment for nine well abandonments as reviewed at a total cost of \$2,429.31. The motion was approved.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Buller

ITEM 15. YORK GROUND WATER RECHARGE DEMONSTRATION PROJECT.

ITEM 15a. PAYMENT TO UNL WATER SCIENCES LABORATORY.

It was moved by Teegerstrom and seconded by Regier to pay the University of Nebraska Water Sciences Laboratory \$1,800 for 16 water analyses for the York Ground Water Recharge Demonstration Project. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

ITEM 16. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met March 11, 1999.

ITEM 17. MARCH WILDLIFE PAYMENTS.

It was moved by Friesen and seconded by Volkmer that the Upper Big Blue Natural Resources District make payments totaling \$6,203.75 to the cooperators of the Wildlife Habitat Improvement program for the month of March. The motion was approved.

AYE: Brown, Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman,
Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin
NAY: Dickinson

ITEM 18. BUILDERS SUPPLY OF OSCEOLA.

The Rising City Public School has been purchasing the materials from Builders Supply of Osceola for the construction of the restroom facilities at Oxbow Trail Reservoir and associated recreation area.

It was moved by Friesen and seconded by Houdersheldt that the Upper Big Blue Natural Resources District make payment of \$1,011.59 to Builders Supply of Osceola for the materials used in constructing the restroom facilities located at Oxbow Trail Reservoir. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer,
Austin
NAY: None

ITEM 19. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on March 17, 1999.

ITEM 20. LONG RANGE PLAN.

The staff presented a draft of part of the Long Range Plan for FY 2000 - FY 2005 to the Budget Committee. The written portion deals with the various District programs such as land treatment, groundwater management areas, wildlife habitat, and parks cost sharing. The Committee briefly discussed the individual programs.

They reviewed an outline of planned projects. That outline included a schedule of work and project by project budget for the next 10 years. The projects included were:

- Seward Flood Hazard Mitigation - Plum Creek
- Seward Flood Hazard Mitigation - Blue River
- David City NW Drainage
- Lincoln Creek Parkway Trail Bridge
- Henderson Industrial Park Drainage Master Plan

- Indian Creek Dam
- Sutton Flood Plain Mapping
- SE Community College Storm Water Outfall
- Johnson Creek Watershed Dam # 10
- Seward Drainage Master Plan
- One additional medium sized dam and reservoir

Projected staffing needs were presented. The staffing plan supports the base programs and the planned projects.

Turnbull then presented three scenarios of future expenditures and revenues based on the existing programs, groundwater management areas and planned projects. The three scenarios show the impact on the budget based on different assumptions about revenue.

Scenario # 1 -

- Property Tax revenue increasing at the rate of 2 1/2% a year
- Loss of Motor Vehicle Tax (\$56,000) in FY 2000 (7/1/1999)
- Loss of the Fertilizer Fee revenue (\$160,000) in FY 2001 (12/31/ 2000)

Results in a \$0 cash and investment balance by FY 2006

Scenario # 2 -

- Property Tax revenue increasing at the rate of 2 1/2% a year
- Loss of Motor Vehicle Tax in FY 2000 (July 1, 1999)
- Loss of the Fertilizer Fee revenue in FY 2001 (December 31, 2000)
- Motor Vehicle Tax loss made up by additional property tax

Results in a \$0 cash and investment balance by FY 2009

Scenario # 3 -

- Property Tax revenue increasing at the rate of 2 1/2% a year
- Loss of Motor Vehicle Tax in FY 2000 (July 1, 1999)
- Loss of the Fertilizer Fee revenue in FY 2001 (December 31, 2000)
- Motor Vehicle Tax loss made up by additional property tax
- Fertilizer Fee replacement funding made up from other sources

Results in a satisfactory cash and investment balance at the end of FY 2010 which is approximately equal to the amount on hand at the end of FY 1997

The Budget Committee discussed these various scenarios and what should be included in the planning. They noted that the projections did not include new or expanded programs or projects.

The Budget, Planning & Legislative Committee directed the manager to further develop Scenario #3 for the Long Range Plan and to present it at the next Budget Committee meeting.

It was moved by Moore and seconded by Houdersheldt that the motor vehicle tax be replaced in the FY 2000 and future budgets with an increase in property tax. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Luebbe, Moore, Regier, Teegerstrom, Austin
NAY: Jackson, Volkmer
NOT PRESENT: Schulz

ITEM 21. PLATTE RIVER COOPERATIVE AGREEMENT.

The staff has been attending recent meetings involving the Platte River Cooperative Agreement. That Agreement was signed by the governors of Colorado, Wyoming, and Nebraska on July 1, 1997. It requires that any new development of water that will affect flows in the Platte River be offset by water from somewhere prior to the grant of approval of the development. It will affect groundwater users along the Platte River. An early map shows that the area affected will extend about 7 miles into Adams and Hamilton Counties in this NRD.

The cooperating NRDs, CNPPID, and NPPD are funding and providing staff time to a very extensive groundwater mathematical computer model. That model, called "COHYST", is to be used to determine what areas will need to be regulated to protect the flows in the Platte. Five NRDs are contributing between \$49,500 and \$150,000 each, for the model development. Those NRDs are the North Platte, South Platte, Twin Platte, Central Platte, and the Tri-Basin. Turnbull is recommending that this NRD consider financially assisting the participants with the study effort, and that we remain active in the negotiations of the final regulatory approach. The NRDs and the power districts have entered an interlocal agreement and therefore would have to approve of this NRD entering into the financing. Turnbull made it clear that neither the Central Platte nor anyone else has approached this District about funding. Turnbull recommended that a contribution in the range of \$45,000 be considered, to be paid over three years. The area impacted in this District is probably similar to that of the South Platte NRD, which is contributing \$49,500.

It was moved by Moore and seconded by Regier that the District request to be included as a participant in the Platte River Interlocal Agreement; to contribute \$15,000 for the Platte River COHYST computer modeling study in FY 99; and further to consider additional funding in future years. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Schulz

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

Eberle reported that the Executive Committee met on March 16, 1999.

ITEM 23. ATTORNEY FEES.

The attorney's fees for the month are \$193.10 for drafting the civil penalties language for Groundwater Management Act enforcement.

It was moved by Eberle and seconded by Ediger to approve payment of \$193.10 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through February 1999. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Schulz

ITEM 24. REIMBURSEMENT TO LOWER PLATTE NORTH NRD FOR SALARIES.

We received a bill for \$4,984.15 from the Lower Platte North NRD for the Butler County NRCS clerk and part time technician. The billing covers the period from July 1, 1998 to December 31, 1998.

It was moved by Eberle and seconded by Houdersheldt to approve payment of \$4,984.15 to the Lower Platte North NRD for NRCS office salaries for half of FY 99 (July 1, 1998 to December 31, 1998.) The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Schulz

ITEM 23. NEBRASKA WATER RESOURCES ASSOCIATION DUES.

The NWRA has billed the district for the 1999 dues. The dues are \$1,200, which is the same as last year.

It was moved by Eberle and seconded by Teegerstrom to approve payment of \$1,200 to the Nebraska Water Resources Association for 1999 dues. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Schulz

ITEM 24. FINANCIAL REPORT, FEBRUARY 1, 1999 THROUGH FEBRUARY 28, 1999, AND CONSIDERATION OF EXPENDITURES FOR FEBRUARY 1999.

Turnbull reviewed the financial report for the period February 1, 1999 through February 28, 1999 that we had distributed.

It was moved by Volkmer and seconded by Houdersheldt to approve the financial report as presented and publish the expenditures for February 1999. The motion was approved.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

There being no other business, we adjourned the meeting at 4:25 p.m..

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on March 18, 1999, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Wayne M. Hansen, Secretary

nds

BOARD OF DIRECTORS MEETING
April 15, 1999

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, April 15, 1999 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Steve Buller, Doug Dickinson, Gary Eberle, Ed Ediger, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, Jim Jackson, Linda Luebbe, Larry Moore, Kenneth Regier, Roland Schulz, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rodney DeBuhr, Ken Feather, Prudence Sadler, Ray Naber, Seward County Commissioner, William Gilliam, York NRCS, Richard Jiskra, NNRC and Anthony Greder of the York News-Times. Chair Austin called the meeting to order at 7:30 p.m..

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Austin reported that we published the legal notice for the Directors' Meeting in the York News-Times on April 7, 1999.

ITEM 2. ROLL CALL OF DIRECTORS.

Sixteen directors were present for the calling of the roll. Schulz arrived later in the meeting.

ITEM 3. ADOPT AGENDA.

Friesen asked the chair to move item *G. Restrooms Oxbow Trails* up on the agenda to become item five in the Educations and Parks Committee Report and move item *E. Parking Lot Oxbow Trails* down to become item seven.

It was moved by Friesen and seconded by Volkmer to adopt the agenda, as stated, for the April 15, 1999 Directors' Meeting. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

ITEM 4. APPROVAL OF MINUTES OF THE MARCH 18, 1999, BOARD OF DIRECTORS' MEETING.

It was moved by Regier and seconded by Volkmer to approve the minutes of the March 18, 1999 Board of Directors meeting as distributed. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

ITEM 5. NNRC REPORT.

Richard Jiskra addressed the board and reported on the March 25, 1999 Nebraska Natural Resources Commission meeting.

ITEM 6. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on April 6, 1999.

ITEM 7. LAND TREATMENT PROGRAM NSWCP FUND PAYMENTS.

It was moved by Jackson and seconded by Ediger that payment of NSWCP land treatment funds be made in the amount of \$18,754.41 for seven applications reviewed by the committee. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer

NAY: None

NOT PRESENT: Schulz

ITEM 8. SEWARD FLOOD HAZARD MITIGATION PROJECT PROGRESS PAYMENT.

The city of Seward has filed claim 26 of the buyout phase and claim six of the demolition phase of the Seward Flood Hazard Mitigation Project on Plum Creek. The total claims are \$3,246.69. FEMA's share is \$2,303.45. The city's share is \$471.63 and the NRD's share is \$471.61.

It was moved by Jackson and seconded by Luebbe that payment of \$471.61 in NRD funds be made to the City of Seward and that the District file a claim in the amount of \$3,246.69 for the FEMA share of claim number 26 on the buyout phase and claim number 6 on the demolition phase of the Seward Flood Hazard Mitigation Project, and that \$3,246.69 of the FEMA share be paid to the City when it is received by the District. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

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

Teegerstrom reported that the Water Committee met on April 8, 1999.

ITEM 10. GROUND WATER MANAGEMENT AREA 2.

ITEM 10a. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Teegerstrom and seconded by Ediger to approve final payment for eleven well abandonments as reviewed as a total cost of \$2,991.11. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Buller

NOT PRESENT: Schulz

ITEM 10b. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FUNDS INCREASE.

Rod asked if the board wants to delay payment on additional AQWACAP claims once the remaining \$1,461.84 budgeted funds have been spent, or reassign funds from other line items. He identified \$7,500 within the Water Department budgets that won't be spent as planned this fiscal year. If the board approves the use of these funds for AQWACAP, the total authorized funds for FY99 will be \$30,000.

It was moved by Teegerstrom and seconded by Volkmer to increase authorized funding for AQWACAP by \$7,500 from \$22,500 to \$30,000. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer
Austin

NAY: None

ITEM 11. YORK GROUND WATER RECHARGE DEMONSTRATION PROJECT.

ITEM 11a. PAYMENT TO UNL WATER SCIENCES LABORATORY.

The Water Sciences Laboratory had a back log of samples to analyze, which they have now completed.

It was moved by Teegerstrom and seconded by Hultman to pay the University of Nebraska Water Sciences Laboratory \$8,912 for 108 water analyses for the York Ground Water Recharge Demonstration Project. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer
Austin

NAY: None

ITEM 12. HIGH PLAINS CLIMATE CENTER WEATHER STATION AT RECHARGE LAKE.

It was moved by Teegerstrom and seconded by Hansen to pay the High Plains Climate Center \$1,000 for the next year's maintenance of the York automated weather station at Recharge Lake. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer
Austin

NAY: None

ITEM 13. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met April 8, 1999.

ITEM 14. NATIONAL ASSOCIATION OF COUNTY AGRICULTURAL AGENTS REQUEST FOR FUNDING FOR ANNUAL CONFERENCE.

The national association of extension educators will hold their annual meeting in Omaha in September 1999. They expect approximately 1,800 people to attend. Gary Zoubek, York County Extension Educator, is requesting funding assistance for transportation and refreshments.

It was moved by Friesen and seconded by Brown that the Upper Big Blue NRD donate \$500 to the National Association of County Agricultural Agents for its 1999 annual conference. We approved the motion.

AYE: Brown, Eberle, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Schulz, Teegerstrom, Austin

NAY: Buller, Dickinson, Ediger, Moore, Regier, Volkmer

ITEM 15. COMMUNITY TREE RESOURCE PROGRAM.

Orville Davidson was at the committee meeting and spoke for the city of York requesting funds to plant landscape-sized trees at the airport entryway, Foster Park and Highway 81 corridor. The plantings are to take place before July 1, 1999.

It was moved by Friesen and seconded by Volkmer that the Upper Big Blue Natural Resources District fund the city of York on a matching grant, not to exceed \$1,000 according to the Community Tree Resource Program I, for tree and shrub planting to take place at the York Airport entryway in FY 99. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: Ediger

ITEM 16. OXBOW TRAILS RESTROOMS.

Charles Hays is the vocational education teacher for Osceola and Rising City Public Schools. He was the teacher who supervised the construction of the restrooms for Oxbow Trails Reservoir. During the construction of the restroom, Charles purchased needed materials from Menard's in Lincoln.

It was moved by Friesen and seconded by Houdersheldt that the Upper Big Blue NRD make payment of \$194.09 to Hays Construction of Osceola for the purchase of materials for the restroom at Oxbow Trails Reservoir. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer
Austin

NAY: None

ITEM 17. OXBOW TRAILS PARKING LOT.

The Education and Parks Committee discussed the parking lot located west of the north/south county road. Staff recommends replacing the existing culvert. The county agreed to remove the old culvert, install the new culvert, and rock the driveway. The District would purchase the new culvert for \$400 and install approximately 40 guard rail posts already on hand. The cost of the guard rail posts and District labor would be \$834. The most difficult issue regarding the parking lot is whether or not we should rock it. The cost to rock the parking lot is \$3,000.

Turnbull reviewed cost estimates, project budgets, and expenditures to-date on the Oxbow Trails Project.

It was moved by Friesen and seconded by Hansen that the Upper Big Blue Natural Resources District have the county remove the old culvert, install the new culvert and rock the driveway, at no cost to the District. The District would purchase a new 15" x 21" x 24' C.M.P.A., install approximately 40 guard rails posts and rock a portion of the parking area at a cost of \$4,500. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Hansen, Hultman, Jackson, Luebbe, Schulz, Teegerstrom, Austin

NAY: Buller, Friesen, Houdersheldt, Moore, Regier, Volkmer

ITEM 18. OXBOW TRAILS BOAT DOCK.

The Education and Parks Committee discussed the \$12,000 estimated cost of purchasing a 4' x 41' aluminum gangway assembly and a 10' x 21' Super Deck boat dock for Oxbow Trails Reservoir. The Committee directed staff to get the most current cost estimate for the ADA approved boat dock for their consideration.

ITEM 19. OXBOW TRAIL RESERVOIR SIGNS.

Wallingford Sign Co., Inc. constructed the entryway sign, rules and regulations sign, information sign and no fishing sign to be placed at Oxbow Trails Reservoir.

It was moved by Friesen and seconded by Teegerstrom that the Upper Big Blue NRD make payment of \$2,055.13 to Wallingford Sign Co., Inc. for the construction of the signs for Oxbow Trails Reservoir. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,

Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer
Austin

NAY: None

ITEM 20. OXBOW TRAILS RESTROOM DOORS.

The board previously voted not to put doors on the Oxbow Trails restrooms. The staff brought to the committee's attention the need to construct some screening around the doorways. After further consideration, the committee felt strongly that the restrooms should have doors. Feather advised the committee that framing for the doors is already in place.

It was moved by Friesen and seconded by Luebbe that the Upper Big Blue NRD install doors on the restrooms located at Oxbow Trails Reservoir. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer
Austin

NAY: None

**ITEM 21. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE
AND CONSIDERATION OF RECOMMENDATIONS.**

Regier reported that the Budget, Planning & Legislative Committee met on April 5, 1999.

ITEM 22. PLATTE RIVER INTERLOCAL AGREEMENT.

**ITEM 22a. POTENTIAL IMPACT ON GROUND WATER USE IN THIS NRD BY
THE PLATTE RIVER COOPERATIVE AGREEMENT BETWEEN
COLORADO, WYOMING AND NEBRASKA.**

Turnbull reviewed the area that could be impacted by future regulations to protect the Platte River flows.

Adams County
08N09W4-6
08N110W 1-12, 15-20

Hamilton Co.
09N08W 1-10, 16-20 12N05W 5-7
10N07W 2-10, 16-20, 29-31 12N06W 1-3, 10-16, 19-24, 26-34
10N08W 1-36 12N07W 34-36
11N06W 4-9, 17-19 13N05W 13, 14, 22-24, 26-29, 31-34
11N07W 1-35 13N06W 36
11N08W 1, 2, 10-16, 20-36

Land Area: 203 Square miles 130,000 acres

Registered Wells:

Irrigation	1,049	Quality Monitoring	19
Public Water Supply	4	Heat pump	2
Commercial	9	Injection	6
Domestic	38	Heat exchange	1
Livestock	7	Recovery	3

Irrigated Acres: 106,315 (according to NRD records and registrations)

Data compiled by Rod DeBuhr, based on 1981 Missouri River Basin States Association maps of the lines of impacts to the Platte River by pumping using the SDF method.

ITEM 22b. RESOLUTION TO ENTER INTO INTERLOCAL AGREEMENT.

Last month the District asked to be a cosponsor of the existing Interlocal Cooperation Agreement on the Platte River Basin study efforts between the following entities:

South Platte NRD	Nebraska Public Power & Irrigation District
Twin Platte NRD	Central Nebraska Public Power & Irrigation District
North Platte NRD	Nebraska Department of Water Resources
Tri-Basin NRD	Nebraska Natural Resources Commission
Central Platte NRD	Nebraska Game and Parks Commission

We reviewed a copy of the Interlocal Cooperation Agreement. They have approved our request to join and the sponsors have asked that the Upper Big Blue NRD adopt the following resolution:

RESOLUTION

WHEREAS, five Natural Resources Districts (NRDs), two Public Power Districts, and three State Agencies have joined together through an Interlocal Cooperation Agreement for the purpose of developing scientifically supportable data bases and analysis to assist in the understanding of the interrelationship between groundwater and surface waters in the Platte River Basin, and

WHEREAS, some of the groundwater of the Upper Big Blue NRD may be interrelated to surface waters in the Platte River Basin, and

WHEREAS, groundwater identified as having an interrelationship to Nebraska Game and Parks Commission's or U.S. Fish and Wildlife Service's "target flows" in the Platte River for threatened and endangered species may come under increased requirements for management or regulation if the Platte River Cooperative Agreement results in a formal Habitat Improvement Program, so

THEREFORE, BE IT RESOLVED THAT it is in the best interest of the people and the resources of the Upper Big Blue NRD that the Upper Big Blue NRD actively participate in the development of the data bases and the analysis, and

BE IT FURTHER RESOLVED, that the Upper Big Blue NRD does hereby request to become a party to the Interlocal Cooperation Agreement on the Platte River and Basin Cooperative Hydrology Study, and

BE IT FURTHER RESOLVED, that the Chairman of Upper Big Blue NRD is authorized to sign the Interlocal Cooperation Agreement on behalf of the NRD as a sponsor, that John Turnbull and Jay Bitner are hereby appointed to represent Upper Big Blue NRD as member and alternate on the Hydrology Sponsors Board of Directors, and that Upper Big Blue NRD hereby commits \$15,000 per fiscal year starting in fiscal year 1999 and continuing for two more fiscal years (2000 and 2001), plus in-kind services to assist Hydrology Sponsors in conducting the operations and pursuing the purposes of Cooperative Hydrology Project.

It was moved by Regier and Seconded by Hansen to adopt the resolution. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ITEM 22c. PAYMENT TO CENTRAL PLATTE NRD FOR PLATTE RIVER INTERLOCAL COOPERATION AGREEMENT.

The Interlocal Agreement requires payment of \$15,000 now to the Central Platte NRD for the ongoing study work, and an additional \$15,000 is due on July 1, 1999 for FY2000, and \$15,000 is due on July 1, 2000 for FY2001, for a total of \$45,000.

It was moved by Regier and seconded by Hansen to approve payment of \$15,000 to the Central Platte NRD as required by the Platte River Interlocal Cooperation Agreement in FY99. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

ITEM 23. LONG RANGE PLAN.

Turnbull presented the draft of the FY2000 - FY2005 Long Range Plan to the Budget, Planning & Legislative Committee. He also reviewed a report he is preparing for the NARD manager's committee that outlines NRDs motor vehicle tax and fertilizer fee replacement funding issues.

The Committee reviewed the future projects listed in the plan. The long range plan calls for the work on the Indian Creek project to continue because of past Board decisions, and the future benefits of the project. They discussed public and landowner support of the Indian Creek Project.

District property taxes and valuations were reviewed. The property tax will need to be increased annually over the period of the plan to adequately fund the proposed projects and to maintain the base programs. The amount of the necessary increases will depend on how much replacement funding is appropriated by the legislature, and the success in obtaining project grants.

It was moved by Regier and seconded by Dickinson to adopt the FY2000 - FY2005 Long Range Plan as presented. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Luebbe, Moore, Regier, Schulz, Teegerstrom, Austin
NAY: Jackson, Volkmer

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

Eberle reported that the Executive Committee met on April 6, 1999.

ITEM 25. ATTORNEY FEES.

The attorney's fees for the month are \$25.00 for civil penalties language for Ground Water Management Act enforcement.

It was moved by Eberle and seconded by Jackson to approve payment of \$25.00 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through March 20, 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer,
Austin
NAY: None

ITEM 26. FIRST QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Eberle and seconded by Ediger to approve first quarter directors' per diem of \$7,500 and expenses of \$2,533.36. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer,
Austin
NAY: None

ITEM 27. FINANCIAL REPORT, MARCH 1, 1999 THROUGH MARCH 31, 1999, AND CONSIDERATION OF EXPENDITURES FOR MARCH 1999.

Turnbull reviewed the financial report for the period March 1, 1999 through March 31, 1999 that we had distributed. It was moved by Houdersheldt and seconded by Regier to approve the financial report as presented and publish the expenditures for March 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Schulz, Teegerstrom, Volkmer, Austin

NAY: None

There being no other business, we adjourned the meeting at 9:47 p.m..

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on April 15, 1999, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Wayne M. Hansen, Secretary

nds

**BOARD OF DIRECTORS MEETING
May 20, 1999**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, May 20, 1999 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Steve Buller, Doug Dickinson, Gary Eberle, Ed Ediger, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, Jim Jackson, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rodney DeBuhr, Ken Feather, Prudence Sadler, Teresa Ziemke, Clark Gruber, G. Bredehoft, Jane Beck Smith, JoAnn Schuelke, William Gilliam, York NRCS, and Anthony Greder of the York News-Times. Chair Austin called the meeting to order at 7:30 p.m..

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Austin reported that we published the legal notice for the Directors' Meeting in the York News-Times on May 12, 1999.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Dickinson and Moore arrived later in the meeting.

ITEM 3. ADOPT AGENDA.

It was moved by Ediger and seconded by Volkmer to adopt the agenda, as presented for the May 20, 1999 Directors' Meeting. We approved the motion.

AYE: Brown, Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Moore, Schulz

ITEM 4. APPROVAL OF MINUTES OF THE APRIL 15, 1999, BOARD OF DIRECTORS' MEETING.

It was moved by Regier and seconded by Volkmer to approve the minutes of the April 15, 1999 Board of Directors meeting as distributed. We approved the motion.

AYE: Brown, Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Moore, Schulz

ITEM 5. LIVESTOCK WASTE FACILITY, SECTION 9,T11N,R1W, YORK COUNTY.

Rod DeBuhr gave the board some background information on the application for a livestock waste facility to be located in Section 9, Township 11 North, Range 1 West, York County,

Nebraska. JoAnn Schuelke contacted the District about this proposed facility, located approximately 1 mile east and 2 ½ miles north of Waco. The owners of the proposed facility are Lloyd Naber & Sons. They have a hog finishing operation.

DeBuhr stated that the NRD's role as set by the Legislature is that the NRD has the authority, but is not required, to review applications which are received by NDEQ. The NRD has 20 days from the time NDEQ receives the application to review them. If at this time staff feels there is reason for a longer review period, we can request a 20-day extension. The areas that the NRD has authority to comment on deal primarily with environmental concerns dealing with surface or ground water quality and also the utilization of the waste and whether it's being used in a proper manner. The District has no authority to either approve or deny an application, we have the option of making recommendations to the NDEQ. Lloyd Naber & Sons' proposal is for 1,920 hogs or 768 animal units, which is a Class I permit. The facility proposes to have two buildings 41' x 196' with below floor concrete pits and an anaerobic lagoon, which is 19,618 cubic yards. The proposed facility has a waste utilization area of 150 acres of dryland crop land and their future plans may include a center pivot.

JoAnn Schuelke submitted a letter formally protesting the construction of the livestock waste facility proposed by Lloyd Naber & Sons in the Northwest Quarter of Section 9, Township 11 North, Range 6 West, York County, Nebraska. A copy of her letter is attached to these minutes. Mrs. Schuelke requested that the matter be brought before the NRD's Water Committee for further discussion.

It was moved by Volkmer and seconded by Luebbe that staff request a 20-day extension from NDEQ to review the plan for a livestock waste facility, submitted by Lloyd Naber & Sons, located in the NW 1/4 Section 9-T11N-R1W, York County. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: Eberle, Ediger
NOT PRESENT: Schulz

It was moved by Moore and seconded by Luebbe to refer the matter to the Water Committee to be held June 10 and to forward a recommendation to the board for consideration June 17. We approved the motion.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman,
Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: Eberle
NOT PRESENT: Schulz

ITEM 6. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on May 11, 1999.

ITEM 7. LAND TREATMENT PROGRAM NSWCP FUND PAYMENTS.

It was moved by Jackson and seconded by Friesen that payment of NSWCP land treatment funds be made in the amount of \$2,266.57 for one application reviewed by the committee. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

ITEM 8. LAND TREATMENT PROGRAM - NSWCP REPORT AND FUNDING.

The Nebraska Natural Resource Commission's April status report indicates that only six other districts have used more of their NSWCP allocation than the Upper Big Blue NRD. This is an indicator that last year's policy changes in our Land Treatment Program are having an effect on the rate of fund expenditure. Another factor influencing the rate of fund use is that staff is making more follow-up contacts with landowners.

The Committee felt that the District should begin authorizing work for FY 2000 as soon as the State Legislature passes appropriation bill LB 880. The appropriations bill will probably be passed on May 28, the last day of the session. Staff expects the Upper Big Blue NRD's share of NSWCP funding for FY 2000 will be about \$131,000 based on the FY 1999 appropriation. Staff has also included \$100,000 in the Projects Department (land treatment line item) FY 2000 draft budget. The combined NSWCP and NRD funds would be \$231,000.

There are currently 117 applications on file for land treatment program cost-share. The total dollars requested on those applications are \$305,868. The amount paid on land treatment applications averages about 75% of the amount applied for.

It was moved by Jackson and seconded by Hultman that upon passage of the State of Nebraska's Appropriation Bill, LB 880, a notice be sent to all land treatment program applicants, who have not been previously authorized to proceed, that the District will begin receiving requests for authorization on June 8, 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Houdersheldt, Hultman, Luebbe, Teegerstrom, Austin

NAY: Ediger, Jackson, Moore, Regier, Volkmer

NOT PRESENT: Schulz

ITEM 9. LAND TREATMENT PROGRAM - NEBRASKA BUFFER STRIP PROGRAM.

The Projects Committee reviewed a list of eleven buffer strip applications approved by the Nebraska Department of Agriculture during the past month. A summary of the applications was provided to all the board members.

Turnbull told the board that an application was submitted for approximately 1.5 acres in Seward County with a calculated rate of fifty-five to sixty dollars total per year. It was reviewed and

approved by the NRD and forwarded to the State. The State discovered that the wrong factor had been used in computing the rental rates, which then made the total annual payment to this individual \$44.00. Turnbull informed the board that he instituted a policy that any buffer strip applications less than \$50 total payment would be canceled. The reason was that the NRD, NRCS, and the state must inspect the site each year and it isn't worth it for less than \$50 total payment. The individual has contacted NRD staff, board member Linda Luebbe, and Senator Elaine Stuhr in an attempt to have the application approved. Turnbull advised the individual that what he could do to correct the situation, is to put some more acres into the program to increase the total payment.

Luebbe stated that the 1.5 acres were prime farm ground located under a center pivot. Turnbull said he agreed with her that the land was of good quality. He also told her that he feels the rental rate for this type of land is too low and he has expressed his opinion to the Department of Agriculture.

Volkmer asked if this was going to become board policy. Turnbull said it was up to the board if they wanted to ratify his decision.

It was moved by Volkmer and seconded by Dickinson that Nebraska Buffer Strip Program applications with total payments less than \$50 will not be accepted.

Moore felt that if there is to be a \$50 minimum for the Nebraska Buffer Strip Program, then the policy needs to apply to all cost share programs. Turnbull said that he didn't care if the landowner had two or three plots of land combined and the payment on each plot was less than \$50, as long as the total annual check was more than \$50.

Buller asked if NRCS could stop the application in the first stage if total payment would be less than \$50 and the NRD has a policy of \$50 minimum. Gilliam says the NRCS helps calculate what the payment will be and they could stop an application at that point. Turnbull explained that the problem with this application was that the payment amount was high enough until it came back from the State at a reduced rate.

Moore asked for a ruling on whether or not the motion on the floor would be a change in policy, or a clarification of existing policy. Chairman Austin said that currently the NRD has no policy on the matter. Moore requested that since this was a new policy the matter be held over 30 days to allow each committee to discuss how it will affect their individual programs.

Volkmer asked to qualify his motion. He said he was only talking about buffer strip land. Moore said he felt if we look at the buffer strip program we have to at least take a look at the other programs and clarify our policy in writing.

ITEM 10. SEWARD FLOOD HAZARD MITIGATION PROJECT PROGRESS PAYMENT.

The City of Seward filed claim 24 of the buyout phase, and claim 7 of the demolition phase of the Seward Flood Hazard Mitigation Project on Plum Creek. The totals of the claims are \$34,378.50. FEMA's share is \$27,150.00. The city and NRD shares are each \$3,614.25.

The original project budget was \$1,414,000. \$1,339,000 for the buyout and \$75,000 for the demolition. Actual project cost to date is \$1,333,666.86, \$1,230,874.06 for the buyout and \$102,792.80 for demolition. The NRD's contribution was not to exceed \$160,000. Actual NRD share to date is \$159,791.71. FEMA paid \$998,161.31. The City of Seward's cost to date is \$159,791.76 and \$15,992.08 has been paid out of program income from building sales.

The only debt remaining to be paid is for interest on warrants. FEMA has stated that interest on warrants is not a direct cost and is not grant eligible. The NRD's share of the interest will be \$208.29; the remaining portion of the \$160,000 maximum. The city will be obligated to pay the balance (several thousand dollars).

It was moved by Jackson and seconded by Teegerstrom that payments of \$3,614.25 in NRD funds be made to the City of Seward and that the District file a claim in the amount of \$27,150 for the FEMA share of claim 24 on the buyout phase and claim 7 on the demolition phase of the Seward Flood Hazard Mitigation Project, and that \$27,150 of the FEMA share be paid to the city when it is received by the District. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

ITEM 11. PROJECT MAINTENANCE - JOHNSON CREEK SITE 12.

Staff has determined that erosion along the upstream face of the dam at Johnson Creek Site 12 is severe and that rip rap erosion protection is needed. Also, several gullies forming on the downstream toe of the dam need repair. Several contractors were contacted to determine interest in doing the repair work. Only VanKirk Brothers of Sutton submitted a proposal.

Staff recommends that the Board of Directors waive the District's policy requiring bids on construction work costing more than \$15,000 and that VanKirk Brothers be hired to furnish labor and equipment to perform the required maintenance work in accordance with their proposal in the amount of \$18,785. Rock and bedding fabric materials would be purchased directly by the NRD for an additional \$30,000. The total estimated cost of maintenance at Johnson Creek Site 12 is \$48,785.

It was moved by Jackson and seconded by Hansen that the Board of Directors authorize maintenance work at Johnson Creek Site 12 to be performed in accordance with staff recommendations, and that the District's policies of bidding construction work costing more than \$15,000 be waived for this work and that VanKirk Brothers, Sutton, Nebraska be hired to provide labor and equipment to perform the required maintenance work in accordance with their proposal in the amount of \$18,785, and that the NRD staff be authorized to purchase the required rip rap and bedding fabric for erosion control.

Houdersheldt asked why only one contractor submitted a proposal. Bitner felt the main reason was the size of the job. Finding a contractor to do maintenance work is difficult because they're interested in doing bigger jobs. This is a sizable piece of work, but it does involve shaping the

embankment on the upstream side of the dam and placement of some bedding fabric, which is a labor intensive operation. We talked to three or four contractors about this job, and only one submitted a proposal.

Friesen asked whether or not the site was open to public access. Bitner said it is not open to the public.

The motion was amended by Friesen and seconded by Houdersheldt to insert the words "if the area is open to public access," following "in accordance with staff recommendations,"

Hansen reminded the board that the landowners involved in this project gave the NRD free easements for two dams, half a mile apart, on Johnson Creek. The easements were given with the understanding that no public access would be allowed.

Friesen said he didn't feel the NRD should have to pay for the continual maintenance of the project if there was no public access.

Bitner told the board that the NRD owns the dam and is responsible for operation and maintenance. The Upper Big Blue NRD holds the water rights. The Department of Water Resources holds the district responsible for the structure, not the landowner.

Houdersheldt was in favor of talking to the landowner and offering to pay for some public access.

Friesen withdrew his amendment with the approval of the second.

The question was called on the original motion. We approved the motion

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: Friesen, Houdersheldt

NOT PRESENT: Schulz

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

Teegerstrom reported that the Water Committee met on May 13, 1999.

ITEM 13. GROUND WATER MANAGEMENT AREA 2.

ITEM 13a. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Teegerstrom and seconded by Jackson to approve final payment for eleven well abandonments, as reviewed, at a total cost of \$3,484.93. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman,

Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT VOTING: Buller
NOT PRESENT: Schulz

ITEM 13b. FINAL DRAFT CHANGES TO THE GWMA#2 ACTION PLAN.

It was moved by Teegerstrom and seconded by Ediger to approve the final draft for the GWMA #2 Action Plan, Rule 4 and Rule 5 for the purpose of public hearing to be held in conjunction with the June Board of Directors meeting. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Schulz

ITEM 14. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met May 13, 1999.

ITEM 15. TRAILBLAZER RC&D REQUEST FOR FUNDING.

The Trailblazer RC&D has asked the District for \$65 to support its 1999 Women's Wilderness Weekend program.

It was moved by Friesen and seconded by Volkmer that the Upper Big Blue NRD donate \$65 to the Trailblazer RC&D for its Women's Wilderness Weekend program. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: Jackson
NOT PRESENT: Schulz

ITEM 16. YORK AREA CHILDREN'S MUSEUM EDUCATIONAL STATION.

A group of people in York is creating a Children's Museum to be located in the old city council chambers at the York Auditorium. Prudence has been investigating the possibility of creating an education station for the museum that illustrates how groundwater is pumped from the aquifer to our homes. Using modular playground equipment, she has designed a station in which the kids, pretending to be water drops, will climb through an aquifer, up a well and down a slide into a foam rubber sink. Electronic beams will trigger audio recordings at key points to tell the kids where they are in the water cycle.

A very early estimate of cost is \$20,000. Seventy-five percent of that can be funded from the Nebraska Environmental Trust Fund (fertilizer fees). Prudence is looking for partners to help with the remaining costs.

It was moved by Friesen and seconded by Volkmer to authorize the staff to work on the concept of a water cycle education station for the York Area Children's Museum and to put \$20,000 (from the Nebraska Environmental Enhancement Fund) in the FY 2000 Public Information Budget. The motion failed.

AYE: Brown, Dickinson, Houdersheldt, Moore, Regier, Teegerstrom, Austin
NAY: Buller, Eberle, Ediger, Friesen, Hultman, Jackson, Luebbe, Volkmer
NOT VOTING: Hansen
NOT PRESENT: Schulz

ITEM 17. PAYMENT TO BIG SIOUX NURSERY.

Due to the shortage of trees at Bessey Nursery at Halsey, Nebraska, the District purchased additional trees from other nurseries.

It was moved by Friesen and seconded by Luebbe that the Upper Big Blue NRD make payment of \$1,143.50 to the Big Sioux Nursery, Inc. of Watertown, South Dakota, for the purchase of 1,600 red cedar and 900 ponderosa pines. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Schulz

ITEM 18. PAYMENT TO LAWYERS NURSERY, INC.

It was moved by Friesen and seconded by Hansen that the Upper Big Blue Natural Resources District make payment of \$2,617.85 to Lawyers Nursery, Inc. for the purchase of 3,300 Colorado blue spruce and 30 sugar maple. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Schulz

ITEM 19. PAYMENT TO BUILDERS SUPPLY OF OSCEOLA.

The Rising City vocational education class has completed the construction of the restrooms for Oxbow Trails Reservoir, including the purchase of two steel doors and the hardware to go with it.

It was moved by Friesen and seconded by Luebbe that the Upper Big Blue NRD make payment of \$717.35 for the purchase of materials including two steel doors for the restroom at Oxbow Trails Reservoir. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

ITEM 20. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Executive Committee met on May 11, 1999.

ITEM 21. COMPUTER EQUIPMENT.

It is necessary to replace three of the older computers in the office before the end of the fiscal year. The older computers are too small to handle the current program software efficiently. The newer word processing, publishing, and data management software that is being used by the staff requires more powerful computers with much larger storage space. The District will be using geographic information system (GIS) data files in the near future, which require computers with large memory and disk storage. GIS is a computer mapping system that can be used for many of the maps that the District works with, including aerial photography.

The District owns 15 computers and needs to plan on replacing and upgrading them on a regular schedule. That approach has worked well with the vehicle fleet over the years. A three-year replacement schedule would be appropriate as fast as computers change. The oldest and least powerful computers should always be replaced first. The newer more powerful computers acquired should go to the positions that have the most demanding requirements. The older machines can then be moved to the jobs that do not require quite as much computer capability. Even with the replacement plan intermediate upgrades will probably still be needed on some of the computers.

Upper Big Blue Computer Replacement Schedule						
			Processor size	RAM	Hard Drive	CD ROM
1	Replace in May 1999	Gateway	Pentium 60	16 MB	540 MB	Yes
2	Replace in May 1999	CSI	Pentium 75	16 MB	425 MB	No
3	Replace in May 1999	CSI	Pentium 75	16 MB	540 MB	No
4	Replace by Sept 1999	CSI	Pentium 100	16 MB	540 MB	No
5	Replace by Sept 1999	CSI	Pentium 75	16 MB	540 MB	No
6	Replace in FY 2001	CSI	Pentium 100	16 MB	2.1 GB	No
7	Replace in FY 2001	CSI	Pentium 100	24 MB	2.1 GB	No
8	Replace in FY 2001	Toshiba laptop	Pentium 100	16 MB	840 MB	No
9	Replace in FY 2001	Gateway	Pentium 100	32 MB	2.1 GB	No
10	Replace in FY 2001	CSI	Pentium 166	32 MB	2.1 GB	Yes
11	Replace in FY 2002	CSI	Pentium 166	64 MB	2.1 GB	Yes
12	Replace in FY 2002	CSI	Pentium 166	64 MB	2.1 GB	No
13	Replace in FY 2002	CSI	Pentium 166	64 MB	2.1 GB	Yes
14	Replace in FY 2002	CSI	Pentium 166	64 MB	4.0 GB	Yes
15	Replace in FY 2002	CSI	AMD 233	32 MB	3.5 GB	Yes

Three prices were obtained for computers to replace the first three in the list above. The new computers will be for use by Russ Callan (for GIS work), Stephanie Mousel (for publishing work), and John Turnbull (management and administration). Russ's current computer will go to Rita's desk. Hers will be sold. Stephanie's current computer will go to Ken's desk. His will be sold. John's current computer will be replaced outright.

Computer Quotes and Prices

	Computer Spectrum, Inc. Aurora, Nebraska	Gateway North Sioux City, SD	Dell Round Rock, Texas
One Computer Pentium III 450 MHZ 256 MB RAM 16 GB Hard Drive 40X CD ROM 19" Monitor 250 MB Zip Drive	\$2,897.00	\$2,545.00	\$2,830.00
Two Computers Pentium III 450 MHZ 256 MB RAM 16 GB Hard Drive 40X CD ROM 17" Monitor	\$2,369.00 each \$4,738.00 subtotal	\$2,415.00 each \$4,830.00 subtotal	\$2,512.00 \$5,024.00 subtotal
Total for 3 Computers	\$7,635.00	\$7,375.00	\$7,854.00
Installation and setup	\$480.00 est. based on hours	NRD provides	NRD provides

It was moved by Eberle and seconded by Moore to approve the purchase of three Pentium III 450 MHZ computers, as specified, from Computer Spectrum, Inc., of Aurora, Nebraska for \$7,635.00, and further to have Computer Spectrum, Inc. do the installation and setup. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Schulz

ITEM 22. SALARY SCHEDULES.

Turnbull reviewed the Salary Classifications & Salary Survey with the Executive Committee. Copies were sent to all board members for review.

It was moved by Eberle and seconded by Hultman to approve the General Manager's recommendations including the reclassification of certain employees and the new salary schedules; that the reclassification and schedules have an effective date of July 1, 1999; further that these salary schedules be updated annually by increasing the midpoint by a reasonable percentage to stay in line with the job market.

The motion was made by Houdersheldt and seconded by Buller to amend the motion to say "further that these salary schedules be reviewed annually and adjust the midpoint by a reasonable percentage to stay in line with the job market, if needed."

Volkmer asked Turnbull how this schedule compared to the districts to the south and west of the Upper Big Blue NRD. Turnbull said he didn't have that information. He had requested the 1998 employee census information from the NARD, but the executive director was uncomfortable about giving it out.

Volkmer said he had gotten the information for 1997, which he distributed to the board. Turnbull said he had the information for 1997, but not 1998. Volkmer indicated he thought the Upper Big Blue was well above the average salary already.

Turnbull reminded the board that his proposal is only to set a salary range for each position and that this does not set the individual's salary. Once the salary schedule is approved, he will bring salary recommendations to the board for approval in July.

Two directors did not receive their copies of the Salary Classifications & Salary Survey prior to the meeting. For this reason Dickinson asked that the matter be held over until the next board meeting. Chairman Austin approved his request.

**ITEM 23. FINANCIAL REPORT, APRIL 1, 1999 THROUGH APRIL 30, 1999,
AND CONSIDERATION OF EXPENDITURES FOR APRIL 1999.**

Turnbull reviewed the financial report for the period April 1, 1999 through April 30, 1999 that we had distributed.

It was moved by Volkmer and seconded by Moore to approve the financial report as presented and publish the expenditures for April 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Schulz

There being no other business, we adjourned the meeting at 10:25 p.m..

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on May 20, 1999, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Wayne M. Hansen, Secretary

nds
Attachment (1)

**BOARD OF DIRECTORS MEETING
AND
PUBLIC HEARING FOR PROPOSED CHANGES TO THE
GROUND WATER MANAGEMENT AREA ACTION PLAN
June 17, 1999**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 17, 1999 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Steve Buller, Doug Dickinson, Gary Eberle, Ed Ediger, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, Jim Jackson, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were Nancy Schneider, Jay Bitner, Rodney DeBuhr, Ken Feather, Russell Callan, Prudence Sadler, Marty Link, NDEQ - Lincoln, Bill Gilliam, Mark Nowack, G. Bredehoft, JoAnn Schuelke, Jane Beck Smith, Beulah Gocke, Bruce Stephens and Anthony Greder of the York News-Times. Chair Austin called the meeting to order at 7:40 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Austin reported that we published the legal notice for the Directors' Meeting in the York News-Times on June 9, 1999.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll.

ITEM 3. CONSIDERATION OF DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

It was moved by Volkmer and seconded by Hansen to excuse the absence of Linda Luebbe from the June 17, 1999, board of directors meeting as requested. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz

**ITEM 4. OPEN PUBLIC HEARING FOR PROPOSED CHANGES TO THE
GROUND WATER QUALITY MANAGEMENT AREA ACTION PLAN,
AND RULES 5 AND 4.**

Chair Austin opened the public hearing for proposed changes to the District's Ground Water Quality Management Area Action Plan at 7:44 p.m. The Notice of Public Hearing was published in the York News-Times May 25, June 1, and June 8, 1999. Austin informed those present that testimony would first be received on the Ground Water Management Area Action Plan, then Rule 5 - Ground Water Management Area Rules and Regulations and last, Rule 4 - Rules and Regulations for the Enforcement of the Groundwater Management Act.

ITEM 4a. TESTIMONY ON ACTION PLAN.

Chair Austin opened testimony on the Action Plan. She outlined the order in which testimony would be received. 1. NRD staff, 2. Board members, 3. NDEQ, 4. Other state agencies, 5. Local government, and 6. Others. She turned the floor over to Rod DeBuhr.

I am Rod DeBuhr, Water Department Manager for the Upper Big Blue NRD. Most of the NRD board members have had time to review the proposed changes to the GWMA Action Plan on their own and at the Water Committee's meetings, but I will briefly highlight the changes to the Action Plan. The changes to the Action Plan are the results of the Ground Water Management Area Advisory Committee's 5-year review. The Advisory Committee is made up of representatives from several farm organizations, agricultural businesses, local, state and federal government. The Advisory Committee reviewed the plan and activities that have occurred in the five years since the establishment of the Ground Water Management Area. The Action Plan is a document that sets the direction for actions to curb ground water contamination, with the primary concerns being nitrates. There were no major changes in direction recommended by the Committee. The Plan remains heavily focused on education and encouraging voluntary adoption of best management practices that will reduce ground water contamination. The most significant changes proposed are clarifying the definition of what constitutes nitrogen fertilizer, as it relates to timing of application and changes in the procedures for training and certification of producers in phase two. Management areas to conform with what is being done by other NRDs; requiring crop nitrogen needs calculations in phase two rather than waiting until phase three; and adoption of a long-term ground water nitrate monitoring program. I'd be happy to answer any questions at this time.

Marty Link of Nebraska Department of Environmental Quality was asked to testify next.

Madam Chairman, I have the original here and several copies of my testimony. My name is Marty Link. I'm with the Nebraska Department of Environmental Quality. I am the Unit Supervisor of the Planning Assessment Unit in the Ground Water Section. I offer tonight our testimony, which is the testimony of the Nebraska Department of Environmental Quality before the Board of Directors of the Upper Big Blue Natural Resources District, regarding revisions of the District's Ground Water Management Area Action Plan and Rules and Regulations.

The Nebraska Department of Environmental Quality (NDEQ) has cooperated with the Upper Big Blue Natural Resources District in several matters regarding ground water quality in the past. In the 1980s, NDEQ provided technical assistance to the District for the York Recharge Project. In 1994, NDEQ granted U.S. Environmental Protection Agency funds under Section 319 of the Clean Water Act for enhancement of the Recharge Project. In 1989 through 1992, NDEQ studied the geology and ground water quality of the District, with emphasis on levels of nitrate-nitrogen and pesticides. This study resulted in NDEQ designating Nebraska's third Special Protection Area (SPA) covering the entire Upper Big Blue NRD in 1993. The District submitted its Action Plan for the SPA and received NDEQ approval of the Plan in 1994. In 1995, NDEQ provided further USEPA 319 grant funds to assist the District in implementing its SPA, which, as a result of 1996 legislation, would become known as a Ground Water Management Area (GWMA).

It was with these experiences in mind that NDEQ reviewed the District's proposed revisions to its GWMA Action Plan and rules and regulations. These experiences have convinced NDEQ of the magnitude of the ground water quality issues facing the NRD, and of the commitment of the District to dealing with them. Therefore, NDEQ supports the proposed changes to the NRD's

Action Plan and associated rules and regulations. NDEQ believes that these changes reflect the experience and knowledge the District has gained over the last five years of GWMA implementation. NDEQ also believes that the Action Plan and associated rules and regulations provide a flexible and appropriate framework for dealing with nitrate and other ground water contaminants of concern, and that the District's overall approach stands a good chance of success.

According to §46-656.40 through 46-656.42, Nebraska Revised Statutes, the NRD shall, within thirty days of this hearing, adopt any amendments to its Action Plan and submit them to NDEQ. Once these amendments are submitted, NDEQ shall approve or deny the amendments within one hundred and twenty days and may, if necessary, hold an additional public hearing to take further public testimony. NDEQ will continue to work closely with the District during this process.

Finally, NDEQ wishes to take this opportunity to once again commend the citizens, Board of Directors, and staff of the Upper Big Blue Natural Resources District for continuing to make progress in protection of ground water quality. NDEQ continues to believe that the actions of informed and committed local citizens and government entities represent Nebraska's best chance at safeguarding this most important resource.

Chair Austin asked if anyone representing another state agency, local government, or other interested parties wished to testify.

ITEM 4b. TESTIMONY ON RULE 5.

Chair Austin opened testimony on Rule 5. Again, she outlined the order in which testimony would be received. Chair Austin turned the floor over to Rod DeBuhr.

Again, I'm Rod DeBuhr, Water Department Manager for the Upper Big Blue NRD. The amendments to Rule 5 are proposed simply to conform with the changes in the Action Plan. We also made a few minor corrections in some definitions to comply with state law, upon the recommendation of DWR, but they were very minor in nature. The Department of Water Resources (DWR) will not be here to testify, but they did submit some written testimony. Rod entered the written testimony into the hearing record. A copy of the written testimony is attached to these minutes. Rod said he would answer questions if there were any.

NRD Board Member, Larry Moore, questioned the second paragraph of the letter received from DWR that reads "The rules have evolved much over the past 22 years. In that time, your ground water management plan has not been modified. We would encourage you bring the plan up to date with your current rules and other management programs." He asked Rod if they were correct. Rod stated that they are commenting specifically on a document called Ground Water Management Plan. You will recall that there was legislation passed specifically for this District which did not require us to update our Management Plan, because we wrote an Action Plan. Since that time we have not updated our Plan. We could do so, but the Board has chosen not to. It was our feeling that we had satisfied those agencies involved that we were taking the appropriate action through the original Control Area Rules and Regulations and our Action Plan.

Chair Austin asked if anyone else wanted to testify.

ITEM 4c. TESTIMONY ON RULE 4.

Chair Austin opened testimony on Rule 4. She outlined the order in which testimony would be received. She turned the floor over to Rod DeBuhr.

I'm Rod DeBuhr, Water Department Manager for the District. The purpose for the changes proposed to Rule 4 are to simplify the process of responding to violations for irrigation runoff rules and any violations of Rule 5. This is being done by combining the duties of the inspector and compliance officer. This will allow the compliance officer to submit a report on alternative actions to the violator more quickly than the current Rule 4 does. This was in response to some of the difficulties we had last year relating to early fertilizer applications. The Water Committee felt that it was time to streamline the Rules if we could, and this was how we chose to do that.

Chair Austin asked for questions. She asked if any state agencies, local governments, or any other citizens wished to testify.

The hearing was left open until 8:33 p.m., at which time Chair Austin officially closed the hearing.

ITEM 5. ADOPT REVISED AGENDA.

It was moved by Hultman and seconded by Volkmer to adopt the revised agenda, as presented for the June 17, 1999 Directors' Meeting. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz

ITEM 6. APPROVAL OF MINUTES OF THE MAY 20, 1999, BOARD OF DIRECTORS' MEETING.

It was moved by Volkmer and seconded by Brown to approve the minutes of the May 20, 1999 Board of Directors meeting as distributed. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz

ITEM 7. ADOPTION OF CHANGES TO GROUND WATER QUALITY MANAGEMENT AREA RULES AND REGULATIONS.

ITEM 7a. ADOPT ACTION PLAN.

It was moved by Teegerstrom and seconded by Regier to adopt the revised Ground Water Management Area Action Plan, as presented at the public hearing held June 17, 1999, with an effective date of July 17, 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz

ITEM 7b. ADOPTION OF RULE 5.

It was moved by Teegerstrom and seconded by Friesen to adopt the Revised Rule 5 - Ground Water Management Area Rules and Regulations, as presented at the public hearing held June 17, 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz

ITEM 7c. ADOPTION OF RULE 4.

It was moved by Teegerstrom and seconded by Regier to adopt the Revised Rule 4 - Rules and Regulations for the Enforcement of the Groundwater Management Act, as presented at the public hearing held June 17, 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz

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

Jackson reported that the Projects Committee met on June 8, 1999.

ITEM 9. LAND TREATMENT PROGRAM NSWCP FUND PAYMENTS.

It was moved by Jackson and seconded by Hultman that payments of NSWCP land treatment funds be made in the amount of \$5,537.87 for four applications reviewed by the committee. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz

ITEM 10. LINCOLN CREEK PARKWAY PEDESTRIAN BRIDGE AT AURORA.

The Cooperative Agreement between the Nebraska Vocational Agricultural Foundation and the Upper Big Blue NRD will expire on June 30, 1999. Although the NRD has no additional financial obligation to the Foundation, staff recommends that the agreement termination date be extended until June 30, 2001 to allow the sponsors more time to construct the pedestrian bridge over Lincoln Creek. The district's role in this project is to provide foundation design for the bridge, and assist the University of Nebraska with local project coordination.

Final design of the bridge is completed and the University of Nebraska has applied for a construction grant from the Federal Highway Administration. Nebraska Department of Roads is also cosponsoring the grant application. If the grant is approved construction will be done next spring.

It was moved by Jackson and seconded by Hansen that the Cooperative Agreement between the Upper Big Blue Natural Resources District and the Nebraska Vocational Agricultural Foundation be amended to change the termination date from June 30, 1999 to June 30, 2001. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz

ITEM 11. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Teegerstrom reported that the Water Committee met on June 10, 1999.

ITEM 12. LIVESTOCK WASTE CONTROL FACILITY PERMIT REVIEW.

At the June 10, 1999 Water Committee meeting staff presented the Lloyd Naber & Sons' livestock waste control facility construction permit review. John Turnbull reviewed the portion of LB 1209 that deals with the NRD's ability to comment on LWCF permits. Russell Callan presented Rod DeBuhr's LWCF review and submitted it for the Committee's approval.

It was moved by Teegerstrom and seconded by Ediger to accept Rod DeBuhr's review of Lloyd Naber & Sons' livestock waste control facility construction permit application as submitted and forward the review to the Department of Environmental Quality and to inform the Department that the neighbors have concerns about surface and groundwater quality impacts; further to forward copies of the neighbors' handouts to the Department.

Moore felt the wording of the motion was misleading and asked the committee to clarify that this was a committee recommendation to the board to accept the report and forward to NDEQ. Water Committee members indicated that was their intent.

Moore also thought that copies of the neighbors' handouts should be submitted with a disclaimer saying that they are forwarded to the NDEQ on behalf of citizens who attended the Water Committee meeting and not the Upper Big Blue NRD staff. DeBuhr indicated it was his intent that the comments be sent in the same envelope as his review, but as a separate packet.

JoAnn Schuelke asked whether the written comments submitted by the June 15, 1999 deadline would be submitted to NDEQ along with the handouts presented at the Water Committee meeting.

Austin said that no motion had been made to address the matter. The Committee motion stated they would receive the comments, but there was no motion stating what would be done with the comments.

Volkmer asked Marty Link of NDEQ what would happen if the board voted not to approve the report. Would that change NDEQ's course of action? Marty stated it was her belief that according to LB 1209 the NRD just gets the opportunity to comment on the permit. It is still the NDEQ's decision whether or not to approve the permit.

Buller asked Marty Link if the neighbors who are opposed to a site are part of the conditions that NDEQ considers. She stated they are not, but their concerns are heard. If they are the people watching for runoff events, or other complaints, those are taken into consideration, and someone will go out and investigate if they think it's a valid complaint.

The question was called for. We approved the motion.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman,
Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Eberle

NOT PRESENT: Luebbe, Schulz

ITEM 12a. WRITTEN COMMENTS REGARDING LIVESTOCK WASTE CONTROL FACILITIES PERMIT.

It was moved by Teegerstrom and seconded by Hultman that the NRD will take written comments, as per the oral comments received at this committee meeting, until 12:00 noon June 15, 1999.

DeBuhr stated that comments were received from four individuals. Those comments were not copied for the whole board, but a limited number were available for the board to see. DeBuhr said he reviewed the comments and they are consistent with the materials handed out at the committee meeting.

It was moved by Volkmer and seconded by Houdersheldt to amend the motion to add the words "and forward those written comments to the NDEQ along with Rod DeBuhr's review." We approved the amendment.

AYE: Brown, Buller, Dickinson, Hansen, Houdersheldt, Hultman, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Austin

NAY: Eberle

NOT VOTING: Ediger, Friesen

NOT PRESENT: Luebbe, Schulz

Moore told the board that Mr. Ziemke's letter raised a question that he asked Russ Callan and Rod DeBuhr about. Since the current ground water elevations are available from the last committee meeting, and he said he assumed those were from the surface of the ground to the water table, he asked to know the distance between the elevation and the bottom of the pit.

Rod told the board that there is an observation well that the District measures one mile east of this location. Based on sea level elevations he took from the quad sheets for that well, the groundwater level from the bottom of the proposed pit is between 70-75 feet. The gradient can vary slightly so I can't say precisely to the foot.

Austin asked for the names of the people who had given written testimony.

Moore said his question was in response to a letter written by Doug Ziemke of Waco, Nebraska. Austin said that no oral comments were received from Mr. Ziemke at the Water Committee meeting according to the minutes. Moore said he was there and heard Doug Ziemke ask the question at the committee meeting and that the committee minutes should have reflected his comments.

Rod said it was his understanding that the four individuals who presented written comments were Mr. Ziemke, Bruce Stephens, Jeff Willis and JoAnn Schuelke. It was his understanding that they all gave oral comments at the Water Committee meeting.

We called for the question. We approved the original motion, as amended.

AYE: Brown, Buller, Dickinson, Hansen, Houdersheldt, Hultman, Jackson, Moore,
Regier, Teegerstrom, Volkmer, Austin

NAY: Eberle, Ediger, Friesen

NOT PRESENT: Luebbe, Schulz

ITEM 13. GROUND WATER MANAGEMENT AREA 2.

ITEM 13a. WELLHEAD AREA PROTECTION PROJECT.

We received a bill from the UNL South Central Research and Extension Center for the first part of three payments for \$24,978. The board approved total funding of \$77,204 over a three-year period for this project.

It was moved by Teegerstrom and seconded by Jackson to pay UNL South Central REC \$24,978 for the District's contributions to the Wellhead Area Protection Project. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz

ITEM 13. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

It was moved by Teegerstrom and seconded by Brown to approve final payment for seven well abandonments, as reviewed, at a total cost of \$2,152.60. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman,
Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Buller

NOT PRESENT: Luebbe, Schulz

ITEM 14. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Education and Parks Committee met June 10, 1999.

ITEM 15. PAYMENT TO LINCOLN-OAKES NURSERY.

It was moved by Volkmer and seconded by Jackson that the Upper Big Blue Natural Resources District make payment of \$1,612.25 to Lincoln-Oakes Nurseries in Bismark, North Dakota for the purchase of 4,164 trees and shrubs. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz

ITEM 16. PAYMENT TO NEBRASKA STATE FORESTER.

It was moved by Volkmer and seconded by Teegerstrom that the Upper Big Blue Natural Resources District make payment of \$13,078.03 to the Nebraska State Forester for the purchase of 27,775 trees and shrubs, wood chips, and packing of individual orders. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz

ITEM 17. CORNERS FOR WILDLIFE PAYMENTS.

These wildlife areas are pivot corners, or portions of pivot corners, that have been developed for wildlife. The payments are being made with funds from the Environmental Trust Fund through the Pheasants Forever Chapters.

It was moved by Volkmer and seconded by Ediger that the Upper Big Blue Natural Resources District make payment of \$20,122.50 to the cooperators of the Corners for Wildlife program, as reviewed. We approved the motion.

AYE: Brown, Buller, Eberle, Ediger, Friesen, Houdersheldt, Hultman, Jackson,
Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Dickinson, Hansen

NOT PRESENT: Luebbe, Schulz

ITEM 18. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on June 9, 1999.

ITEM 19. PAYMENT TO COMPUTER SPECTRUM INC.

The three new Pentium III computers purchased from Computer Spectrum Inc have been installed and we have received the invoice for \$7,856.31.

It was moved by Moore and seconded by Houdersheldt to approve payment of \$7,856.31 to Computer Spectrum, Inc. of Aurora, Nebraska for three Pentium III computers. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz

ITEM 20. RESOLUTIONS FOR THE NARD FALL CONFERENCE.

Civil Penalties for Enforcement of the Ground Water Management and Protection Act

1999 NARD Annual Conference Submitted by the Upper Big Blue NRD

WHEREAS, natural resources districts have primary responsibility for enforcement of the Nebraska Ground Water Management and Protection Act; and

WHEREAS, the purposes for implementing of the provisions of the Ground Water Management and Protection Act have been significantly modified since its initial passage; and

WHEREAS, some natural resources districts have found it difficult to enforce the regulations promulgated under the Act in a fair and timely manner through the use of cease and desist orders; and

WHEREAS, 46-656.63 R.R.S. 1998 appears to allow for the issuance of civil penalties, but does not clearly explain how such penalties are to be administered;

NOW, THEREFORE BE IT RESOLVED that the Nebraska Association of Resources Districts hereby supports changes to Statutes that will allow natural resources districts to impose civil penalties for the enforcement of the Ground Water Management and Protection Act and clarify procedures for imposing such penalties.

It was moved by Moore and seconded by Hansen to adopt the Civil Penalties for Enforcement of the Ground Water Management and Protection Act resolution and to present it to the Nebraska Association of Resources Districts for consideration at the fall NARD Conference. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Schulz

ITEM 21. MINIMUM PAYMENT POLICY.

At the May 20, 1999 Board meeting each committee was instructed to review a draft minimum payment policy. The Budget Committee was assigned the responsibility of bringing a recommendation to the Board.

The Projects Committee has forwarded a proposed change to this Committee which is reflected in the draft.

CURRENT MINIMUM PAYMENTS

- Land Treatment Practices No minimum
- Buffer Strip Program \$50.00 set by Manager
- Wildlife Habitat Improvement Program
 - Practice I \$125.00
 - Practice II \$ 75.00
 - Practice III \$ 75.00
 - Practice IVa \$ 50.00
 - Practice IVb No Minimum
- Corners for Wildlife No Minimum
- Community Tree Resources Program
 - Community Tree Resources Program I \$ 200.00
 - Community Tree Resources Program II \$ 200.00
- Parks Program No Minimum
- Assistance to Schools
 - Outdoor Classrooms No Minimum
 - Model Aquifers for Schools No Minimum
- Aquifer Quality Well Abandonment Cost-Share Assistance Program No Minimum
- Inter-government Cost-Share No Minimum
- Special Projects No Minimum

MINIMUM PAYMENT POLICY

This minimum payment policy applies only to annual contract payment amounts or cost-share payments for the following programs that do not have specific larger minimums.

- Land Treatment Practices
- Buffer Strip Program
- Wildlife Habitat Improvement Program
- Corners for Wildlife
- Community Tree Resources Program

- Parks Program
- Assistance to Schools
- Aquifer Quality Well Abandonment Cost-Share Assistance Program
- Inter-government Cost-Share
- Special Projects

Applications for these programs and practices received after July 1, 1999 will be considered only if the annual contract payment or the cost-share payment is \$100 or greater. Actual payments made for these applications will only be considered if the amount to be paid is \$100 or greater.

- The \$100 minimum only applies if a higher minimum payment does not exist for a specific program or practice.
- The final payment for multi payment contracts, such as with Parks cost-sharing or other Inter-Government cost-sharing may be less \$100.
- Payments that are split at the applicants request must be \$100 or greater to each of the parties receiving payments.

It was moved by Moore and seconded by Houdersheldt to adopt the minimum payment policy and to have the policy go into effect on July 1, 1999.

It was moved by Ediger and seconded by Friesen to amend the motion to remove the Aquifer Quality Well Abandonment Program from the minimum payment policy. We approved the amendment.

AYE: Brown, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Regier, Teegerstrom, Volkmer

NAY: Buller, Dickinson, Eberle, Moore, Austin

NOT PRESENT: Luebbe, Schulz

It was moved by Eberle and seconded by Volkmer to amend the motion to change the \$100 minimum to \$75.00 minimum. The amendment failed.

AYE: Brown, Eberle, Friesen, Hansen, Jackson, Moore, Volkmer

NAY: Buller, Dickinson, Ediger, Houdersheldt, Hultman, Austin

NOT VOTING: Regier, Teegerstrom

NOT PRESENT: Luebbe, Schulz

We approved the original motion as amended.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Moore, Austin

NAY: Eberle, Jackson, Regier, Volkmer

NOT VOTING: Teegerstrom

NOT PRESENT: Luebbe, Schulz

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

Eberle reported that the Executive Committee met on May 20 and June 8, 1999.

ITEM 23. LIABILITY INSURANCE.

The liability, fire, and casualty insurance is provided by INSPRO Insurance through Scott Nelson of York Insurance. INSPRO writes insurance for more than half of the districts. Employers Mutual is the principal insurance carrier. The quote for the new policy is \$ 31,205. The existing policy expires on July 1, 1999. Quotes from other carriers are difficult to obtain due to the liability coverage on the dams.

It was moved by Eberle and seconded by Hansen to approve the renewal of the liability, fire, and casualty insurance for FY 2000, and approve payment of \$ 31,205 to York Insurance. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Luebbe, Schulz

**ITEM 24. FINANCIAL REPORT, MAY 1, 1999 THROUGH MAY 31, 1999,
AND CONSIDERATION OF EXPENDITURES FOR MAY 1999.**

Schneider reviewed the financial report for the period May 1, 1999 through May 31, 1999 that we had distributed.

It was moved by Regier and seconded by Dickinson to approve the financial report as presented and publish the expenditures for May 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT PRESENT: Luebbe, Schulz

There being no other business, we adjourned the meeting at 10:20 p.m..

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on June 17, 1999, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Wayne M. Hansen, Secretary

nds

Attachment (1)

**BOARD OF DIRECTORS MEETING
July 22, 1999**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 22, 1999 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Augustus Brown, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Linda Luebbe, Larry Moore, Kenneth Regier, Roland Schulz, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Rod DeBuhr, Jay Bitner, Prudence Sadler, Ken Feather, Danny Allison and Albert G. Smith of the York County Development Committee and Anthony Greder of the York News-Times. Acting Chair, Gary Eberle, called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Eberle reported that we published the legal notice for the Directors' Meeting in the York News-Times on July 13, 1999.

ITEM 2. ROLL CALL OF DIRECTORS.

Eleven directors were present for the calling of the roll. Friesen, Houdersheldt, Moore and Regier arrived later in the meeting.

ITEM 3. CONSIDERATION OF DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

It was moved by Teegerstrom and seconded by Volkmer to excuse the absence of Ed Ediger and Yvonne Austin from the July 22, 1999 board of directors meeting as requested. We approved the motion.

AYE: Brown, Buller, Dickinson, Hansen, Hultman, Jackson, Luebbe, Regier, Schulz,
Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Friesen, Houdersheldt, Moore

ITEM 4. ADOPTION OF AGENDA.

It was moved by Jackson and seconded by Hultman to adopt the agenda as presented for the July 22, 1999 Board of Directors meeting. We approved the motion.

AYE: Brown, Buller, Dickinson, Hansen, Hultman, Jackson, Luebbe, Regier, Schulz,
Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Friesen, Houdersheldt, Moore

ITEM 5. APPROVAL OF MINUTES OF THE JUNE 17, 1999 BOARD OF DIRECTORS MEETING AND PUBLIC HEARING FOR PROPOSED CHANGES TO THE GWMA ACTION PLAN.

It was moved by Hultman and seconded by Volkmer to approve the minutes of the June 17, 1999 Board of Directors meeting and Public Hearing for proposed changes to the GWMA Action Plan as distributed. We approved the motion.

AYE: Brown, Buller, Dickinson, Hansen, Hultman, Jackson, Luebbe, Regier, Schulz,
Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Friesen, Houdersheldt, Moore

ITEM 6. NEBRASKA NATURAL RESOURCES COMMISSION REPORT.

Richard Jiskra presented the board with copies of the minutes of the June 17, 1999 Nebraska Natural Resources Commission meeting. He felt the Upper Big Blue NRD might be interested in the Governor's initiative to merge the NNRC with the Department of Water Resources. The Governor will appoint his own committee to study the merger of the two agencies. Dayle Williamson asked that there be one commission member, or liaison, on that committee and Dale Watermeier will be that person. The report on the proposed merger is due on the Governor's desk September 1. Then there is LR 108, an outgrowth of LB 639, which would call for a newly created department, resulting in the merger of DEQ, DOA, DWR and NNRC. That study is to begin in September and to be completed and back to the NNRC by January 1. He asked the Upper Big Blue NRD for any comments regarding the proposed consolidations in LR 108. Richard felt the matter would come up for discussion at the NARD legislative conference in September. There is also a legislative committee studying the fertilizer tax, whether to continue it or replace it with something else, as a part of LR 224, which was introduced by Sen. Beutler. The Nebraska Corn Growers want the law to remain as originally written. The Commission feels there needs to be something to replace the fertilizer tax.

ITEM 7. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on July 13, 1999.

ITEM 8. LAND TREATMENT PROGRAM NSWCP FUND PAYMENTS.

It was moved by Jackson and seconded by Volkmer that payments of NSWCP Land Treatment funds be made in the amount of \$4,110.74 for five applications reviewed by the committee. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Hultman, Jackson, Luebbe, Regier,
Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Houdersheldt, Moore

ITEM 9. LAND TREATMENT PROGRAM NRD FUND PAYMENTS.

It was moved by Jackson and seconded by Hultman that payment of NRD land treatment funds be made in the amount of \$5,000 for one application reviewed by the committee. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Hultman, Jackson, Luebbe, Regier,

Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Houdersheldt, Moore

ITEM 10. DAVID CITY NORTHWEST DRAINAGE PROJECT.

The Projects Committee reviewed final designs and the engineer's cost estimates for phases 1, 2A, 2B and 2C of the David City Northwest Drainage Project. The completion date for the final phase of design was July 7, 1999. According to the interlocal agreement with David City and Butler County, construction of the recommended plan is to be completed no later than July 2001. Phase one of the project was completed in 1997.

In July 1997, the engineering budget was \$36,900. Actual engineering cost, at the time final design was completed in July 1999, was \$47,900. The Lower Platte North NRD Board of Directors has agreed to reimburse the Upper Big Blue NRD for 50 percent of actual engineering cost (\$47,900) if we amend the interlocal agreement.

It was moved by Jackson and seconded by Luebbe that amendment three to the interlocal agreement between the Upper Big Blue NRD, Butler County, and the Lower Platte North NRD be approved by the Upper Big Blue NRD Board of Directors, and that in accordance with amendment three the costs of engineering be increased from \$36,900 to \$47,900. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Hultman, Jackson, Luebbe, Regier,
Schulz, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Houdersheldt, Moore

ITEM 11. SEWARD FLOOD HAZARD MITIGATION PROJECT.

The Nebraska Emergency Management Agency (NEMA) has requested that the Upper Big Blue NRD repay \$5,211 to NEMA for interest claimed as an expense. In its request for repayment of interest NEMA referred to OMB Circular A-87, which states that interest is not a reimbursable expense. The District has been claiming interest on warrants paid by the City of Seward since 1997. NEMA never questioned the interest claims until the end of the project.

Bitner recommended that the Board of Directors increase Upper Big Blue NRD's cost-share limit from \$160,000 to \$162,400 to cover the district's 50 percent share of the interest repayment and that the Board of Directors authorize repayment of \$5,211 interest to NEMA. The City of Seward will be requested to reimburse the district for 50 percent of the interest reimbursement.

It was moved by Jackson and seconded by Hansen that the Board of Directors authorizes increasing the cost share limit from \$160,000 to \$162,400 on the Seward Flood Hazard Mitigation Project, and that the District reimburse the Nebraska Emergency Management Agency (NEMA) \$5,211 for interest on warrants previously claimed as an expense, when the District is reimbursed \$2,605.50 from the City of Seward to the District as the City's 50 percent share of the reimbursement to NEMA. We approved the motion.

AYE: Brown, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom,
Eberle

NAY: Buller, Dickinson, Friesen, Houdersheldt, Schulz, Volkmer
NOT PRESENT: Austin, Ediger

ITEM 12. YORK GROUND WATER RECHARGE PROJECT.

Wayne Struebing, a landowner located downstream from the dam at the York Ground Water Recharge Project, has requested a variance in the conditions of a no-construct easement which the District holds on his property. In 1989 the District paid Mr. Struebing \$4,750 for a perpetual easement to prohibit construction of any structure within the easement area, located in the flood plain, downstream from the dam. The purpose of the easement is to ensure that the medium hazard classification for the dam, which was approved by the Nebraska Department of Water Resources, will remain intact. The Nebraska Department of Water Resources could change the dam's classification to high hazard if Mr. Struebing is allowed to construct in, or alter, the flood plain. Mr. Struebing has requested that the District allow him to construct an earth fill building pad and commercial building within the District's easement.

The Projects Committee discussed Mr. Struebing's request and decided that such a waiver could alter the hazard classification of the dam, and could cause other liability problems for the District.

It was moved by Jackson and seconded by Luebbe that Wayne Struebing's request to construct an earth fill building pad and commercial building within the District's easement on Mr. Struebing's land in the Southeast Quarter of Section 2, Township 10 North, Range 3 West, be denied. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Luebbe,
Moore, Regier, Schulz, Teegerstrom, Volkmer, Eberle
NAY: Hansen
NOT PRESENT: Austin, Ediger

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

Teegerstrom reported that the Water Committee met July 15, 1999.

ITEM 14. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

The District received six applications for final payment totaling \$1,845.17. Staff recommends payment of these claims.

It was moved by Teegerstrom and seconded by Volkmer to approve final payment for six well abandonments at a total cost of \$1,845.17. We approved the motion.

AYE: Brown, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe,
Moore, Regier, Schulz, Teegerstrom, Volkmer, Eberle
NAY: None
NOT VOTING: Buller
NOT PRESENT: Austin, Ediger

ITEM 15. PAYMENT TO UNL WATER SCIENCE LABORATORY.

It was moved by Teegerstrom and seconded by Jackson to pay the University of Nebraska Water Science Laboratory \$1,912.50 for 17 pesticide water analyses for the York Ground Water Recharge Project. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Schulz

ITEM 16. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met July 15, 1999.

ITEM 17. CORNERS FOR WILDLIFE PROGRAM FY 2000 - PHEASANTS FOREVER.

Pete Berthelson, representing Pheasants Forever, has received a grant from the Nebraska Environmental Trust Fund for financing the Corners for Wildlife Program in FY 2000. The District can begin accepting applications immediately.

The overall program offered has not changed from last year.

1. Landowners are responsible for 25% cost-share on material costs (50% on fabric weed barriers).
2. Pheasants Forever pays for 75% of the material cost-share (50% on fabric weed barriers).
3. Landowners receive a 5-year rental payment of up to \$75 per acre.
4. NRD plants the trees at no cost when 400 or more trees are planted.
5. NRD bills Pheasants Forever 100% for the trees and fabric weed barrier. Landowners are billed their share by Pheasants Forever.
6. Landowner rental payments are administered by the local NRD from funds forwarded by the local Pheasants Forever chapters.

It was moved by Friesen and seconded by Volkmer that the Upper Big Blue NRD participate in the Corners for Wildlife Program in FY 2000. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Schulz

ITEM 18. PAYMENT TO CITY OF YORK FOR COMMUNITY TREE RESOURCES PROGRAM.

The City of York has planted a number of larger trees at the York airport entryway totaling \$2,190. In April 1999, the NRD agreed to fund this project at a cost not to exceed \$1,000.

It was moved by Friesen and seconded by Hansen that the Upper Big Blue NRD make payment of \$1,000 to the City of York for the planting of trees at the York Airport entryway, under the Community Tree Resources Program I. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Schulz

ITEM 19. PURCHASE AND INSTALLATION OF BOAT DOCK FOR OXBOW TRAIL RESERVOIR.

The District obtained three quotes for the purchase of a boat dock at Oxbow Trail Reservoir.

Atlantic Medco, The Marina Co.	\$10,000.00
Super Deck Marketing	12,493.00
Trade Winds Distributing	8,027.80

The District contacted four local contractors who had expressed interest in installing the boat dock. Only one contractor submitted a quote. The other three contractors said they didn't have time to do the work.

It was moved by Friesen and seconded by Houdersheldt that the Upper Big Blue Natural Resources District purchase the boat dock from Trade Winds Distributing for the amount of \$8,027.80 and hire Proskevec Earth Moving of David City to install the boat dock and gangway and also contract the abutment for the gangway at a cost of \$5,531, for a total project cost of \$13,558.80. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Schulz

ITEM 20. WILDLIFE HABITAT IMPROVEMENT PROGRAM.

The Committee discussed Practice II, permanent wetland enhancement for types 3, 4 and 5 wetlands and Practice III, improvement of existing wildlife habitats. These practices pay \$15 per acre, which the committee feels is too low. The District now has a minimum payment policy of \$100. The committee feels raising the per acre payment would keep the existing program within its policy and still meet the \$100 minimum payment policy. The payment per acre has been \$15 since the program began in 1977.

It was moved by Friesen and seconded by Brown that the Upper Big Blue NRD write a letter to the Nebraska Game and Parks Commission requesting they raise the payments on a per acre basis for Practices II and III. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Schulz

ITEM 21. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Executive Committee met on June 13, 1999.

ITEM 22. ATTORNEY FEES.

The attorney's fees for the month are \$850 for review of water regulations.

It was moved by Buller and seconded by Hultman to approve payment of \$850 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through June 21, 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Schulz

ITEM 23. SECOND QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Buller and seconded by Hansen to approve payment of second quarter directors' per diem of \$6,350 and expenses of \$2,226.91. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Schulz

ITEM 24. REIMBURSEMENT TO LOWER BIG BLUE AND LOWER PLATTE NORTH NRD FOR SALARIES.

A bill for \$4,232.55 was received from the Lower Big Blue NRD for the Upper Big Blue NRD's share of the Saline County NRCS clerk's salary and benefits and a part of the technician's salary for the past twelve months.

It was moved by Buller and seconded by Brown to approve payment of \$4,232.55 to the Lower Big Blue NRD for NRCS office salaries for FY99 (July 1, 1998 through June 30, 1999.) We approved the motion

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Schulz

We received a bill for \$5,002.89 from the Lower Platte North NRD for the Butler County NRCS clerk's salary and part-time technical salary for the past six months.

It was moved by Buller and seconded by Dickinson to approve payment of \$5,002.89 to the Lower Platte North NRD for NRCS office salaries for half of FY 99 (January 1 through June 30, 1999.) We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Schulz

ITEM 25. REIMBURSEMENTS TO LITTLE BLUE NRD FOR SALARIES.

We received a bill from the Little Blue NRD for \$10,067.82 for Adams and Butler Counties NRCS clerical salaries for the period July 1, 1998 to June 30, 1999.

It was moved by Buller and seconded by Hansen to approve payment of \$10,067.82 to the Little Blue Natural Resources District for NRCS office salaries for FY 99 (July 1, 1998 to June 30, 1999.) We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Schulz

ITEM 26. SALARIES SCHEDULE.

Turnbull reviewed his report, *Salary Classifications and Salary Survey*, with the Executive Committee. A copy was provided to each board member in May. His recommendations are found on pages 14 and 15 of that report. The recommended salary schedule is attached to these minutes.

It was moved by Buller and seconded by Hansen to approve the General Manager's recommendations, including the reclassification of certain employees, and the new salary schedules; that the reclassification and schedules have an effective date of July 1, 1999; further, that these salary schedules be updated annually by changing the midpoint by a reasonable percentage to stay in line with the job market.

Moore felt the schedule should not automatically be adjusted each year, but should be reviewed by the committee and board first.

It was moved by Moore and seconded by Houdersheldt to amend the motion by striking the wording "further, that these salary schedules be updated annually by changing the midpoint by a reasonable percentage to stay in line with the job market." We approved the amendment.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Jackson, Luebbe, Moore, Teegerstrom, Volkmer

NAY: Hultman, Regier, Eberle

NOT PRESENT: Austin, Ediger, Schulz

We approved the original motion as amended.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Luebbe, Moore, Regier, Teegerstrom, Eberle

NAY: Volkmer

NOT PRESENT: Austin, Ediger, Schulz

ITEM 27. FY 2000 SALARIES.

Turnbull reviewed the current wages with the Executive Committee and recommended that the board authorize \$17,405 for salary increases for the staff, which is an overall change of 3.8 percent. The change last year was 4.6 percent, or \$20,257.

It was moved by Buller and seconded by Moore to adjust the annual salaries of the District staff, with the exception of the General Manager, by an amount not to exceed \$17,405; and to authorize the General Manager to determine and make the salary and wage adjustments. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Luebbe, Moore, Regier, Teegerstrom, Eberle

NAY: Volkmer

NOT PRESENT: Austin, Ediger, Schulz

It was moved by Eberle and seconded by Dickinson to increase the General Manager's salary by 3.5 percent (\$2,268) from \$64,790 to \$67,508. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Luebbe, Moore, Regier, Teegerstrom, Eberle

NAY: Volkmer

NOT PRESENT: Austin, Ediger, Schulz

ITEM 28. FY 2000 BUDGET.

Turnbull reviewed the proposed FY 2000 budget with the board. Turnbull is recommending a tax increase of about 4 percent in order to fund the increase in land treatment and a transfer to the Sinking Fund to build up the investment balance.

It was moved by Moore and seconded by Brown to approve the FY 2000 Budget as corrected for the purpose of public hearing.

It was moved by Volkmer and seconded by Friesen to amend the motion to decrease the land treatment line item to \$25,000. The amendment failed.

AYE: Friesen, Houdersheldt, Teegerstrom, Volkmer

NAY: Brown, Buller, Dickinson, Hansen, Hultman, Jackson, Moore, Regier, Eberle

NOT PRESENT: Austin, Ediger, Luebbe, Schulz

It was moved by Jackson and seconded by Volkmer to amend the motion to decrease the machinery and equipment line item by \$17,500 for the tractor. We approved the amendment.

AYE: Brown, Dickinson, Friesen, Houdersheldt, Jackson, Moore, Regier,
Teegerstrom, Volkmer, Eberle

NAY: Buller, Hansen, Hultman
NOT PRESENT: Austin, Ediger, Luebbe, Schulz

It was moved by Houdersheldt and seconded by Hansen to amend the motion to put \$17,500 into the Sinking Fund for the Indian Creek Project. The amendment failed.

AYE: Brown, Dickinson, Hansen, Houdersheldt
NAY: Buller, Friesen, Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Eberle
NOT PRESENT: Austin, Ediger, Luebbe, Schulz

We called the question on the original motion as amended. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Moore, Regier, Teegerstrom, Eberle
NAY: Volkmer
NOT PRESENT: Austin, Ediger, Luebbe, Schulz

It was moved by Moore and seconded by Buller for the purpose of public hearing, to approve an increase in the total budgeted restricted funds by an additional 1 percent.
The motion failed to get the affirmative vote of at least 75 percent of the authorized governing body.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Moore, Regier, Teegerstrom, Eberle
NAY: Volkmer
NOT PRESENT: Austin, Ediger, Luebbe, Schulz

It was moved by Moore and seconded by Jackson to schedule the FY 2000 Budget Hearing for 7:30 p.m., Thursday, August 19, 1999, and to conduct the hearing during the monthly board meeting. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Moore, Regier, Teegerstrom, Volkmer, Eberle
NAY: None
NOT PRESENT: Austin, Ediger, Luebbe, Schulz

It was moved by Moore and seconded by Hansen to schedule a Special Public Hearing for the FY 2000 Tax Request for 7:30 p.m., Thursday, September 16, 1999, and to conduct the Special Hearing during the monthly board meeting. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Moore, Regier, Teegerstrom, Volkmer
NAY: None
NOT PRESENT: Austin, Ediger, Luebbe, Schulz

It was moved by Moore and seconded by Jackson to have a Special Board Meeting, August 12, 1999 at 7:30 p.m., to discuss the additional 1 percent budget limit. We approved the motion.

AYE: Brown, Buller, Dickinson, Hansen, Houdersheldt, Hultman, Jackson, Moore,
Regier, Teegerstrom

NAY: Friesen, Volkmer, Eberle

NOT PRESENT: Austin, Ediger, Luebbe, Schulz

ITEM 29. FINANCIAL REPORT, JUNE 1, 1999 THROUGH JUNE 30, 1999, AND CONSIDERATION OF EXPENDITURES FOR JUNE 1999.

Turnbull reviewed the financial report for the period June 1, 1999 through June 30, 1999 that we had distributed.

It was moved by Regier and seconded by Houdersheldt to approve the financial report as presented and publish the expenditures for June 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Ediger, Luebbe, Schulz

There being no other business, we adjourned the meeting at 10:52 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on July 22, 1999, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Wayne M. Hansen, Secretary

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Attachments (1)

**BOARD OF DIRECTORS MEETING
AND FY 2000 BUDGET HEARING
August 19, 1999**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 19, 1999 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Dickinson, Gary Eberle, Ed Ediger, Curtis Friesen, Wayne Hansen, Earl Hultman, Jim Jackson, Linda Luebbe, Larry Moore, Kenneth Regier and Vance Teegerstrom. Staff and others attending were John Turnbull, Nancy Schneider, Rod DeBuhr, Jay Bitner, Prudence Sadler, Ken Feather, Lori Hoemann, Seward County Commissioner Ray Naber and Anthony Greder of the York News-Times. Chair Austin called the meeting to order at 7:35 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Austin reported that we published the legal notice for the Directors' Meeting in the York News-Times on August 10, 1999.

ITEM 2. ROLL CALL OF DIRECTORS.

Twelve directors were present for the calling of the roll. Luebbe arrived a short time later.

ITEM 3. CONSIDERATION OF DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

It was moved by Ediger and seconded by Dickinson to excuse the absence of Steve Buller, Roger Houdersheldt and Merlin Volkmer from the August 19, 1999 Board of Directors meeting as requested. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Houdersheldt, Luebbe, Schulz, Volkmer

ITEM 4. ADOPTION OF AGENDA.

It was moved by Hultman and seconded by Brown to adopt the agenda as presented for the August 19, 1999 Board of Directors meeting and Budget Hearing. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT VOTING: Luebbe

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 5. APPROVAL OF MINUTES OF THE JULY 22, 1999 BOARD OF DIRECTORS MEETING.

It was moved by Regier and seconded by Hultman to approve the minutes of the July 22, 1999, Board of Directors meeting as presented. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 6. APPROVAL OF MINUTES OF THE AUGUST 12, 1999 SPECIAL BOARD OF DIRECTORS MEETING.

It was moved by Brown and seconded by Jackson to approve the minutes of the August 12, 1999, Special Board of Directors meeting as presented. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 7. EMPLOYEE RECOGNITION.

Lori Hoemann, Secretary for the Water Department, was recognized for 10 years of service to the Upper Big Blue NRD. She was presented with a set of laser engraved pens.

ITEM 8. FY 2000 BUDGET HEARING.

Chair, Yvonne Austin, opened the public hearing at 8:00 p.m.. She informed those present that this Public Hearing is for hearing support, opposition, criticism, suggestions, or observations of tax payers relating to the District's FY 2000 Budget. Since this is a Public Hearing, we will ask for comments from the public.

She stated that Public Notice of this Hearing appeared once in the York News-Times on August 12, 1999. Austin asked John Turnbull, General Manager of the District, to be the Hearing Officer and to review the proposed FY 2000 Budget.

Turnbull told the board that the changes they made at last months board meeting decreased the capital expenditures for machinery and equipment on line 26, page 5, by \$17,500. That resulted in the machinery and equipment line item total being \$20,150. That changed the total budget to \$1,695,651.66 for the general operating fund. It changed the tax request downward. The tax request is now \$976,971.88. That's \$23,651.39 higher than one year ago, or about a 2.48 percent increase. The Budget Notice that was published only included the unused budget authority for a 2.5 percent tax increase, because the motion to exceed the budget limit by an additional 1 percent failed to get the affirmative vote of three-fourths of the board at the last two Board meetings. The unused budget authority carried forward to next year, if the budget is adopted as presented tonight, is \$159,107.79. Turnbull told the board he doesn't know what the levy will be yet. Only four counties have submitted final valuations as of tonight's board meeting. If the property tax valuations go up, the tax levy will go down. We will have a Public Hearing during the September Board Meeting to set the tax request.

Austin left the hearing open to allow for additional comments from the board members or general public.

ITEM 9. FY 2000 BUDGET - 1 PERCENT INCREASE IN RESTRICTED FUND AUTHORITY.

It was moved by Hansen and seconded by Moore to approve an increase in the total budgeted restricted funds by an additional 1 percent. The motion failed to get an affirmative vote from a three-fourths majority.

AYE: Brown, Dickinson, Eberle, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Austin

NAY: Ediger

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

Austin closed the Budget Hearing at 8:15 p.m..

ITEM 10. ADOPT FY 2000 BUDGET.

It was moved by Hansen and seconded by Regier to adopt the FY 2000 Budget, as presented. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 11. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on August 10, 1999.

ITEM 12. LAND TREATMENT PROGRAM NSWCP FUND PAYMENTS.

It was moved by Jackson and seconded by Hansen that payments of NSWCP land treatment funds be made in the amount of \$5,961.55 for four applications reviewed by the committee. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

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

Teegerstrom reported that the Water Committee met August 12, 1999.

ITEM 14. GROUND WATER MANAGEMENT AREA ONE REGULATIONS FOR LARGE GROUND WATER USERS.

The Water Committee reviewed proposed changes to District Rule 5 that would require certain new ground water users to conduct a hydrologic evaluation and provide evidence as to the

impact of their proposed ground water withdrawal on other ground water users. The proposed rule changes would apply to new withdrawals of 500 acre feet or more per year and existing ground water users currently withdrawing 500 acre feet or more per year, if they propose to increase their withdrawal by 250 acre feet or more per year.

It was moved by Teegerstrom and seconded by Dickinson to approve the proposed changes to Rule 5 for the purpose of a public hearing. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 15. GROUND WATER MANAGEMENT AREA TWO N-SERVE RESEARCH.

The Water Committee reviewed the research proposal for nitrogen inhibitor and fall anhydrous application. The research will be conducted on the Bettger Brothers Farms near Fairmont. The study will look at the effect of N-Serve on leaching of N and crop yield. Timing of application will also be researched. The total estimated cost for the 4-year study is \$39,000. The district's contribution would be \$14,000, which includes direct costs and in-kind services. The estimated costs to the district by fiscal year are as follows: FY 2000 \$5,000, FY 2001 \$2,000, FY 2002 \$2,000 and FY 2003 \$5,000.

The other study participants are Dow-Elanco, UNL and Bettger Brothers Farms, Inc. Money from Natural Resources Enhancement Funds would be used to fund the NRD's contributions to the study for FY 2000 - FY 2001.

It was moved by Teegerstrom and seconded by Brown to participate in the Nitrogen Inhibitor/Anhydrous Application study. We approved the motion.

AYE: Brown, Dickinson, Eberle, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Austin

NAY: Ediger

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 16. GROUND WATER MANAGEMENT AREA TWO - AQUIFER QUALITY WELL ABANDONMENT COST SHARE ASSISTANCE PAYMENTS.

Staff received two aquifer quality well abandonment cost-share assistance applications for payment. Staff recommends payment for these applications.

It was moved by Teegerstrom and seconded by Regier to approve final payment for two well abandonments as reviewed at a total cost of \$508.95. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 17. YORK GROUND WATER RECHARGE DEMONSTRATION PROJECT - UNL WATER SCIENCE LABORATORY PAYMENT.

It was moved by Teegerstrom and seconded by Hansen to pay the University of Nebraska Water Science Laboratory \$2,157.50 for 19 pesticide water analyses and one anion analysis for the York Ground Water Recharge Project. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 18. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met August 12, 1999.

ITEM 19. FY 2000 TREE PROGRAM.

The cost to the district for trees purchased from Bessey Nursery at Halsey, Nebraska will remain the same as last year. The staff has decided to set the NRD's tree prices so they can be published in the fall issue of the Blueprint instead of the winter issue. Since there are a number of CRP acres to be planted across the state, it is possible there will be a shortage of shrubs this year. The Committee reviewed the tree planting costs for the past three fiscal years, which included the costs of trees, planting, wages, benefits and other program expenses.

Staff recommended that we increase the price per tree to 60¢ and planting to 35¢ each.

It was moved by Friesen and seconded by Ediger that the Upper Big Blue NRD adopts the following tree and planting prices for FY 2000. Tree and shrub price 55¢ each and planting price 35¢ each. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom

NAY: Austin

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 20. CORNERS FOR WILDLIFE CONTRACT - BETTY THOMSEN.

This is a new contract that will begin in FY 2000 and run for a period of five years. The corner will come under Practice II Corners for Wildlife, which includes planting the corner to a warm season grass mix. This area is five acres in size and will pay \$40 per acre, if accepted into the program.

It was moved by Friesen and seconded by Hultman that the Upper Big Blue NRD Board of Directors accept the Corners for Wildlife contract for Betty Thomsen for the amount of \$200 per year for a five-year period and authorize the chairman of the board to sign the contract and submit it to Pete Berthelson, Regional Biologist with Pheasants Forever. We approved the motion.

AYE: Brown, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier,
Teegerstrom, Austin

NAY: None

NOT VOTING: Dickinson

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 21. PAYMENT TO TRADE WINDS DISTRIBUTING.

The District purchased a boat dock, which has been installed at Oxbow Trail Reservoir, from Trade Winds Distributing located in Alamont, Missouri. The Board of Directors approved the purchase price of \$8,027.80 at their July 22, 1999 meeting.

It was moved by Friesen and seconded by Jackson that the Upper Big Blue NRD Board of Directors approves the payment of \$8,027.80 to Trade Winds Distributing for the purchase of the Oxbow Trail Reservoir boat dock. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore,
Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 22. PAYMENT TO PROSKOVEC EARTH MOVING.

Proskovec Earth Moving was hired by the district to install the boat dock at Oxbow Trail Reservoir, according to the district's design. Installation of the boat dock has been completed.

It was moved by Friesen and seconded by Moore that the Upper Big Blue NRD Board of Directors approves the payment of \$6,746 for the installation of the boat dock at Oxbow Trail Reservoir as designed by the district. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore,
Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

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

Eberle reported that the Executive Committee met on August 10, 1999.

ITEM 24. ATTORNEY FEES.

The attorney fees for the month are \$1,127.10 for work on large water user regulations.

It was moved by Eberle and seconded by Ediger to approve payment of \$1,127.10 to Crosby, Guenzel, Davis, Kessner and Kuester for Steve Seglin's work through July 20, 1999. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore,
Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 25. COMPUTER AIDED DRAFTING SOFTWARE.

Bitner explained the current AutoCAD software to the Executive Committee. AutoCAD is the computer aided drafting software used by the District's engineer and two engineering technicians. Bitner recommended that the District purchase AutoCAD upgrades in order to remain current and be compatible with other agencies and engineering firms who also use AutoCAD. The upgrade to AutoCAD 2000, with the Map Program, includes two licenses and would cost \$792. Bitner also recommends that an upgrade to Softdesk 8, with the Civil Design, Survey, and Land Development packages, be done for \$936. The two licenses allow two workstations to use AutoCAD at the same time. The program does not allow a third person to use the system, until one of the other users logs off. The purchase of a third license for \$2,635 is recommended to allow all of the Projects Department staff to use AutoCAD at the same time.

It was moved by Eberle and seconded by Teegerstrom to approve the purchase of AutoCAD 2000 upgrade, with Map, Softdesk 8, with Civil Design, Survey and Land Development packages, all with a two-user license and an additional license for AutoCAD 2000 for \$4,363 from DTL Solutions of Herdon, Virginia. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Hansen, Hultman, Luebbe, Moore, Regier,
Teegerstrom, Austin

NAY: Friesen, Jackson

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 26. DIRECTORS' ABSENCES AND ABSENCE POLICY.

The Executive Committee is concerned about directors attendance at committee and board meetings. The Committee discussed unexcused absences and directors leaving early from board meetings and if criteria should be placed in the Operating Policies governing absences from

meetings. Robert's Rules of Order and the Nebraska Statutes were also reviewed. The Executive Committee is requesting input from the rest of the Board.

ITEM 27. NARD DUES.

The Nebraska Association of Resources Districts has invoiced the district \$13,093.66 for the FY 2000 dues. This will be the third year in a row without an increase in dues.

It was moved by Eberle and seconded by Teegerstrom to pay the Nebraska Association of Resources Districts \$13,093.66 for the FY 2000 dues. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore,
Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 28. PERSONNEL POLICIES CHANGE - METHOD FOR PAY OF NON-EXEMPT EMPLOYEES.

Turnbull and Schneider reviewed Personnel Policy #10: Workweek, Office Hours, Overtime, which describes how pay computations are currently handled.

Non-exempt employees are those who are subject to time and one-half overtime pay. Their monthly base pay has been determined by dividing their annual wage by twelve. The base pay is the same regardless of the number of work days in a month. Any earned overtime has been added to the base pay.

The current method for computing monthly pay for non-exempt employees does not allow the most efficient use of the payroll program and data. It limits how payroll items can be tracked and sorted, because an employee is normally either salaried (exempt) or hourly (non-exempt). We are currently combining both methods to pay the non-exempt employees.

The correct method for paying non-exempt employees would be actual hours worked, and time and one-half for workweeks more than 40 hours. The work months vary from 20 to 23 days, resulting in months of 160, 168, 176 or 184 work hours. This would cause the non-exempt employees' checks to vary slightly from month to month, depending on actual hours worked.

Schneider did a payroll analysis of a 12-month period for all NRD employees using both methods of pay computation. The period studied included both regular hours and overtime hours. We compared the salary figures using both methods and the difference in net pay for all employees during this 12-month period was \$36.

Turnbull and Schneider recommended that the policy be changed to allow non-exempt employees to be paid based on actual hours worked. This will make the payroll procedure less complicated as well as allow better tracking of vacation and sick leave.

It was moved by Eberle and seconded by Friesen to approve the changes to Personnel Policy #10: Workweek, Office Hours, Overtime, as attached, which will classify non-exempt employees as hourly, and exempt employees as salaried, effective September 1, 1999. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

ITEM 29. FINANCIAL REPORT, JULY 1, 1999 THROUGH JULY 31, 1999, AND CONSIDERATION OF EXPENDITURES FOR JULY 1999.

Turnbull reviewed the financial report for the period July 1, 1999 through July 31, 1999 that we had distributed.

It was moved by Dickinson and seconded by Jackson to approve the financial report as presented and publish the expenditures for July 1999. We approved the motion.

AYE: Brown, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT PRESENT: Buller, Houdersheldt, Schulz, Volkmer

There being no other business, we adjourned the meeting at 9:10 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on August 19, 1999, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Wayne M. Hansen, Secretary

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Attachment (1)

**SPECIAL BOARD OF DIRECTORS MEETING
August 12, 1999**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 12, 1999 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Steve Buller, Gary Eberle, Ed Ediger, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Larry Moore, and Vance Teegerstrom. Staff and others attending were John Turnbull, Nancy Schneider, Rod DeBuhr, Jay Bitner, Prudence Sadler, Ken Feather. Chair Austin called the meeting to order at 7:40 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Austin reported that we published the legal notice for the Special Board of Directors' Meeting in the York News-Times on August 3, 1999.

ITEM 2. ROLL CALL OF DIRECTORS.

Twelve directors were present for the calling of the roll.

ITEM 3. CONSIDERATION OF DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

It was moved by Ediger and seconded by Jackson to excuse the absences of Merlin Volkmer, Doug Dickinson, Linda Luebbe and Ken Regier from the August 12, 1999 special board of directors meeting as requested. We approved the motion.

AYE: Brown, Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Teegerstrom

NAY: Moore, Austin

NOT PRESENT: Dickinson, Luebbe, Regier, Schulz, Volkmer

ITEM 4. ADOPTION OF AGENDA.

It was moved by Hultman and seconded by Teegerstrom to adopt the agenda as presented for the August 12, 1999 Special Board of Directors meeting. We approved the motion.

AYE: Brown, Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Moore, Teegerstrom, Austin

NAY: None

NOT PRESENT: Dickinson, Luebbe, Regier, Schulz, Volkmer

ITEM 5. FISCAL YEAR 2000 BUDGET - 1 PERCENT INCREASE IN RESTRICTED FUNDS AUTHORITY.

Chair Austin asked the General Manager to explain the 1 percent increase in restricted funds authority.

Turnbull explained to the board that the 1 percent increase authority needs to be voted on by the board of directors. If the board approves the motion to increase the restricted funds by 1 percent

that would allow the Upper Big Blue NRD to increase its taxing authority by 1 percent, which is about \$9700, over this year's proposed budget. We do not plan to ask for that tax money this year, so it would be carried forward in the unused restricted funds authority to the next fiscal year. The Board has approved the 1 percent increase for all but one of the past three years.

Houdersheldt asked the deadline for the decision on the 1 percent authority. Turnbull said it needed to be decided before the adoption of the budget, which is set for August 19.

It was moved by Moore and seconded by Buller that because there are only 12 board members present and it would take at least 13 affirmative votes for the motion to carry that the board meeting be adjourned. We approved the motion

AYE: Brown, Buller, Eberle, Friesen, Hansen, Jackson, Moore, Teegerstrom, Austin
NAY: Houdersheldt, Hultman
NOT VOTING: Ediger
NOT PRESENT: Dickinson, Luebbe, Regier, Schulz, Volkmer

There being no other business, we adjourned the meeting at 7:48 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the special meeting of the Board of Directors of the District held on August 12, 1999, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Wayne M. Hansen, Secretary

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**BOARD OF DIRECTORS MEETING
AND FY 2000 PROPERTY TAX REQUEST HEARING
September 16, 1999**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 16, 1999 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Steve Buller, Doug Dickinson, Gary Eberle, Ed Ediger, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, Jim Jackson, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Rod DeBuhr, Jay Bitner, Prudence Sadler, Ken Feather, Randy Mierau, Barb VonKampen, William Gilliam, Pat McGrane and Melanie Wilkinson of the York News-Times. Chair Austin called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Austin reported that we published the legal notice for the Directors' Meeting in the York News-Times on September 7, 1999.

ITEM 2. ROLL CALL OF DIRECTORS.

Thirteen directors were present for the calling of the roll. Dickinson, Friesen and Moore arrived later.

ITEM 3. DIRECTORS RESIGNATION.

Roland Schulz resigned August 20, 1999 as a board member for subdistrict three. His term of office runs until January 2001. Turnbull told the board it would be in order for them to accept his resignation.

The board will need to appoint someone to fill his unexpired term. Notices have been placed in local papers asking those interested in the position to submit a letter of application to the Upper Big Blue NRD Chairman by October 4. The Executive Committee will review all letters of application and forward to the board for their consideration.

It was moved by Volkmer and seconded by Teegerstrom to accept the resignation of Roland Schulz as director of Subdistrict 3. We approved the motion.

AYE: Brown, Buller, Eberle, Ediger, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Friesen, Moore

ITEM 4. ADOPTION OF AGENDA.

It was moved by Regier and seconded by Jackson to adopt the agenda as presented for the September 16, 1999 Board of Directors meeting and Property Tax Request Hearing. We approved the motion.

AYE: Brown, Buller, Eberle, Ediger, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Friesen

ITEM 5. APPROVAL OF MINUTES OF THE AUGUST 19, 1999 BOARD OF DIRECTORS MEETING AND FY 2000 BUDGET HEARING.

It was moved by Luebbe and seconded by Hultman to approve the minutes of the August 19, 1999, Board of Directors meeting and FY 2000 Budget Hearing as presented. We approved the motion.

AYE: Brown, Buller, Eberle, Ediger, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson, Friesen

ITEM 6. FY 2000 PROPERTY TAX REQUEST HEARING.

Chair, Yvonne Austin, opened the public hearing at 7:40 p.m. She stated that Public Notice of this Hearing appeared once in the York News-Times on September 9, 1999. Austin asked John Turnbull, General Manager of the District, to be the Hearing Officer and to review the property tax request for the FY 2000 Budget.

Turnbull gave the board members a handout with a proposed resolution for the board to adopt to set the tax request for the FY 2000 Budget. It is slightly different from the resolution that came out of Budget Committee. The reason that it is different is that in the past two days we have received two amended valuation statements from county assessors, because of a State Equalization Board ruling on MCI Communications' property tax assessments statewide. Turnbull tried contacting the other seven county assessors' offices, but was unable to speak with the assessors because they were all at a meeting. He does not know if there will be further corrections to valuations, but he believes there will be. Turnbull reviewed the proposed resolution with the board. He went over the FY 99 valuations as well as the current valuations. There is an increase in total valuation of 9.43%. The increase varies by county. The lowest increase is 4.35% for Adams County and the high is 12.6% for Polk County. This allows the levy to be lower yet raise more tax. It does not mean that the taxes are going down; the tax request is about 2.8% higher than one year ago. This is based upon the budget that was adopted last month. Turnbull reminded the board that the reason we must adopt the resolution is that the NRD no longer sets its own tax levy. We will forward this resolution to the York County Clerk, who checks to make sure it is calculated properly, who in turn forwards it to the York County Board. The York County Board establishes the levy and they notify the other eight counties of the levy amount. The deadline for the NRD to submit the information to the York County Clerk is September 20.

Austin asked whether anyone present had questions.

Volkmer asked about the other seven counties who haven't amended their levy because of the MCI Communications ruling. Turnbull said if they turn in amended statements of valuation he thought the York County Clerk would have to adjust the levy.

Austin officially closed the hearing at 7:45 p.m.

It was moved by Houdersheldt and seconded by Brown to adopt the following resolution. We approved the motion.

RESOLUTION 99-1

WHEREAS the FY 2000 Budget for the Upper Big Blue NRD, as adopted by this board of directors on August 19, 1999, has a property tax requirement of \$976,971.87;

WHEREAS the final total valuation of the NRD is \$4,190,539,703;

WHEREAS the FY 99 Budget (prior year) required a tax request of \$953,320.48 and a property tax rate of \$0.02487;

WHEREAS the FY 2000 (current year) property tax rate would be \$0.02274 to generate \$953,320.48.

THEREFORE, BE IT RESOLVED by this Board of Directors on September 16, 1999, to set the FY 2000 tax request at \$976,971.87 for the Upper Big Blue Natural Resources District which will require a property tax rate of \$0.02331.

AYE: Brown, Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Dickinson

ITEM 7. FY 99 AUDIT.

Randy Mierau, of Mierau & Company, P.C., and his staff conducted the annual audit for the Upper Big Blue NRD. Randy presented the audit to the board and reviewed the audit, notes and schedule of findings. There were no reportable conditions or findings.

It was moved by Moore and seconded by Luebbe to accept the FY 99 Audit as presented by Randy Mierau of Mierau & Co., P.C. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

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

Jackson reported that the Projects Committee met on September 7, 1999.

ITEM 9. LAND TREATMENT PROGRAM NSWCP FUND PAYMENTS.

It was moved by Jackson and seconded by Hultman that payments of NSWCP land treatment funds be made in the amount of \$5,413.02 for four applications reviewed by the Committee. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ITEM 10. NEW NC-17 LAND TREATMENT PROGRAM PRACTICE.

Rod DeBuhr requested that pitless reuse systems be approved as an eligible land treatment program practice under NC-17, Irrigation Water Management. The pitless reuse system is designed for areas, such as wetlands, where a reuse pit cannot be installed. The system consists of a sump and pump designed to return runoff from a gravity irrigated field to the head of the field. A typical pitless system will cost \$5,800.

The Projects Committee felt this practice should be included because there are a few situations where a reuse pit is not allowed, due to wetland restrictions. As an NC-17 practice, each landowner is entitled to cost share on one pitless reuse system. The cost share rate is 50 percent and maximum cost share is \$5,000.

It was moved by Jackson and seconded by Brown that the pitless reuse system be adopted as an eligible practice under NC-17, Irrigation Water Management, of the District's Land Treatment Program, and that applications under this practice be accepted beginning October 1, 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ITEM 11. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Teegerstrom reported that the Water Committee met September 9, 1999.

ITEM 12. PAYMENT TO BETTGER BROTHERS FOR NITROGEN INHIBITOR RESEARCH.

It was moved by Teegerstrom and seconded by Volkmer to pay Bettger Brothers, Inc. \$1,270.13 for one-third of the cost of application equipment purchased for the Nitrogen Inhibitor Research Project. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ITEM 13. AQUIFER QUALITY WELL ABANDONMENT COST SHARE ASSISTANCE PROGRAM PAYMENTS.

We received six requests for final payments totaling \$1,645.85. Staff recommends payments for these claims.

It was moved by Teegerstrom and seconded by Dickinson to approve final payment for six well abandonments as reviewed for a total cost of \$1,645.85. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ITEM 14. DESIGNATION OF COMPLIANCE OFFICERS.

The recent revisions to Rule 4 of the District's Rules and Regulations streamline the process for investigating complaints and taking action if a violation of the Ground Water Management Areas Regulations is observed. This fall the staff plans to be more visible and patrol the District during October. If formal action needs to be taken, the Board must designate persons to be compliance officers. Turnbull and DeBuhr recommended that the following staff be designated as compliance officers: John Turnbull, Rodney DeBuhr, Russell Callan and Russell Gierhart.

It was moved by Teegerstrom and seconded by Regier that John Turnbull, Rodney DeBuhr, Russell Callan and Russell Gierhart be designated as compliance officers for the purpose of investigation and enforcement of the District Ground Water Management Area Rules and Regulations.

Dickinson asked whether the compliance officers would be carrying cease and desist orders.

DeBuhr said they plan to carry three-part carbonless investigation reports. This will allow the compliance officer to complete the investigation report on the spot and give a copy to the violator. The compliance officer cannot issue a cease and desist order at that time. The violator has seven days to respond to the complaint. He can either agree with the findings or request a hearing before the Board. However, if the violator ignores the formal complaint and continues to violate the Ground Water Management Area Regulations, he can be cited more than once and face multiple violations.

Turnbull reminded the Board that only they have the authority to issue a cease and desist order.

We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ITEM 15. GROUND WATER TRANSFER REGULATIONS.

The Water Committee reviewed the Ground Water Transfer Regulations and the concerns raised by legal counsel. Several alternatives were considered. It was the consensus of the Committee that the current rules regarding transfers remain as they currently are.

ITEM 16. LARGE USER REGULATIONS PUBLIC HEARING.

At the August meeting the Board approved draft changes to District Rule 5 for the purpose of public hearing, however, setting the hearing date was delayed until the Water committee had an opportunity to review the ground water transfer issue. Staff recommends the hearing date be set for October 21, 1999, to coincide with the October Board meeting.

It was moved by Teegerstrom and seconded by Volkmer to set the public hearing on changes to District Rule 5 for 7:30 p.m. October 21, 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman,
Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None

ITEM 17. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met September 9, 1999.

ITEM 18. RECHARGE LAKE BOAT RAMP.

The existing boat ramp at Recharge Lake is too flat. The grade isn't sufficient to launch a boat, which makes it unuseable. Staff wants to construct a boat ramp on land and have a contractor move it into the lake. The staff has taken some depth measurements and located an area with a 15 percent grade, which would not require any earth to be moved from the shoreline. Earthwork would have to be done for an approach. The total project would cost approximately \$5,000 for a 14' x 30' concrete boat ramp and a 30' concrete approach.

It was moved by Friesen and seconded by Hultman that the Upper Big Blue NRD Board of Directors authorizes the staff to construct a boat ramp and approach for Recharge Lake at an approximate cost of \$5,000. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman,
Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None

ITEM 19. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Executive Committee met on September 7, 1999.

ITEM 20. NARD VOTING DELEGATE AND ALTERNATE.

It was moved by Eberle and seconded by Hansen to appoint Ed Ediger as the voting delegate and Vance Teegerstrom as the alternate for the September 1999 NARD Conference in North Platte.

For health reasons, Ed Ediger requested that someone else be appointed as the voting delegate for the September 1999 NARD Conference.

It was moved by Buller and seconded by Moore to amend the motion to read "to appoint Vance Teegerstrom as the NARD Representative at the NARD Board Meeting and voting delegate for the September 1999 NARD Conference at North Platte." We approved the amendment.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman,
Jackson, Luebbe, Moore, Regier, Volkmer, Austin
NAY: None
NOT VOTING: Teegerstrom

The question was called on the original motion, as amended. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Austin

NAY: None

NOT VOTING: Volkmer

Ediger also requested that Vance Teegerstrom be named as his replacement for NARD Alternate for the rest of the year.

It was moved by Buller and seconded by Moore that Vance Teegerstrom be named as NARD Alternate for the remainder of 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ITEM 21. COMPUTER PURCHASES.

The District needs to replace two of its older computers. The two new computers to be purchased are for the use of Russ Gierhart and Rod DeBuhr for work with GIS. DeBuhr's current computer will go to Lori Hoemann's work station. Hoemann and Gierhart's computers are to be sold.

Quotes for the new computers are shown below.

COMPUTER QUOTE AND PRICES			
	Computer Spectrum, Inc. Aurora, Nebraska	Gateway North Souix City, SD	Dell Round Rock, Texas
Rod's Computer Pentium III 450 MHZ 256 MB RAM 17 GB Hard Drive 40X CD ROM 17" Monitor Rewrite CD Windows NT	\$2,475.00	\$2,273.00 different size HD	\$2,507.00 Rewrite CD not available
Gierhart's Computers Pentium III 450 MHZ 256 MB RAM 10 GB Hard Drive 40X CD ROM 17" Monitor Windows NT	\$1,947.00	\$1,951.00	\$2,153.00
Total for 2 Computers	\$4,422.00	\$4,224.00	\$4,650.00
Installation and setup	\$200 est. based on hours	NRD provides	NRD provides

It was moved by Eberle and seconded by Ediger to approve the purchase of two Pentium III 450 MHZ computers, as specified, from Computer Spectrum, Inc., of Aurora, Nebraska for \$4,422 and to have Computer Spectrum, Inc. do the installation and setup. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin
NAY: None

ITEM 22. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

ITEM 23. NEBRASKA NEW DEPLETIONS PLAN - PLATTE RIVER BASIN.

Turnbull reviewed the latest draft of the Nebraska New Depletion Plan for the Platte River. The New Depletion Plan is being drafted as a part of Nebraska's effort to meet the terms of the three-state Cooperative Agreement, which was signed on July 1, 1997. The Cooperative Agreement between Colorado, Wyoming, Nebraska, and the Department of the Interior is an attempt to deal with the endangered species issues on the Platte River. Target Flows have been established by the US Fish and Wildlife Service on the Platte. The states have agreed to try to develop management plans and regulations to meet Target Flows. The Nebraska surface water interests are concerned about having to deal with the Endangered Species Act consultations on each individual proposal and the operation of existing systems if Nebraska does not proceed with the Cooperative Agreement plans. The effort for Nebraska will include both surface water and groundwater regulation through the Nebraska New Depletion Plan.

The New Depletion Plan draft calls for NRDs to establish integrated management areas to regulate new water development if that development will affect Platte River Target Flows. Basically the plan will curtail any new development in the Platte Valley and adjacent areas. The exception will be if other water is obtained by contract to offset the groundwater consumed, then the NRD could issue a well construction permit or water use permit.

The Budget Committee discussed the principal issues involved—groundwater development restrictions and where water banks will get water to begin with. The Budget Committee is concerned about regulating groundwater use to provide for instream flows, and federal intervention in water regulation. The Committee consensus is that the plan needs to be much clearer about how the depletions will be determined. The determination for each well permit must be simplified.

The Committee was advised that the Legislature will need to tackle this major water policy change and consider the economic and social impacts on the state if all development in the Platte Valley and adjacent areas are curtailed. That water development includes municipal, industrial, as well as agriculture.

This Board will need to decide if the Upper Big Blue NRD will adopt the Nebraska New Depletion Plan and whether to proceed with an integrated management area and regulations. The Cooperative Hydrology Study (COHYST) will provide some more information to help in that decision.

ITEM 24. COHYST PAYMENT.

In April of 1999, the District became a cosponsor of the existing Inter Local Cooperation Agreement on the Platte River Basin study efforts between the following entities:

South Platte NRD
Twin Platte NRD

Nebraska Public Power & Irrigation District
Central Nebraska Public Power & Irrigation District

North Platte NRD
Tri-Basin NRD
Central Platte NRD

Nebraska Department of Water Resources
Nebraska Natural Resources Commission
Nebraska Game and Parks Commission

The Inter Local Agreement requires payment of \$15,000 now to the Central Platte for the ongoing study work for FY2000. Another \$15,000 is due on July 1, 2000 for FY2001. A \$15,000 payment was made in late FY99. The agreed on total is \$45,000 over three fiscal years.

It was moved by Moore and seconded by Regier to approve payment of \$15,000 to the Central Platte NRD, as required by the Platte River Inter Local Cooperation Agreement in FY2000. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ITEM 25. NARD RESOLUTIONS.

The proposed NARD Resolutions were considered.

1999-1 Civil Penalties for Enforcement of the Ground Water Management and Protection Act - Upper Big Blue NRD

The voting delegate at the conference will need to introduce this resolution and make a motion to adopt it.

1999-2 NRD Water Banking Programs - Twin Platte and Upper Republican NRDs That the NARD will support enactment of Nebraska legislation that enables NRDs to establish and operate water banks.

1999-3 Noxious Weed Control Notices - Tri-Basin NRD That the NARD supports legislation to allow local noxious weed control authorities to impose seven-day notices requiring control of noxious weeds, when such weed infestations are detected on public or private land.

1999-4 Nebraska Department of Health Certification of NRD personnel - Tri-Basin NRD That the NARD support legislation to exempt NRD personnel from Department of Health certification for chemigation inspections and measurement of static water levels, and that NRDs develop separate periodic training courses for employees.

1999-5 Water Well Standards and Contractors Licensing Act - Middle Republican NRD That the NARD support legislation to change the Water Well Standards and Contractors Licensing Act to require a licensed person to decommission wells whether the wells have a seal or not, unless the landowner decommissions his own well.

1999-6 Livestock Well Registration - Middle Republican NRD That the NARD support legislation to define Livestock Operation Wells as separate from livestock wells which are now considered domestic; further to

give livestock operation wells the same preference of use as agriculture; and set standards of construction and spacing for such wells

It was moved by Moore and seconded by Regier to remain neutral on NARD Resolution 1999-2, oppose Resolutions 1999-3 and 1999-4, but support Resolutions 1999-05 and 1999-6. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

ITEM 26. FINANCIAL REPORT, AUGUST 1, 1999 THROUGH AUGUST 31, 1999, AND CONSIDERATION OF EXPENDITURES FOR AUGUST 1999.

Turnbull reviewed the financial report for the period August 1, 1999 through August 31, 1999 that we had distributed.

It was moved by Volkmer and seconded by Regier to approve the financial report as presented and publish the expenditures for August 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Ediger

There being no other business, we adjourned the meeting at 9:35 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on September 16, 1999, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Wayne M. Hansen, Secretary

nds

**BOARD OF DIRECTORS MEETING
October 21, 1999**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 21, 1999 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Douglas Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Ed Ediger, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Linda Luebbe, Kenneth Regier, Vance Teegerstrom, and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Rod DeBuhr, Jay Bitner, Prudence Sadler, Ken Feather, Ray L. Divis, Maureen Sperling, William Gilliam, Ray Naber, Don Freeman, Jerry Elfring, Danny Allison, Albert G. Smith, David Kohls, Tom Miller and Melanie Wilkinson of the York News-Times. Chair Austin called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Austin reported that we published the legal notice for the Directors' Meeting in the York News-Times on October 13, 1999.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll.

ITEM 3. CONSIDERATION OF REQUEST FOR EXCUSED ABSENCE.

It was moved by Teegerstrom and seconded by Volkmer to excuse the absence of Larry Moore from the October 21, 1999, Board of Directors meeting as requested.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman,
Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore

ITEM 4. ADOPTION OF AGENDA.

It was moved by Regier and seconded by Jackson to adopt the agenda as presented for the October 21, 1999 Board of Directors meeting and Public Hearing. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman,
Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore

ITEM 5. APPROVAL OF MINUTES OF THE SEPTEMBER 16, 1999 BOARD OF DIRECTORS MEETING AND FY 2000 PROPERTY TAX REQUEST HEARING.

It was moved by Luebbe and seconded by Regier to approve the minutes of the September 16, 1999, Board of Directors meeting and FY 2000 Property Tax Request Hearing as presented. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore

ITEM 6. SUBDISTRICT THREE BOARD VACANCY.

Austin introduced the names of the four candidates for appointment to subdistrict three. Carl Wolfe, Ray Divis, Maureen Sperling and Doug Bruns. Austin advised the board that Carl Wolfe was unable to be present and had sent a letter explaining the reason for his absence, which she read aloud. She then allowed the other three candidates to address the board to present their qualifications for the position.

It was moved by Eberle and seconded by Brown that secret ballots be cast to select two candidates from the four applicants for membership to the Board. The two applicants receiving the most votes will be candidates. In case of a tie, the top three applicants shall be candidates. If more balloting is necessary, the two candidates with the largest number of votes from the most recently cast ballots will be considered for appointment. A director is appointed when the majority of directors present vote for a candidate by secret ballot. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Moore

Ken Feather and Rod DeBuhr were asked to count the ballots. Austin instructed the board to cast their ballots for one of the four applicants. In the first balloting Carl Wolfe received five votes, Ray Divis three votes, Doug Bruns seven votes and Maureen Sperling received no votes. Austin instructed the board to cast their ballots again for either Carl Wolfe or Doug Bruns. Carl Wolfe received six votes. Doug Bruns received nine votes. Bruns will serve as director of subdistrict three until January 2001.

ITEM 7. DIRECTOR'S OATH OF OFFICE.

Turnbull administered the oath of office to Douglas Bruns who then took his place on the board.

ITEM 8. PUBLIC HEARING FOR GWMA ACTION PLAN RULE 5.

Austin opened the public hearing for proposed changes to Rule 5 of the Ground Water Management Area Action Plan at 8:00 p.m. She closed the hearing at 8:20 p.m.

ITEM 9. ADOPTION OF PROPOSED CHANGES TO GROUND WATER MANAGEMENT AREA ACTION PLAN RULE 5.

It was moved by Friesen and seconded by Buller to refer the matter back to the Water Committee. We approved the motion.

AYE: Brown, Buller, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Teegerstrom

NAY: Dickinson, Regier, Austin
NOT VOTING: Bruns, Volkmer
NOT PRESENT: Moore

ITEM 10. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on October 12, 1999.

ITEM 11. PAYMENT TO HORIZONS, INC. FOR SEWARD DRAINAGE MAPPING.

Horizons, Inc. has completed mapping of the west half of the City of Seward drainage area in accordance with their previously approved proposal. Staff recommends that final payment of \$22,950 be made to Horizons, Inc. for the mapping. The City of Seward will reimburse the NRD for 50% of the mapping cost.

It was moved by Jackson and seconded by Luebbe that Horizons, Inc. be paid \$22,950 as final payment for mapping the west half of the City of Seward drainage area. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Bruns

NOT PRESENT: Moore

ITEM 12. SEWARD DRAINAGE PLANNING BUDGET AMENDMENT.

Staff recommends that the budget for engineering work on this project be increased from \$41,150 to \$48,700, and that the interlocal agreement between the NRD and City of Seward be amended to include this revision. This revision is being requested to include \$7,550 for a portion of the mapping that was to have been included in the Big Blue River Flood Hazard Mitigation Project. When the interlocal agreement between the City and NRD was approved, it was proposed that one-third of the \$22,950 mapping cost be paid for as part of the Big Blue River Flood Hazard Mitigation Project, but FEMA has not taken action on the NRD's grant application.

If this amendment is approved, the revised engineering budget will be as follows:

Surveying	\$ 11,500
Mapping	22,950
Engineering	14,250
<hr/>	
Total	\$ 48,700

It was moved by Jackson and seconded by Hultman that the budget for drainage planning at the City of Seward be increased from \$41,150 to \$48,700, and that the interlocal agreement between the Upper Big Blue NRD and City of Seward be amended to include this revision. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman,
Jackson, Luebbe, Regier, Teegerstrom, Austin

NAY: Volkmer

NOT VOTING: Bruns

NOT PRESENT: Moore

ITEM 13. MAINTENANCE AT JOHNSON CREEK SITE 12.

Maintenance work on the dam at Johnson Creek Site 12 is completed. The work consisted of repairs to the riser, rock facing to prevent erosion on the upstream face of the dam, and riprap installation in gullies forming on the downstream toe of the dam. The District purchased 1,298 tons of NDOR Type A limestone rock riprap from Martin Marietta at Weeping Water. The cost of the rock is \$24,796.02. VanKirk Brothers Construction from Sutton provided the labor and equipment to repair the riser and install the rock. VanKirk's initial contract was for \$18,785; after adjustment for actual items of work performed the amount due is \$16,257.82. Staff recommends payment to Martin Marietta and VanKirk Brothers.

ITEM 13a. PAYMENT TO MARTIN MARIETTA.

It was moved by Jackson and seconded by Luebbe that Martin Marietta be paid \$24,796.02 for 1,298 tons of Type A limestone riprap which was used for maintenance on the dam at Johnson Creek Site 12. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman,
Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Bruns

NOT PRESENT: Moore

ITEM 13b. PAYMENT TO VANKIRK BROTHERS FOR MAINTENANCE.

It was moved by Jackson and seconded by Hultman that VanKirk Brothers Construction Company be paid \$16,257.82 for construction services to repair the principal spillway riser and place rock riprap on the dam at Johnson Creek Site 12. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman,
Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Bruns

NOT PRESENT: Moore

ITEM 14. LAND TREATMENT PROGRAM NSWCP FUND PAYMENTS.

It was moved by Jackson and seconded by Hultman that payment of NSWCP land treatment funds be made in the amount of \$17,307.29 for seven applications reviewed by the committee. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Bruns, Ediger

NOT PRESENT: Moore

ITEM 15. LAND TREATMENT PROGRAM PITLESS REUSE SYSTEM.

The Projects Committee reviewed the description for the Pitless Reuse System cost share program. As written, cost share for Pitless Reuse Systems will be offered to landowners as an alternative to the excavated earth reuse pit where it is not practical to install an excavated pit, or where environmental restrictions prohibit the excavated pit. Under this program it will also be required that a check valve be installed at the point where the irrigation water main line is connected to the well if the return line from the reuse pit returns to the main line; this will prevent back-flow into the well. The program description will be distributed to the NRCS offices, and will be included in the District's Programs Book.

It was moved by Jackson and seconded by Luebbe that the attached description and program limits for the Pitless Reuse System cost share program be adopted for use in the District's Land Treatment Program. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Bruns

NOT PRESENT: Moore

ITEM 16. LAND TREATMENT PROGRAM IRRIGATION WATER RETURN LINE.

The Projects Committee considered a staff recommendation that a check valve also be required on cost share applications for Irrigation Water Return Lines. A revised program description, amended to include the check valve requirement for the Return Line cost share program, was reviewed and forwarded to the board.

It was moved by Jackson and seconded by Brown that the attached description and program limits for the Irrigation Water Return Line cost share program be adopted for use in the District's Land Treatment Program. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Bruns

NOT PRESENT: Moore

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

Teegerstrom reported that the Water Committee met October 14, 1999.

ITEM 18. GROUND WATER MANAGEMENT AREA 2 NITROGEN INHIBITOR RESEARCH.

ITEM 18a. VARIANCE TO RULE 5 FOR RESEARCH APPLICATION OF ANHYDROUS.

It was moved by Teegerstrom and seconded by Regier to adopt the attached resolution dated October 21, 1999 to allow anhydrous application by the University of Nebraska prior to November 1 for 1999, 2000, 2001 and 2002. We approved the motion.

AYE: Brown, Buller, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Regier, Teegerstrom, Volkmer, Austin
NAY: Dickinson, Ediger, Luebbe
NOT VOTING: Bruns
NOT PRESENT: Eberle, Moore

ITEM 19. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

There are three final payments totaling \$905.21. The staff recommends payment of these claims.

It was moved by Teegerstrom and seconded by Volkmer to approve final payment for three well abandonments as per the attached list at a total cost of \$905.21. We approved the motion.

AYE: Brown, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin
NAY: Buller
NOT PRESENT: Eberle, Moore
NOT VOTING: Bruns

ITEM 20. GROUND WATER MANAGEMENT AREA ONE AUTOMATED RECORDER WELLS.

ITEM 20a. JOINT FUNDING AGREEMENT PAYMENT FOR FY 1999.

The District has cooperated with the USGS for the joint maintenance of four automatic recorder wells, on a 50/50 basis. The District's share for FY99 as agreed to last October is \$1,290.

It was moved by Teegerstrom and seconded by Regier to pay the United State Geological Survey \$1,290 for the District's share of the FY99 automatic recorder well operation and maintenance as per the joint funding agreement. We approved the motion.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT VOTING: Bruns
NOT PRESENT: Eberle, Moore

ITEM 21. JOINT FUNDING AGREEMENT FOR FY2000.

The cost for fiscal year 2000 is \$2,740, or \$1,370 for each agency.

It was moved by Teegerstrom and seconded by Regier to approve the Fiscal Year 2000 Joint Funding Agreement with the United States Geological Survey. We approved the motion.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None
NOT VOTING: Bruns
NOT PRESENT: Eberle, Moore

ITEM 22. PAYMENT TO UNL WATER SCIENCES LABORATORY.

It was moved by Teegerstrom and seconded by Regier to pay the University of Nebraska Water Sciences Laboratory \$1,800 for 16 pesticide analyses of water samples collected at York Ground Water Recharge Project in August 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT VOTING: Bruns
NOT PRESENT: Eberle, Moore

ITEM 23. YORK GROUND WATER RECHARGE POLYSONIC FLOW METER.

Dave Kohls, NRCS, gave a report at the Board meeting on his activities with the meter in 1999. The meter did require repairs at the end of the season. The warranty had expired. However since it had not been very long since it expired, the company and Great Plains Meter agreed to split the cost with the District. The District's share is \$553.

It was moved by Teegerstrom and seconded by Brown to pay Great Plains Meter \$553 for repairs made on the Polysonic meter. We approved the motion.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT VOTING: Bruns
NOT PRESENT: Eberle, Moore

ITEM 24. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Education and Parks Committee met October 14, 1999.

ITEM 25. CONSTRUCTION AGREEMENT WITH VANKIRK BROTHERS. CONTRACTING.

VanKirk Brothers Contracting of Sutton, Nebraska has been hired to construct a new sewer line along the north right-of-way of State Spur S93D, ending at the Women's Correctional Housing Development in York, Nebraska. At this time, the State of Nebraska owns the sewer line, but the State requires the contractor to obtain all the necessary easements and agreements needed for the project. This project will be turned over to the City of York once it is completed.

This Agreement is only a construction agreement and once the project is completed, all responsibilities of the contractor will be fulfilled pertaining to the District property.

It was moved by Brown and seconded by Hultman that the Upper Big Blue Natural Resources District authorizes the Chairman of the Board to sign the Construction Agreement between

VanKirk Brothers Contracting and the Upper Big Blue Natural Resources District pertaining to the construction of the new sewer line along the north right-of-way of the State Spur S93D, ending at the Women's Correctional Housing Development.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT VOTING: Bruns
NOT PRESENT: Eberle, Moore

ITEM 26. RECHARGE LAKE BOAT RAMP.

The staff has the boat ramp constructed and the concrete poured. Once the concrete has cured, the ramp will be ready to push into the lake. The approach is to be poured before winter.

It was moved by Brown and seconded by Regier that the Upper Big Blue Natural Resources District make payments of \$541.13 for material used in constructing the boat ramp at Recharge Lake. We approved the motion.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT VOTING: Bruns
NOT PRESENT: Eberle, Moore

ITEM 27. VILLAGE OF SHELBY TRAIL.

The Village of Shelby wants to construct a trail from the Shelby Public School to the Village Library. The engineering for the trail is being done by Kirkham & Michael. The length of the trail is 1200 feet, extending from the school on Walnut Street to the intersection of Walnut Street and Pine Street. The trail will be constructed of concrete and will be ten feet in width. The total estimated cost, including engineering, is \$77,561. The Village of Shelby has submitted an ISTE A Grant. It will pick up 74% of the total cost of the project leaving 26% for the Village of Shelby. According to our policy, the District could fund up to 25% of the local share.

Total Cost \$77,561 x .26% (Grant) = \$20,165.86
Local Share \$20,165.86 x .25% = \$5041.47

It was moved by Brown and seconded by Houdersheldt that the Upper Big Blue Natural Resources District cost share 25% of the local share, not to exceed \$5041.47, with the Village of Shelby in constructing a trail from the Shelby Public School to the Village Library along Walnut Street. We approved the motion.

AYE: Brown, Friesen, Hansen, Houdersheldt, Hultman, Regier, Teegerstrom, Austin
NAY: Buller, Dickinson, Ediger, Jackson, Luebbe, Volkmer
NOT VOTING: Bruns
NOT PRESENT: Eberle, Moore

ITEM 28. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Executive Committee met on October 12, 1999.

ITEM 29. ATTORNEY FEES.

The attorney's fees for the month are \$67.50 for interpretation of statutes governing personnel.

It was moved by Buller and seconded by Ediger to approve payment of \$67.50 to Crosby, Guenzel, Davis, Kessner & Kuester, for Steve Seglin's work through September 20, 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: none

NOT VOTING: Bruns

NOT PRESENT: Eberle, Moore

ITEM 30. THIRD QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Buller and seconded by Ediger to approve payment of third quarter directors' per diem of \$7,150 and expenses of \$2,069.02. We approved the motion.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Bruns

NOT PRESENT: Eberle, Moore

ITEM 31. PAYMENT TO COMPUTER SPECTRUM, INC. FOR COMPUTER PURCHASES.

A bill for \$4,422.00 has been received from Computer Spectrum Inc., for two computers that the district purchased.

It was moved by Buller and seconded by Volkmer to approve payment of \$4,422 to Computer Spectrum Inc., of Aurora, Nebraska for two CSI computers. We approved the motion.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Bruns

NOT PRESENT: Eberle, Moore

ITEM 32. PAYMENT TO MCGREGOR PLUMBING.

We received a bill for \$2,601.55 from McGregor Plumbing for the work done in the basement remodeling project. The original quote was for \$3,672. The difference is due to changes the District made in the sink and hardware specifications.

It was moved by Buller and seconded by Regier to approve payment of \$2,601.55 to McGregor Plumbing for the plumbing work associated with the remodeling work in the office basement.
We approved the motion.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Luebbe, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT VOTING: Bruns
NOT PRESENT: Eberle, Moore

ITEM 33. PAYMENT TO MIERAU & COMPANY FOR FY99 AUDIT.

We received a bill for \$2,280 from Mierau & Co. for the FY99 Audit.

It was moved by Buller and seconded by Regier to approve payment of \$2,280 to Mierau & Co. of York, Nebraska for the FY99 Audit. We approved the motion.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Luebbe, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT VOTING: Bruns
NOT PRESENT: Eberle, Moore

ITEM 34. TAX LEVY CHANGE.

Hamilton County changed the final valuation after all the FY2000 budget documents were filed. The change results in a levy reduction to raise the same amount of tax dollars. The York County Clerk and the York County Board as the certifying body, will set the proper rate. It is to be \$.02328 on a final valuation of \$4,195,982,833. That valuation is 9.6% higher than last year's. The FY99 levy was \$.02487. The FY2000 levy is down 6.4%, but the tax request is up 2.5%.

ITEM 35. FINANCIAL REPORT, SEPTEMBER 1, 1999 THROUGH SEPTEMBER 30, 1999, AND CONSIDERATION OF EXPENDITURES FOR SEPTEMBER 1999.

Turnbull reviewed the financial report for the period September 1, 1999 through September 30, 1999 that we had distributed.

It was moved by Volkmer and seconded by Dickinson to approve the financial report as presented and publish the expenditures for September 1999. We approved the motion.

AYE: Brown, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson,
Luebbe, Regier, Teegerstrom, Volkmer, Austin
NAY: None
NOT VOTING: Bruns
NOT PRESENT: Eberle, Moore

There being no other business, we adjourned the meeting at 10:40 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District

held on October 21, 1999, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Wayne M. Hansen, Secretary

nds

**BOARD OF DIRECTORS MEETING
November 18, 1999**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 18, 1999 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Augustus Brown, Douglas Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Ed Ediger, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Linda Luebbe, Larry Moore, Kenneth Regier, and Vance Teegerstrom. Staff and others attending were John Turnbull, Nancy Schneider, Rod DeBuhr, Jay Bitner, Prudence Sadler, Russ Gierhart, Rita Hoblyn, William Gilliam, Tim Schaaf and Melanie Wilkinson of the York News-Times. Vice Chair Eberle called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Eberle reported that we published the legal notice for the Directors' Meeting in the York News-Times on November 10, 1999.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Luebbe arrived during the NARD Report.

ITEM 3. CONSIDERATION OF REQUEST FOR EXCUSED ABSENCE.

It was moved by Teegerstrom and seconded by Regier to excuse the absence of Yvonne Austin and Merlin Volkmer from the November 18, 1999, Board of Directors meeting as requested. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT PRESENT: Austin, Luebbe, Volkmer

ITEM 4. ADOPTION OF AGENDA.

It was moved by Jackson and seconded by Regier to adopt the revised agenda as presented for the November 18, 1999 Board of Directors meeting. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT PRESENT: Austin, Luebbe, Volkmer

ITEM 5. APPROVAL OF MINUTES OF THE OCTOBER 21, 1999 BOARD OF DIRECTORS MEETING.

It was moved by Hultman and seconded by Dickinson to approve the minutes of the October 21, 1999, Board of Directors meeting as presented. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT PRESENT: Austin, Luebbe, Volkmer

ITEM 6. APPROVAL OF MINUTES OF THE OCTOBER 21, 1999 PUBLIC HEARING FOR THE GWMA ACTION PLAN RULE 5.

It was moved by Dickinson and seconded by Regier to approve the minutes of the October 21, 1999 public hearing for the Ground Water Management Area Action Plan Rule 5 as presented. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT PRESENT: Austin, Luebbe, Volkmer

ITEM 7. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on November 9, 1999.

ITEM 8. NSWCP FUNDS LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Dickinson that payment of NSWCP land treatment funds be made in the amount of \$3,229.82 for four applications reviewed by the Committee. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 9. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on November 9, 1999.

ITEM 10. PLATTE RIVER DEPLETIONS PLAN.

Bitner reviewed the COHYST Study work currently underway in the Platte Basin for the Budget Committee. The COHYST will result in a large computer model that is to be used as a guide in determining what groundwater wells may impact flows in the Platte River and to what extent. The geographic area included in the study area discussed, Scottsbluff to Chapman, and the Loup River to the Republican. The geology across the basin is very complex and must be taken into account by the modelers in order to have any hope of making a representative computer model.

Turnbull reviewed the Nebraska New Depletions Plan draft with the Budget Committee. He outlined the District's responsibilities under the plan if the District establishes an integrated management area for conjunctive water use management. The District has been asked to

respond to the draft plan. A proposed position statement was reviewed and amended by the committee.

It was moved by Moore and seconded by Regier to adopt the attached Position Statement as the Board's position on the Nebraska New Depletions Plan for the Platte River. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 11. PLATTE RIVER DEPLETIONS PLAN NRD MEETINGS.

Another meeting for NRD directors has been scheduled for Thursday, December 2, 1999 in North Platte. Each of the seven NRDs involved in the Platte River Depletions Plan has been invited to have three directors attend. It is to be an informal meeting of a relatively small group to begin NRD discussions on management areas and regulations, as well as the Depletions Plan itself. The meeting will be a working session rather than a conference. It is expected that future coordination meetings between the NRDs will be necessary. Therefore Turnbull recommends that three directors be appointed to represent the district at these sessions.

It was moved by Moore and seconded by Ediger that the Board of Directors appoint Larry Moore, Steve Buller, and Ken Regier to be the Upper Big Blue NRD representatives at the NRD Platte River coordination meetings. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT PRESENT: Austin, Volkmer

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

Buller reported that the Executive Committee met on November 9, 1999.

ITEM 13. BUFFER STRIP AWARD.

The Upper Big Blue NRD was awarded \$800 at the NARD fall conference for total acres in buffer strips signed up.

It was moved by Buller and seconded by Moore that the \$800 buffer strip award be credited to the NRD Scholarship fund. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 14. NRD RETIREMENT PLAN.

The NARD Managers Committee and the NARD Retirement Committee are recommending that the NARD Board authorize a change in carriers of the plan. The recommended change is to switch from the Principal Financial Group to Nationwide Life Insurance Company. Nationwide offers mutual fund investments managed by several well known mutual funds, including American Century, Dreyfus, Fidelity, Invesco, Janus, Templeton, Oppenheimer, and Strong. The NARD agent will be meeting with the staff on November 22 to handle the changes if approved.

The change in carriers will not affect the individual retirement Principal Group annuities owned by some of the staff. The change will not affect the Ameritas "457" Deferred Compensation Plan either.

ITEM 15. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met November 10, 1999.

ITEM 16. WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS FOR OCTOBER AND NOVEMBER.

It was moved by Friesen and seconded by Hultman that the Upper Big Blue Natural Resources District make payments totaling \$4,138.75 to the cooperators of the Wildlife Habitat Improvement Program for the months of October and November. We approved the motion.

AYE: Brown, Bruns, Buller, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT VOTING: Dickinson

NOT PRESENT: Austin, Volkmer

ITEM 17. NORTH PARKING LOT AT OXBOW TRAIL RESERVOIR.

The staff has completed installing the guard rail post and placing the crushed rock at the north parking lot at Oxbow Trail and the county has installed a new 15" x 21" x 24' culvert as approved by the Board of Directors in April of 1999. Total authorized expenditures was \$4,500. The total expenditures made including staff time and mileage were \$2,326.06.

It was moved by Friesen and seconded by Ediger that the Upper Big Blue Natural Resources District make payments of \$1,684 for materials used in constructing the north parking lot at Oxbow Trail Reservoir. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 18. BOAT RAMP AT RECHARGE LAKE.

The staff has completed construction of the boat ramp and the approach at Recharge Lake. The ramp portion was pushed into the lake on October 29, 1999 by Wy-Ad Utility Contractors of

York. The staff completed constructing the approach portion on November 5, 1999. Not all of the bills have been submitted, but the approximate cost is \$4,200. The Board of Directors authorized an expenditure of \$5000.

It was moved by Friesen and seconded by Luebbe that the Upper Big Blue Natural Resources District make payments of \$1,383.48 for materials used in constructing the boat ramp at Recharge Lake. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 19. VISITORS' CENTER AT RECHARGE LAKE.

The staff has received a quote for \$1,500 from Hornbacher House Moving, Inc. for moving the Visitors Center from the present location to an area located near the restroom at Recharge Lake. Two thousand dollars are estimated for the concrete work. The work will not be done until the spring of 2000.

It was moved by Friesen and seconded by Moore that the Upper Big Blue Natural Resources District have the Visitors' Center located at Recharge Lake moved to the north area of the lake, near the restroom facility to be used as a picnic shelter for a cost of approximately \$3500. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 20. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Teegerstrom reported that the Water Committee met November 10, 1999.

ITEM 21. PROPOSED CHANGES TO RULE 5 - GROUND WATER MANAGEMENT AREA RULES AND REGULATIONS.

The Water Committee reviewed the testimony provided by the York County Development Corporation and the staff's recommendations to address the concerns raised. Following review and amendments to the draft document, the Water Committee recommends that the board adopt the revised regulations as presented.

It was moved by Teegerstrom and seconded by Hansen to adopt the revised Upper Big Blue Natural Resources District Ground Water Management Area Rules and Regulations (Rule 5) as amended. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 22. AQUIFER QUALITY WELL ABANDONMENT COST SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

There are four final payments totaling \$1259.98. The staff recommends payment of these claims.

It was moved by Teegerstrom and seconded by Houdersheldt to approve final payment for four well abandonments as reviewed at a total cost of \$1,259.98. We approved the motion.

AYE: Brown, Bruns, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT VOTING: Buller

NOT PRESENT: Austin, Volkmer

ITEM 23. FINANCIAL REPORT, OCTOBER 1, 1999 THROUGH OCTOBER 31, 1999, AND CONSIDERATION OF EXPENDITURES FOR OCTOBER 1999.

Turnbull reviewed the financial report for the period October 1, 1999 through October 31, 1999 that we had distributed.

It was moved by Luebbe and seconded by Brown to approve the financial report as presented and publish the expenditures for October 1999. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Eberle

NAY: None

NOT PRESENT: Austin, Volkmer

There being no other business, we adjourned the meeting at 2:50 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on November 18, 1999, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Wayne M. Hansen, Secretary

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Attachments (2)

**BOARD OF DIRECTORS MEETING
December 16, 1999**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, December 16, 1999 at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Douglas Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Ed Ediger, Curtis Friesen, Wayne Hansen, Earl Hultman, James Jackson, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Rod DeBuhr, Jay Bitner, Prudence Sadler, Ken Feather, Russ Gierhart, Kent Norquest, Richard Jiskra and Melanie Wilkinson of the York News-Times. Eberle called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Eberle reported that we published the legal notice for the Directors' Meeting in the York News-Times on December 8, 1999.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Luebbe and Austin arrived late.

ITEM 3. CONSIDERATION OF REQUEST FOR EXCUSED ABSENCE.

It was moved by Volkmer and seconded by Teegerstrom to excuse the absence of Roger Houdersheldt from the December 16, 1999, Board of Directors meeting as requested. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Hultman, Jackson, Moore, Teegerstrom, Volkmer, Eberle

NAY: Regier

NOT PRESENT: Austin, Houdersheldt, Luebbe

ITEM 4. ADOPTION OF AGENDA.

Eberle requested that the agenda be revised to allow the inclusion of the GMDA Report by directors and staff who attended.

It was moved by Volkmer and seconded by Brown to adopt the revised agenda as presented for the December 16, 1999 Board of Directors meeting. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Ediger, Friesen, Hansen, Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Austin, Houdersheldt, Luebbe

ITEM 5. APPROVAL OF MINUTES OF THE NOVEMBER 18, 1999 BOARD OF DIRECTORS MEETING.

It was moved by Moore and seconded by Regier to approve the minutes of the November 18, 1999 Board of Directors meeting as presented. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt, Luebbe

ITEM 6. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on December 7, 1999.

ITEM 7. OXBOW TRAIL PROJECT.

Jeremy Gehle, a UNL senior studying water science, presented a proposal for Oxbow Trail to the Projects Committee. Jeremy spent one summer with the District as an intern working for the Water Department. Seniors are required to do a senior project, which entails developing a proposal and conducting the study. The goal is to get real world experience. There is no cost to the District, other than providing advice and review for the project.

It is the aim of his project to determine the sediment loading into the reservoir, and potential problems with nutrients loading and eutrophication. He will present his findings and recommend a course of action to promote the life span of the reservoir to the Committee in May.

ITEM 8. NSWCP FUNDS LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Luebbe that payments of NSWCP land treatment funds be made in the amount of \$21,616.92 for nine applications reviewed by the Committee.
We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

ITEM 9. NEBRASKA BUFFER STRIP PROGRAM PROPOSED POLICY CHANGES.

Turnbull informed the Committee of a letter from the State of Nebraska regarding the Nebraska Pesticide Board's recommendation of several changes to the rules governing the Nebraska Buffer Strip Program. A rule-making hearing will be held on December 15, 1999, to hear testimony and evidence concerning these changes, which are as follows:

1. Payment rates for irrigated crop land are to be increased to a flat rate of \$150.00 per acre, regardless of geographic location. The factors for calculating the rates for irrigated acres will be discarded.
2. The eligibility requirements will be broadened to include certain wetland areas and perennial or intermittent streams which are not marked as such on USGS quadrangle maps, but which meet other criteria to be classified as intermittent or perennial streams.

3. Keep dryland payment rates current with the Farm Service Agency's rates for the Conservation Reserve Program.
4. Harmonize existing language with these new provisions.

After discussion, the Committee is in support of the proposed policy, and requests that a staff member attend the hearing to testify on behalf of our District.

It was moved by Jackson and seconded by Volkmer that the Upper Big Blue NRD support the proposed changes to the Nebraska Buffer Strip Program, and have a staff member attend the hearing to testify on behalf of the District. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY:

NOT PRESENT: Houdersheldt

ITEM 10. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Teegerstrom reported that the Water Committee met December 7, 1999.

ITEM 11. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

There are nine final payments totaling \$2,907.50. The staff recommends payment of these claims.

It was moved by Teegerstrom and seconded by Regier to approve final payments for nine well abandonments as reviewed by the committee at a total cost of \$2,907.50. We approved the motion.

AYE: Brown, Bruns, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY:

NOT VOTING: Buller

NOT PRESENT: Houdersheldt

ITEM 12. PAYMENT TO UNL WATER SCIENCES LABORATORY.

It was moved by Teegerstrom and seconded by Luebbe to pay the University of Nebraska Water Sciences Laboratory \$1,687.50 for 15 water analyses for pesticides. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

ITEM 13. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met December 9, 1999.

ITEM 14. RECHARGE LAKE BOAT RAMP.

The NRD staff has completed constructing the boat ramp at Recharge Lake. All the bills have been submitted for payment. The total cost of materials for the project was \$3,811.37. The Board of Directors authorized an expenditure of \$5,000. WYAD Utility Contractors, Inc. of York donated their time and equipment to push the first 30-foot section of the boat ramp into the lake.

It was moved by Friesen and seconded by Hultman that the Upper Big Blue Natural Resources District make payment of \$1,886.76 for materials used in constructing the boat ramp at Recharge Lake. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

ITEM 15. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on December 9, 1999.

ITEM 16. NEBRASKA ENDANGERED SPECIES.

Nebraska Game and Parks Commission recently scheduled public meetings concerning changes to the Nebraska list of endangered and threatened species. Turnbull and the Committee reviewed the document titled Recommendations for Revisions to the State List of Endangered and Threatened Species, dated October 1999.

The species to be added to the state list that may impact District programs and projects or our citizen's activities are:

Sturgeon Chub	fish	Endangered List
Pallid Sturgeon	fish	Endangered List
American Burying Beetle	insect	Endangered List
Massasauga Rattlesnake	reptile	Threatened List
Small White Lady's Slipper	flower	Threatened List
Ute Ladies-tresses	flower	Threatened List
Western Prairie Fringed Orchid	flower	Threatened List

A long discussion was held on the effects of endangered species listings. It was decided that Larry Moore would present the Board's testimony if the Board adopts the following motion. Austin, Hultman, and Turnbull also plan to attend the Lincoln meeting Thursday evening.

It was moved by Moore and seconded by Volkmer that the Board of Directors should present testimony at the Nebraska Game and Parks Commission public meeting on December 16 in Lincoln, about the revisions to the State List of Endangered and Threatened Species including:

- To question the listing of the Sturgeon Chub, Pallid Sturgeon, Massasauga rattlesnake, Small White Lady's Slipper, and other species whose listing may impact the District.

- To raise the issue of economic impact by such listings.
- To point out the difficulties such listings have on water management issues including the New Depletions Plan being negotiated on the Platte River.
- To question the maps presented showing the estimated native habitat of the species, and to urge that realistic actual habitat locations be defined prior to listings. We approved the motion

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

ITEM 17. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Executive Committee met on December 9, 1999.

ITEM 18. NEBRASKA STATE IRRIGATION ASSOCIATION.

Turnbull informed the Board that he was elected Vice President of the Nebraska State Irrigation Association. He has been on that Board of Directors since 1992. The NSIA will appoint someone from the Blue River Basin to fill the board position he held. The NSIA membership is predominately surface water irrigation districts, but provides a good place for this District to work on water issues with surface water interests.

ITEM 19. FINANCIAL REPORT, NOVEMBER 1, 1999 THROUGH NOVEMBER 30, 1999, AND CONSIDERATION OF EXPENDITURES FOR NOVEMBER 1999.

Turnbull reviewed the financial report for the period November 1, 1999 through November 30, 1999 that we had distributed.

It was moved by Volkmer and seconded by Dickinson to approve the financial report as presented and publish the expenditures for November 1999. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Houdersheldt

There being no other business, we adjourned the meeting at 3:10 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on December 16, 1999, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material

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

Wayne M. Hansen, Secretary

nds