

BOARD OF DIRECTORS MEETING
January 20, 2000

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 20, 2000 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, Larry Moore, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Rod DeBuhr, Jay Bitner, Prudence Sadler, Ken Feather, William Gilliam, York NRCS and Erin Hefner of the York News-Times. 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.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll. Luebbe arrived shortly after the roll was called.

ITEM 3. CONSIDERATION OF REQUEST FOR EXCUSED ABSENCE.

It was moved by Volkmer and seconded by Teegerstrom to excuse the absence of Ken Regier from the January 20, 2000, Board of Directors meeting as requested. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 4. ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Jackson to adopt the agenda as presented for the January 20, 2000 Board of Directors meeting. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Moore, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Luebbe

NOT PRESENT: Regier

ITEM 5. APPROVAL OF MINUTES OF THE DECEMBER 16, 1999 BOARD OF DIRECTORS MEETING.

It was moved by Brown and seconded by Volkmer to approve the minutes of the December 16, 1999 Board of Directors meeting as presented. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Regier

ITEM 6. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on January 11, 2000.

ITEM 7. NRD LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Luebbe that payments of NRD land treatment funds be made in the amount of \$12,632.84 for three applications reviewed by the committee. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Regier

ITEM 8. NSWCP 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 \$60,121.80 for 17 applications reviewed by the committee. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Regier

ITEM 9. DAVID CITY NORTHWEST DRAINAGE IMPROVEMENT PROJECT.

The Upper Big Blue NRD received a request from David City and Butler County for additional technical assistance. The city and county would like to have the Upper Big Blue and Lower Platte North NRDs assist with an engineering report to support future construction grant

applications on Phase 2 of the David City Northwest Drainage Improvement Project. The report would include all of the engineering information prepared to date, and analysis of economic and environmental feasibility of the project.

The Projects Committee recommended we defer action on this item until we know what the Lower Platte North NRD's position is.

ITEM 10. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Executive Committee met on January 11, 2000.

ITEM 11. DIRECTORS' PER DIEM AND EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses for the 4th quarter of 1999 and recommended that payments be made.

It was moved by Eberle and seconded by Ediger to approve payments of directors' per diem of \$6,650 and expenses of \$2,822.55. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Regier

ITEM 12. NATIONAL ASSOCIATION OF CONSERVATION DISTRICT ANNUAL DUES.

The annual dues for the National Association of Conservation Districts are \$1,650.

It was moved by Eberle and seconded by Friesen to approve the payment of \$1,650 to the National Association of Conservation Districts for the 2000 dues. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Regier

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

Teegerstrom reported that the Water Committee met January 13, 2000.

ITEM 14. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

There are 13 final payments totaling \$3,206.45. The staff recommends payment of these claims.

It was moved by Teegerstrom and seconded by Volkmer to approve final payments for 13 well abandonments as reviewed by the committee at a total cost of \$3,206.45. We approved the motion.

AYE: Brown, Bruns, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Teegerstrom, Volkmer, Austin

NAY: None

NOT VOTING: Buller

NOT PRESENT: Regier

ITEM 15. PAYMENT TO DEPARTMENT OF ENVIRONMENTAL QUALITY.

The District received 494 renewals and 31 new chemigation applications in 1999. The total revenue from these permits was \$5,870. DEQ's share of funds from these permits is \$1,143.

It was moved by Teegerstrom and seconded by Hultman to pay the Department of Environmental Quality \$1,143 for chemigation applications received in 1999. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Regier

ITEM 16. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on January 13, 2000.

ITEM 17. LEGISLATION.

The Budget, Planning & Legislative Committee reviewed the current legislative bills and forwarded their recommendations to the board.

It was moved by Moore and seconded by Houdersheldt:

To support LB 904 - (Groundwater Management Act Changes - allow NRDs to limit or prevent

the expansion of irrigated acres - allow NRDs to close an area to well drilling without trying all other alternatives first);

to support LB 939 - (Specify who can decommission a well - the landowner is and will be authorized to abandon his or her own well);

to oppose LB 957 and the concept of the state funding carbon sequestration studies - (State exploration of the potential of establishing a system of trading in credits for carbon sequestration);

to support LB 1017 - (Reduce Valuation of Ag and Horticulture land to 50% instead of 80%);

to support LB 1041 - (Fertilizer Tax - remove sunset date and collect the tax at the wholesale level) with changes which are:

- 1 - Taxes remain at retail level not wholesale level
- 2 - Broaden tax to include other contaminants in the future
- 3 - Remove the Sunset clause but that the law be reviewed every four years

to support LB 1112 - (Make the well driller responsible for well registration).

We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Regier

It was moved by Moore and seconded by Jackson to oppose LB 1138 in its current form and have John Turnbull testify before the legislature's Revenue Committee. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Regier

It was moved by Moore and seconded by Hansen to adopt a policy that those in attendance at NARD conferences have the Board authority to caucus and to change positions on legislative matters for the Upper Big Blue NRD Board of Directors based on the current information. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,

Hultman, Jackson, Luebbe, Moore, Teegerstrom, Austin

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Regier

ITEM 18. FINANCIAL REPORT, DECEMBER 1, 1999 THROUGH DECEMBER 31, 1999, AND CONSIDERATION OF EXPENDITURES FOR DECEMBER 1999.

Turnbull reviewed the financial report for the period December 1, 1999 through December 31, 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 December 1999. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Luebbe, Moore, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Regier

ITEM 19. NOMINATING COMMITTEE REPORT.

Moore reported that the Nominating Committee met January 13, 2000 and presented the slate of candidates for 2000.

It was moved by Moore and seconded by Jackson to accept the Nominating Committee's report and proceed with voting. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Ediger, Friesen, Hansen, Houdersheldt,
Hultman, Jackson, Luebbe, Moore, Teegerstrom, Volkmer, Austin

NAY: None

NOT PRESENT: Regier

ITEM 19a. NOMINEES FOR CHAIRMAN.

The nominees for chairman of the board were Wayne Hansen and Larry Moore. There were no other nominations from the floor, so we asked that members cast their ballots. They asked that Jay Bitner and Rod DeBuhr collect and count the ballots. Hansen was elected Chairman by a vote of nine to seven.

ITEM 19b. 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.

Houdersheldt was elected Vice Chairman by a vote of nine to seven.

ITEM 19c. NOMINEES FOR TREASURER.

The nominees for treasurer were Steve Buller and Gus Brown. 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 seven.

ITEM 19d. NOMINEES FOR SECRETARY.

The nominees for secretary were Vance Teegerstrom and Earl Hultman. There were no nominations from the floor, so the chair instructed the members to cast their ballots. Hultman was elected Secretary by a vote of eleven to five.

ITEM 19e. NOMINEES FOR NARD REPRESENTATIVE & VOTING DELEGATE.

The nominee for NARD representative and voting delegate was Doug Dickinson. Yvonne Austin was nominated 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 fourteen to two. Austin will serve as the NARD Alternate.

There being no other business, we adjourned the meeting at 3:04 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 20, 2000, 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.

Earl Hultman, Secretary

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BOARD OF DIRECTORS MEETING
February 17, 2000

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 17, 2000, at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Curtis Friesen, Wayne Hansen, Earl Hultman, James Jackson, Linda Luebbe, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Prudence Sadler, Ken Feather, Richard Jiskra of NNRC, William Gilliam and Mark Hoferer of York NRCS, Jack Hultquist and Janet Valasek of Clay County NRCS. Hansen called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on February 9, 2000.

ITEM 2. ROLL CALL OF DIRECTORS.

Eleven directors were present for the calling of the roll. Austin and Luebbe arrived a short time later.

ITEM 3. CONSIDERATION OF REQUESTS FOR EXCUSED ABSENCE.

It was moved by Volkmer and seconded by Brown to excuse the absence of Doug Dickinson, Gary Eberle, Ed Ediger and Larry Moore from the February 17, 2000 Board of Directors meeting as requested. We approved the motion.

AYE: Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Eberle, Ediger, Luebbe, Moore

ITEM 4. ADOPTION OF REVISED AGENDA.

It was moved by Jackson and seconded by Volkmer to adopt the revised agenda as presented for the February 17, 2000 Board of Directors meeting. We approved the motion.

AYE: Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Eberle, Ediger, Luebbe, Moore

ITEM 5. APPROVAL OF MINUTES OF THE JANUARY 20, 2000 BOARD OF DIRECTORS MEETING.

It was moved by Regier and seconded by Jackson to approve the minutes of the January 20, 2000 Board of Directors meeting as presented. We approved the motion.

AYE: Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Eberle, Ediger, Luebbe, Moore

ITEM 6. NNRC REPORT.

Richard Jiskra addressed the board and presented them copies of the January 26, 2000 minutes of the Nebraska Natural Resources Commission meeting. He provided them with a graph of revenues and expenditures for the commission for the past fiscal year. His graph also showed the distribution of funds to each NRD.

ITEM 7. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on February 8, 2000 and presented the Committee's recommendations.

ITEM 8. NRD LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Luebbe that payments of NRD land treatment funds be made in the amount of \$24,947.79 for seven applications reviewed by the committee. We approved the motion.

AYE: Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Eberle, Ediger, Moore

ITEM 9. NSWCP LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Volkmer that payments of NSWCP land treatment funds be made in the amount of \$5,733.60 for three applications reviewed by the committee. We approved the motion.

AYE: Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Austin

NOT PRESENT: Dickinson, Eberle, Ediger, Moore

ITEM 10. LAND TREATMENT PROGRAM POLICY ON SOD BUSTING.

Staff received an application for land treatment cost-share on terraces to be put on land being converted from pasture to crop land. Current NRD policy doesn't prohibit approval of land treatment program cost-share on sod busted land. The Nebraska Natural Resources Commission's policy is to let each NRD decide whether or not to cost-share in these cases. Staff recommended that the board of directors establish a policy of not allowing land treatment cost-share on land to be sod busted.

It was moved by Jackson and seconded by Teegerstrom that the Upper Big Blue NRD adopt a policy of not providing land treatment program cost-share on land being, or proposed to be, "sod busted," and that the policy become effective upon approval by the board of directors. The motion failed.

AYE: Friesen, Jackson

NAY: Austin, Brown, Bruns, Buller, Houdersheldt, Hultman, Luebbe, Regier, Volkmer, Hansen

NOT VOTING: Teegerstrom

NOT PRESENT: Dickinson, Eberle, Ediger, Moore

ITEM 11. DAVID CITY NORTHWEST DRAINAGE IMPROVEMENT PROJECT.

In December 1999, David City and Butler County requested engineering assistance to prepare an engineering report to support grant applications. The Upper Big Blue NRD has requested that Lower Platte North NRD take a position on this request before Upper Big Blue takes any action. The project area overlaps both the Upper Big Blue and Lower Platte North NRDs. A majority of the area is in the Lower Platte North NRD. The Lower Platte North NRD's Project Committee has considered the request and their Board of Directors is scheduled to take action this month.

ITEM 12. SOUTHEAST COMMUNITY COLLEGE CONSTRUCTION INSPECTION.

The Upper Big Blue NRD has completed final design of the storm water drainage improvement project at the Southeast Community College (SECC) in Milford. The SECC has requested that the NRD staff provide inspection during construction to ensure quality control. The SECC has agreed to reimburse the district for payroll, overhead and direct expenses, which are estimated at \$12,000.

It was moved by Jackson and seconded by Luebbe that the Upper Big Blue NRD staff is authorized to provide inspection during construction of the Southeast Community College storm water drainage improvement project, provided that the Southeast Community College reimburses the NRD for payroll, overhead and direct expenses. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Regier,

Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle, Ediger, Moore

ITEM 13. BIG BLUE RIVER PHASE OF SEWARD FLOOD HAZARD MITIGATION PROJECT.

The district has received verbal confirmation from FEMA that the buyout portion of the Big Blue River phase of the Seward Flood Hazard Mitigation Project is being authorized to proceed. Written confirmation is expected soon. The Seward city administrator has confirmed that the City of Seward is ready to proceed when written notice is received.

FEMA has requested that the Big Blue River phase be done in two parts. First the buyout of the flood prone dwellings and businesses and second the flood protection levee. The buyout portion is estimated to cost \$700,000. The district and city shares would each be \$87,500 and FEMA's share would be \$525,000 (75% cost-share). Staff will prepare an Interlocal Agreement between the City of Seward and Upper Big Blue NRD for consideration when written notice is received.

ITEM 14. WATERSHED STUDY FOR INDIAN CREEK PROJECT.

In September 1995, Olsson Associates completed a reconnaissance study of possible dam and reservoir sites in the Indian Creek watershed near Cordova. The site selected for the dam is located approximately one mile west of Cordova in Section 25, Township 9 North, Range 1 West in York County. The Olsson study also considered preliminary technical feasibility of constructing a dam and reservoir at the selected site and found that the site is suitable and the project feasible at the reconnaissance level.

In 1996 the Upper Big Blue NRD Board of Directors authorized staff to conduct a detailed study of watershed runoff and water quality. The study was also to estimate the expected reservoir water quality and suitability for fishery and recreation. During 1997 and 1998 the NRD staff collected daily rainfall, runoff, and water quality data. The study was completed in January 2000.

Bitner reviewed results of the study which show that it will take five to seven years for the reservoir to establish a stable storage and lake area for recreation. The study also showed that Indian Creek runoff water quality is very similar to that of other watersheds in the Upper Big Blue NRD. Most of the time the reservoir dissolved oxygen concentration is expected to vary between six parts per million and 10 parts per million. This range of dissolved oxygen concentration is considered adequate for bass, blue gill and catfish. Pesticide concentrations in the runoff are generally below the aquatic life MCLs; however, Atrazine concentrations do generally exceed the aquatic life MCL in the spring after corn planting.

Staff recommends that the district proceed with a detailed feasibility study and grant application

on the Indian Creek Project if the board of directors believe the project is financially feasible, is consistent with the district's long range goals and objectives, and has public support.

ITEM 15. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Regier reported that the Budget, Planning & Legislative Committee met on February 8, 2000 and presented the committee's report.

ITEM 16. LEGISLATION.

Regier reported that the general manager reviewed the current legislation that the Board has an interest in with the committee.

BILL	BOARD POSITION	NARD POSITION	STATUS
LB 904	Support	Support	General file w/amendments
LB 939	Support	Support	Indefinitely postponed
LB 957	Oppose	Support	General file
LB 1017	Support	Policy Statement to hold revenue neutral	In committee - hearing held
LB 1041	Support with changes	Policy Statement to negotiate	In committee - hearing Feb. 28th
LB 1112	Support	Support	General file
LB 1138	Oppose	Policy Statement to negotiate	In committee - hearing held
LB 900		Support	General file

Bill descriptions:

LB 904 - Groundwater Management Act changes - allow NRDs to limit or prevent the expansion of irrigated acres - allow NRDs to close an area to well drilling without trying all other alternatives first

LB 939 - Specify who can decommission a well - a landowner is and will be authorized to abandon his or her own well

LB 957 - State exploration of the potential of establishing a system of trading in credits

for carbon sequestration

LB 1017 - Reduce Valuation of Ag and Horticulture land to 50% instead of 80%

LB 1041 - Fertilizer Tax - remove sunset date and collect the tax at the wholesale level

LB 1112 - Make the well driller responsible for well registration

LB 900 - Merge the Department of Water Resources and the Natural Resources Commission

LB 1138 - State Aid amount and formula changes for NRDs

ITEM 16. PLATTE RIVER REGULATION AND COHYST.

ITEM 16a. TARGET FLOWS.

Turnbull reviewed the US Fish and Wildlife Service target flows at the Grand Island gage on the Platte River. He also reviewed the flows that the Fish and Wildlife Service have stated in their studies are necessary for habitat and species protection of the Whooping Crane, Least Tern, and Piping Plover. The two flow requirements are not the same. He also reviewed the existing instream flow water rights held by the Central Platte NRD and the Game and Parks Commission, which are less than either the target flows or endangered species protection flows. The Nebraska New Depletions Plan that is currently in negotiation will require groundwater to be managed to meet some minimum flows. Committee members again stated that the NRDs should not regulate water to meet flow requirements of species, such as the sandhill cranes, which are not on the endangered list. The Committee believes that if the wildlife interests want to have higher flows in the river for other species habitat needs that those interests should use the Environmental Account in Lake McConaughy for such purposes. Turnbull also pointed out that the target flows are higher than the long term historic flows and that regulations to achieve such higher flows should not be adopted either.

ITEM 16b. COHYST.

Bitner reviewed the COHYST study with the Budget, Planning & Legislative Committee. The overall direction of the basin wide computer modeling effort has progressed from a very detailed approach to a more general effort. The study area across Nebraska is much too large for any kind of meaningful detail in groundwater modeling. The COHYST study appears to be developing into a guide rather than an absolute way to calculate individual well impacts on the Platte River.

ITEM 17. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on February 8, 2000 and presented the committee's recommendations.

ITEM 18. APPROVAL OF PER DIEM AND EXPENSES FOR HOUDERSHELDT.

It was moved by Houdersheldt and seconded by Hultman to approve payment of \$200 for per diem and \$74.40 for expenses to Roger Houdersheldt for the last quarter. We approved the motion

AYE: Austin, Brown, Bruns, Buller, Friesen, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Houdersheldt

NOT PRESENT: Dickinson, Eberle, Ediger, Moore

ITEM 19. AUTHORIZATION TO ADVERTISE FOR BIDS TO PURCHASE A TRACTOR.

During preparation of the annual budget staff recommended we purchase a new tractor for tree planting and maintenance work. The draft FY 2000 budget had \$35,000 proposed for the purchase of a new tractor. However, the final budget adopted by the board had only \$17,500 budgeted for a tractor.

Turnbull proposed that the Executive Committee and board consider a two-year lease/purchase of a new tractor. The district will get government (GSA) pricing. For example if the list price is \$43,000, the district's cost would be about \$31,500. The lease/purchase terms would be in the 7% interest range which would make the interest cost about \$1,000. The lease cost per year would be about \$16,500.

Staff recommends the purchase or lease of a new tractor with the following specifications. 60-65 PTO horsepower, front-wheel drive, loader and second hydraulic hookup.

The existing tractor, which was purchased new, is a 1982 International with about 4,000 hours on it. Turnbull recommends the district keep the International if a new tractor is purchased. He also recommends that if the board doesn't want to authorize the purchase of a new tractor that no purchase be made at this time. The existing tractor will work for another season.

It was moved by Houdersheldt and seconded by Hultman to authorize the advertising for bids for a new tractor (minimum specifications 60-65 PTO horsepower, front-wheel drive, loader and a second hydraulic hookup) for purchase in March 2000, or as soon thereafter as possible. Further that such purchase be made outright with available funds in the FY 2000 budget. We approved the motion.

AYE: Austin, Brown, Buller, Houdersheldt, Hultman, Luebbe, Volkmer, Hansen

NAY: Bruns, Friesen, Jackson, Regier, Teegerstrom

NOT PRESENT: Dickinson, Eberle, Ediger, Moore

ITEM 20. REPORT OF EDUCATION & PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education & Parks Committee met on February 10, 2000 and presented the committee's recommendations.

ITEM 21. TREES FOR THE GROUNDWATER FESTIVAL.

Pete Petersen of the York County Extension office presented the committee with an alternative idea for giving trees to students within the Upper Big Blue NRD. In the past Gene Bergen gave approximately 625 trees to fourth and fifth grade students within York County each year. Gene has retired and Pete has taken his place and plans to continue the program. Pete believes by giving trees to students at the Groundwater Festival each year, he would be reaching more students outside of York County, which would better represent the district.

ITEM 22. DIRECTORS' TOUR.

The Education & Parks Committee discussed the possibility of taking a three-day trip down the Platte River from Wyoming to the Big Bend section. The committee consensus was that it would work if we set the date for the latter part of July. Staff will begin planning.

ITEM 23. SOAR REQUEST FOR FUNDING.

The Prairie Plains Resources Institute has asked for funding for the 2000 SOAR (Summer Orientation About Rivers) program, a natural resources focused day camp for second through sixth graders each July. There are two regional SOAR camps, one in Kearney and one in Aurora. Each camp has two one-week sessions. About 60 kids attend each session. Junior high students serve as team leaders. Last year the district contributed \$1,500 to SOAR. This year we budgeted \$1,000.

It was moved by Friesen and seconded by Regier to authorize payment of \$1,000 to the Prairie Plains Resources Institute for the 2000 SOAR program. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle, Ediger, Moore

ITEM 24. WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS FOR

FEBRUARY.

It was moved by Friesen and seconded by Teegerstrom that the Upper Big Blue Natural Resources District make payments totaling \$1,907.50 to the cooperators in the Wildlife Habitat Improvement Program for the month of February. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle, Ediger, Moore

ITEM 25. WILDLIFE EXTENSION AGREEMENT.

Richard Callahan owns an 80-acre tract of land located in the E½ SW¼ of Section 3, Township 9 North, Range 2 West of the 6th P.M., York County, Nebraska. In this 80-acre tract of land, there are 25 acres of wetland that he wishes to renovate. The renovation work will consist of removing silt, approximately 1.0 foot, removing spoil piles and providing supplemental water for private and public sides of the wetland. There are approximately 189 acres of wetland adjacent to Richard Callahan’s 25-acre wetland which is owned and operated by the U.S. Fish and Wildlife Service and is open to the public.

Contributions by Agencies/Organizations:

Contribution by the landowner	\$12,332.00
* Contribution by the Service	\$5,000.00
** Contribution by Rainwater Basin Joint Venture	\$5,832.54
*** Contribution by Nebraska Game and Parks Commission	\$5,832.54
*** Contribution by National Fish and Wildlife Foundation	\$5,093.92
**** Contribution by Upper Big Blue Natural Resources District	\$5,000.00
Contribution by NRCS (in-kind services)	\$800.00
TOTAL COST FOR THIS PROJECT	\$39,891.00

**** *Upper Big Blue Natural Resources District Funds for this project are being provided through a Cooperative Agreement with the U.S. Fish and Wildlife Service (Cooperative Agreement No. 14-48-0006-96-918 which is on file at the District’s Office).*

It was moved by Friesen and seconded by Jackson that the Upper Big Blue Natural Resources District authorizes the Chairman of the Board of Directors to sign the Wildlife Extension Agreement, as reviewed, with the following clause inserted into the Agreement. “Richard Callahan, the U.S. Fish and Wildlife Service, Natural Resources Conservation Service, and the Rainwater Basin Joint Venture or any of their assigns do hereby agree that all activities pursuant to this project and all future ground water withdrawal shall comply with the Upper Big Blue Natural Resources Districts rules and regulations governing the use of the ground water.”

The motion was amended by Austin and seconded by Regier to add the words “and that the NRD will supply the \$5,000 as agreed to, provided it is received from U.S. Fish & Wildlife Service.”
We approved the amendment.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Regier,
Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle, Ediger, Moore

We approved the original motion as amended.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Regier,
Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle, Ediger, Moore

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

Teegerstrom reported that the Water Committee met on February 10, 2000 and presented the committee's recommendations.

ITEM 27. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

There are fifteen final payments totaling \$4,717.81. Staff recommended payment of these claims.

It was moved by Teegerstrom and seconded by Volkmer to approve final payments for 15 well abandonments, as reviewed by the committee, at a total cost of \$4,717.81. We approved the motion.

AYE: Austin, Brown, Bruns, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Regier,
Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Buller

NOT PRESENT: Dickinson, Eberle, Ediger, Moore

ITEM 28. UNREGISTERED WELLS.

Rod reported to the committee that the Water Department staff has been following up on permits issued for which no well was registered with the Department of Water Resources. Eighty-seven permitted sites were inspected. Forty-one were found not to have a well drilled. However, 46

unregistered wells were found. The staff is contacting the land owners to get these wells registered.

ITEM 29. FINANCIAL REPORT, JANUARY 1, 2000 THROUGH JANUARY 31, 2000, AND CONSIDERATION OF EXPENDITURES FOR JANUARY 2000.

Turnbull reviewed the financial report for the period January 1, 2000 through January 31, 2000 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 January 2000. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle, Ediger, Moore

There being no other business, we adjourned the meeting at 3:05 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on February 17, 2000, 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.

Earl Hultman, Secretary

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BOARD OF DIRECTORS MEETING
March 23, 2000

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, March 23, 2000, at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom, Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rod DeBuhr, Ken Feather, Stephanie Mousel, Rita Hoblyn, Delores Gray, Darlene Briscoe, William Gilliam and Craig Derickson of NRCS, William Morgan of Exeter and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on March 15, 2000.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Luebbe and Volkmer arrived a short time later.

ITEM 3. ADOPTION OF AGENDA.

It was moved by Regier and seconded by Dickinson to approve the agenda for the March 23, 2000 Board of Directors meeting. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Luebbe, Volkmer

ITEM 4. APPROVAL OF MINUTES OF THE FEBRUARY 17, 2000 BOARD OF DIRECTORS MEETING.

It was moved by Regier and seconded by Austin to approve the minutes of the February 17, 2000 Board of Directors meeting as presented. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Luebbe, Moore,

ITEM 5. NARD REPORT.

Dickinson reported that the NARD Board met March 6, 2000 in Lincoln. He reviewed the proposed FY 2000 - 2001 NARD budget. The draft budget proposes a 3 percent increase in dues. Dickinson told the board he wants no increase in the dues and asked for input from the Upper Big Blue board regarding areas of the budget that could be cut.

ITEM 6. NRCS REPORT.

Bill Gilliam introduced Craig Derickson, Assistant Conservationist for Technology, who reviewed the expansion of NRCS workload over the past four years, and the decline in the number of NRCS personnel.

ITEM 7. WASHINGTON, D.C. REPORT.

Austin and Jackson reported on their recent trip to Washington, D.C. with the NARD and highlighted some of the discussion regarding carbon sequestration and TMDL. Turnbull reported that Laura Brown, Chief of Water and Science for the Department of Interior, talked about the Platte River Cooperative Agreement and stated that it was one of their highest priorities.

ITEM 8. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Education and Parks Committee met on March 16, 2000 and presented the committee's recommendations.

ITEM 9. MARCH WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS.

It was moved by Volkmer and seconded by Jackson that the Upper Big Blue Natural Resources District make payments totaling \$6,098.76 to the cooperators of the Wildlife Habitat Improvement Program for the month of March. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 10. OXBOW TRAIL RESERVOIR MAINTENANCE CONTRACT.

The District received inquiries from individuals interested in being caretakers at Oxbow Trial

Reservoir. The District contacted the individuals and requested a price for them to do the work as outlined in the Education and Parks Committee minutes.

The district's cost to perform the work would be \$1,926.40 for the four-month period.

The following quotes were received for mowing and cleaning restrooms and picking up the trash at Oxbow Trial Reservoir from May 1 - Sept. 1, 2000.

Bill Kreitman	\$2,700
Joe Urbanek	\$2,400
Diane Rech	\$1,600

It was moved by Volkmer and seconded by Austin that the Upper Big Blue Natural Resources District contract with Diane Rech to mow the designated areas twice a month, pick up the trash, and clean the restrooms on Mondays and Fridays of each week from May 1, 2000 to September 1, 2000 for a payment of \$1600, which she will be paid in four (4) equal payments on or before the 25th of June, July, August and September of year 2000. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 11. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Teegerstrom reported that the Water Committee met on March 16, 2000 and presented the committee's recommendations.

ITEM 12. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Thirteen applications were submitted for final payments totaling \$3,543.33. Staff recommends payment of these claims.

It was moved by Teegerstrom and seconded by Regier to approve final payments for 13 well abandonments as reviewed at a total cost of \$3,543.33. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Buller

ITEM 13. PURCHASE OF MOISTURE BLOCKS FOR RESALE.

It was moved by Teegerstrom and seconded by Regier to pay Delmhorst Instrument Company \$2,954 for 600 gypsum blocks purchased for resale for the 2000 irrigation season. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 14. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Projects Committee met on March 21, 2000 and presented the committee's recommendations.

ITEM 15. INDIAN CREEK PROJECT.

Buller reported that 21 citizens from the Cordova area attended the March 21 Projects Committee meeting to hear about the Indian Creek Project and to discuss the project with the committee.

ITEM 16. NRD LAND TREATMENTS PROGRAM PAYMENTS.

It was moved by Buller and seconded by Austin that payments of NRD land treatment funds be made in the amount of \$13,146.38 for three applications reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None
NOT VOTING: Luebbe

ITEM 17. NSWCP LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Buller and seconded by Austin that payments of NSWCP land treatment funds be made in the amount of \$8,062.14 for six applications reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None
NOT VOTING: Luebbe

ITEM 18. RECORD KEEPING FOR NC17 LAND TREATMENT PRACTICES.

The Nebraska Natural Resources Commission requires that recipients of cost-share on NC17 practices be required to report irrigation water applied and crop water use for each of the first three years after receiving NSWCP cost-share. The Upper Big Blue NRD has been requiring cost-share recipients to turn the records in for the last two years. Approximately 70% of the NC17 cost-share recipients have reported. The purpose for requiring the irrigation records is to create awareness on the part of the irrigator as to how they determine when to irrigate, and how much water they use.

The Projects Committee expressed concern that the record keeping requirement might not be an effective way to accomplish the intended purpose, and that the use of staff time and cost of record keeping might not be cost effective. Another concern of the Committee was that the rule limiting irrigators to cost-share on only one of each NC17 practice is too restrictive and is inconsistent with promoting ground water conservation. There is no limit on the number of terraces, waterways, dams, etc. that a landowner can apply for. The District has received notice that the Nebraska Natural Resources Commission recently lifted the "one per landowner" limit on the NC17 practice for buried pipelines to convert a gravity system to pivot irrigation system.

It was moved by Buller and seconded by Houdersheldt that the Nebraska Natural Resources Commission be requested to eliminate, from the Nebraska Soil and Water Conservation Fund rules, the requirement that NC17 cost-share recipients be required to report irrigation water applied, rainfall, and crop water use data.

Moore felt that the record keeping requirements should be left intact. To remove them now would defeat the original purpose, which was to educate the landowner and make them aware of the amount of water being used.

Turnbull advised the board that staff is at the point of sending letters, requesting repayment of funds, to the NC17 cost-share recipients who have not reported their data.

Staff time has been estimated at 100 hours annually to try to comply with the NNRC requirements. Additionally, any money that the district does recover from recipients who have not complied must be returned to the NNRC.

Austin said she felt the reported data should be used, at least for the past three years. She also felt the Commission should be encouraged to enforce the reporting regulations.

It was moved by Jackson and seconded by Moore to amend the motion to read "that the Nebraska Natural Resources Commission be requested to ~~eliminate, from~~ enforce the Nebraska Soil and Water Conservation Fund rules, specifically the requirement that NC17 cost-share recipients be required to report irrigation water applied, rainfall, and crop water use data." We approved the amendment.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,

Jackson, Luebbe, Moore, Regier, Teegerstrom, Hansen
NAY: Volkmer

The question was called on the original motion. We approved the motion as amended.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

It was moved by Buller and seconded by Dickinson that the Nebraska Natural Resources Commission be requested to eliminate, from the Nebraska Soil and Water Conservation Fund rules, the restriction that each landowner is allowed cost-share on only one of each NC17 practice. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Luebbe, Volkmer,
Hansen
NAY: Austin, Dickinson, Jackson, Moore, Regier, Teegerstrom

It was moved by Austin and seconded by Moore that staff proceed with mailing out the letters to the NC17 cost-share recipients who have not reported their data. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Jackson, Moore, Regier, Teegerstrom, Hansen
NAY: Buller, Eberle, Houdersheldt, Hultman, Luebbe, Volkmer

ITEM 19. NEBRASKA BUFFER STRIP PROGRAM.

A total of 407 acres on 49 tracts of land have been signed up in the Nebraska Buffer Strip Program. The total annual payment on these tracts is \$30,065.08. The majority of contracts are for 10 years. Payments of \$6,168.14 are now due on fourteen contracts for the January through March period.

It was moved by Buller and seconded by Teegerstrom that payments of Nebraska Buffer Strip Program funds be made in the amount of \$6,168.14 for fourteen contracts reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 20. DAVID CITY NORTHWEST FLOOD CONTROL PROJECT.

In December 1999, David City and Butler County requested assistance to prepare an engineering report to support applications for construction grants. To date, the Upper Big Blue and Lower

Platte North NRDs have paid all of the engineering costs; however, this additional request for assistance is above and beyond the original intent of our Interlocal Agreement. The Lower Platte North NRD's position on this request is that additional assistance should be provided if David City and Butler County will reimburse for our cost of preparing the report.

Staff recommended that the Upper Big Blue NRD offer to prepare an engineering report if David City and Butler County agree to reimburse the Upper Big Blue NRD for expenses.

It was moved by Buller and seconded by Jackson that the Upper Big Blue NRD offer to prepare an engineering report on the David City Northwest Flood Control Project, provided City of David City and Butler County agree to reimburse the Upper Big Blue NRD for payroll, payroll overhead, and other expenses associated with preparing the report. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 21. BIG BLUE RIVER PHASE OF THE SEWARD FLOOD HAZARD MITIGATION PROJECT.

The Federal Emergency Management Agency (FEMA) and Nebraska Emergency Management Agency (NEMA) have notified the District that the buyout portion of the Big Blue River Phase of the Seward Flood Hazard Mitigation Project is authorized to proceed.

FEMA has requested that the Big Blue River phase be done in two parts; (1) the buyout of flood prone dwellings and businesses to be done first, and (2) the flood protection levee to be done last. The buyout portion is estimated to cost \$700,000. The District and City shares would each be \$87,500 (12.5%) and the FEMA share would be \$525,000 (75% cost-share).

Staff presented, and discussed details of, an Interlocal Agreement to be entered into between the City and NRD. Staff also presented, and discussed, the State-Local Contractual Agreement to be entered into between the District and NEMA. Staff recommended that the Board of Directors approve the agreements and authorize the Board Chairman to sign the agreements.

It was moved by Buller and seconded by Austin that the Board of Directors approve the Seward Flood Hazard Mitigation Project, Big Blue River Phase, Interlocal Agreement between the Upper Big Blue NRD and City of Seward, and that the NRD Board Chairman be authorized to sign the Agreement. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Luebbe, Teegerstrom, Hansen
NAY: None
NOT VOTING: Regier, Volkmer

NOT PRESENT: Moore

It was moved by Buller and seconded by Austin that the Board of Directors approve the Seward Flood Hazard Mitigation Project, Big Blue River Phase, Local-State Contractual Agreement between the Upper Big Blue NRD and Nebraska Emergency Management Agency, and that the NRD Board Chairman be authorized to sign the Agreement. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Luebbe

ITEM 22. ENGINEERING ASSISTANCE FOR SOUTHEAST COMMUNITY COLLEGE.

In February 2000, the Board authorized staff to provide construction engineering for the Southeast Community College Storm Sewer Project at Milford. The Projects Committee reviewed the proposed Interlocal Agreement to be entered into between the District and Southeast Community College for this project. Staff recommended that the board of directors approve the agreement and authorize the NRD Board Chairman to sign the agreement.

It was moved by Buller and seconded by Houdersheldt that the Board of Directors approve the Storm Sewer Project Interlocal Agreement between the Upper Big Blue NRD and Southeast Community College, and that the NRD Board Chairman be authorized to sign the Agreement. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Luebbe

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

Houdersheldt reported that the Executive Committee met on March 21, 2000 and presented the committee's recommendations.

ITEM 24. NEBRASKA WATER RESOURCES ASSOCIATION DUES.

The Nebraska Water Resources Association has billed the District for the 2000 dues. The dues are \$1,200, which is the same as the last two years.

It was moved by Houdersheldt and seconded by Austin to approve payment of \$1,200 to the Nebraska Water Resources Association for the year 2000 dues. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Luebbe

ITEM 25. TRACTOR PURCHASE.

The District advertised for bids on a new tractor for tree planting and site maintenance. Bids were received from seven area dealers. One of the bids, from Green Country, Inc. of Geneva, was rejected because the tractor was not bid to specification. The bids that met the specifications are listed below. The specifications are 60 - 65 PTO horsepower; front wheel drive; creeper transmission; loader and second hydraulic hookup. The low bidder stated that delivery could be expected in 45 days.

TRACTOR BIDS

DEALER	LOCATION	MAKE	BID
Plains Power & Equipment	York	John Deere - 5410	\$30,647
York Equipment	York	Case International - CX70	\$30,985
Geneva Implement	Geneva	Case International - CX70	\$31,025
Osceola Implement & Supply	Osceola	White - 6065	\$31,700
Blue River Implement, Inc.	Seward	Massey Ferguson - 4233	\$32,471
Nick's Farm Store Co.	Geneva	Massey Ferguson - 4235	\$32,493

It was moved by Houdersheldt and seconded by Hultman to accept the bid of \$30,647 for a new John Deere 5410 tractor and loader as specified from Plains Power and Equipment, York, Nebraska. We approved the motion.

AYE: Austin, Brown, Buller, Dickinson, Houdersheldt, Hultman, Moore, Regier, Teegerstrom,
Volkmer, Hansen

NAY: Bruns, Friesen, Jackson

NOT VOTING: Eberle

NOT PRESENT: Luebbe

ITEM 26. OFFICE EQUIPMENT PURCHASE.

Nancy Schneider recommends that the receptionist's desk be replaced. \$4,200 was budgeted in the FY2000 Budget. The current desk has limited storage, does not have enough work surfaces, and was not built to accommodate a computer workstation. The round desk was included with the office building when purchased in 1982. A Steel Case desk and counter system that would match the other modular desk and divider system has been priced through Eakes Office Plus.

The new desk would be located just inside the entry to the office, where the waiting room furniture is currently located. The attached counter will make it easy for visitors to determine where to ask for assistance as well as allow a space for them to complete forms and make payments. The total cost is \$3,596, including setup and delivery. Eakes doesn't want the old custom-built desk for trade-in.

It was moved by Houdersheldt and seconded by Austin to approve the purchase of one Steel Case desk, counter and storage system for the receptionist from Eakes Office Plus, Grand Island, for \$3,596.00. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Luebbe

ITEM 27. CONSENT AGENDA POLICY.

In order to shorten the board meetings the Manager recommends that the board adopt a consent agenda policy. At the last board meeting, for example, one roll call vote would have replaced seven roll call votes on routine items. Several other NRDs use consent agendas, as well as some city and county governments.

A consent agenda policy can be established by amending Operating Policies Number 9 and 10 as presented.

If the board adopts these policy changes, the board meeting time can be reduced by considering routine actions under one motion. Possible routine actions could be approved by the passing of a motion to approve the consent agenda at the board meetings. Items on the consent agenda are ones that likely will not have discussion, such as:

- Adoption of the Agenda
- Approval of the Minutes
- Directors' Per Diem and Expenses
- Land Treatment Payments
- Buffer Strip Payments
- Habitat Payments
- Decommissioned Well Payments

Amendments to Operating Policies # 9 and # 10 would:

- Allow any item to be pulled off of the consent agenda by a board member or member of the public so that it can be considered and discussed separately.
- When voting in favor of the consent agenda, a board member's vote is recorded as voting in favor of each individual item on the consent agenda, unless, the voting board member requests that his or her vote be "aye" on all consent agenda items, except for a particular item on the consent agenda which should be recorded as a "nay" vote or "not voting."

For example, if a board member wants to vote nay on approving wildlife habitat contracts then that board member would vote aye for the consent agenda, but request at the time the vote is taken to have his or her vote on the wildlife habitat contracts be recorded as a nay vote.

- The approval of the consent agenda would require the listing of a roll call vote in the board minutes for each consent agenda item, even though one roll call vote would cover all items.
- The consent agenda policy would take effect at the next board meeting.

The Executive Committee recommended the district adopt a consent agenda policy.

It was moved by Houdersheldt and seconded by Austin to adopt a consent agenda policy by amending Operating Policy No. 9: Board of Directors Meetings, and Operating Policy No. 10: Agenda of Board Meetings as presented.

There was some discussion about how the consent agenda procedure would work. It was moved by Austin and seconded by Brown to refer the policy to committee for further study. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Jackson, Luebbe

ITEM 28. FINANCIAL REPORT, FEBRUARY 1, 2000 THROUGH FEBRUARY 29, 2000, AND CONSIDERATION OF EXPENDITURES FOR FEBRUARY 2000.

Turnbull reviewed the financial report for the period February 1, 2000 through February 29, 2000 that we had distributed. It was moved by Regier and seconded by Austin to approve the financial report as presented and publish the expenditures for February 2000. We approved the

motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Luebbe, Moore

ITEM 29. DIRECTOR VACANCY IN SUBDISTRICT SIX.

As a result of Ed Ediger's death a board vacancy exists in subdistrict six. Turnbull told the board that notice of the vacancy will be published in the newspaper. He has already been contacted by two individuals who are interested in the position.

There being no other business, we adjourned the meeting at 4:24 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 23, 2000, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
April 20, 2000

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, April 20, 2000, at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, 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, Jay Bitner, Rod DeBuhr, Ken Feather, Prudence Sadler, Jan Joseph of NRCS and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on April 6, 2000.

ITEM 2. ROLL CALL OF DIRECTORS.

Thirteen directors were present for the calling of the roll. Luebbe arrived a short time later.

ITEM 3. APPROVE REQUESTS FOR EXCUSED ABSENCES.

It was moved by Regier and seconded by Jackson to excuse the absence of Merlin Volkmer and Gary Eberle from the April 20, 2000, board of directors meeting. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Eberle, Luebbe, Volkmer

ITEM 4. ADOPTION OF AGENDA.

It was moved by Teegerstrom and seconded by Regier to approve the agenda for the April 20, 2000 Board of Directors meeting. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Eberle, Luebbe, Volkmer

ITEM 5. APPROVAL OF MINUTES OF THE MARCH 23, 2000, BOARD OF DIRECTORS MEETING.

It was moved by Buller and seconded by Austin to approve the minutes of the March 23, 2000 Board of Directors meeting as presented. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson,
Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Eberle, Luebbe, Volkmer

ITEM 6. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on April 11, 2000 and presented the committee's recommendations.

ITEM 7. AMENDMENT TO LAND TREATMENT PROGRAM POLICY.

Staff requested that the maximum NRD cost-share per landowner per year be increased from \$3,500 to \$5,000 to be consistent with NSWCP funds policy. This change would increase the maximum cost-share per landowner to \$10,000 per year (\$5000 NSWCP and \$5000 NRD) on combinations of NSWCP and NRD funds. All applications are initially filed as NSWCP. Under current policy, any applications shifted to NRD funds would require the landowner to sign a new application and cost-share would have to be recalculated within the \$3500 limit. If the recommended policy amendment is approved, staff would continue to allocate all NSWCP funds before allocating NRD funds.

It was moved by Jackson and seconded by Houdersheldt that the Land Treatment Program cost-share policy on practices 1, 2, 3, 4, 6, 7, 8, 12, 16, and 18 be amended such that the maximum cost-share per landowner per year be \$5000 on NRD funded applications, and that the maximum cost-share per landowner per year on NSWCP applications remain at \$5000, and that each landowner continue to be eligible for both NSWCP and NRD cost-share up to the \$5000 maximum for each fund, and any landowner installing a water impoundment dam, continue to be eligible for an additional NSWCP cost-share of \$5000 on Practice 3.

It was moved by Moore and seconded by Austin to amend the motion to read: that the Land Treatment Program cost-share policy on practices 1, 2, 3, 4, 6, 7, 8, 12, 16, and 18 be amended such that the maximum cost-share per landowner per year be either \$5000 on NRD funded applications or \$5000 on NSWCP funds, and that the maximum cost-share per landowner per year on NSWCP applications remain at \$5000, and that each landowner continue to be eligible for both NSWCP and NRD cost-share up to the \$5000 maximum for each fund, and any landowner installing a water impoundment dam, continue to be eligible for an additional NSWCP cost-share of \$5000 on Practice 3. We approved the amendment.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson,
Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Eberle, Volkmer

We approved the original motion as amended.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom

NAY: Dickinson, Hansen

NOT PRESENT: Eberle, Volkmer

ITEM 8. NRD LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Luebbe that payment of NRD land treatment funds be made in the amount of \$34,217.95 for seven applications reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 9. NSWCP LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Teegerstrom that payment of NSWCP land treatment funds be made in the amount of \$1,221.26 for one application reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 10. LINING OF OVERLAND TRAILS RESERVOIR.

The recharge rate from the reservoir at the Overland Trails Project is much higher than originally estimated. The reservoir fills 120 acre feet during heavy rainfall, but most of the stored water infiltrates to the ground water within a month. If the project is to be used for water-based recreation such as fishing, it will be necessary to install a liner in portions of the reservoir where earth was taken to build the dam. Nickel Engineering, a geotechnical consultant, has recommended a plan to reduce infiltration by sealing seven acres of the reservoir. Staff recommends proceeding with Nickel Engineering's plan at the estimated cost of \$41,300. If the board authorizes the recommended plan, staff will obtain contractor bids for the board's consideration.

It was moved by Jackson and seconded by Austin that staff be authorized to obtain bids from at least three contractors to install bentonite and soda ash liners in the reservoir at Overland Trails Project in accordance with the April 11, 2000 plan recommended by Nickel Engineering. The motion failed.

AYE: Austin, Houdersheldt

NAY: Brown, Bruns, Buller, Dickinson, Friesen, Hultman, Jackson, Luebbe, Regier,
Teegerstrom, Hansen

NOT VOTING: Moore

NOT PRESENT: Eberle, Volkmer

ITEM 11. APPROVAL OF MAINTENANCE WORK ON DAMS.

In 1998 inspections of eight dams indicated need for maintenance work. Most of the work involves erosion control, removal of trees from the dams, and repair of pipes and concrete surfaces. Estimated cost is \$17,500. Staff requested authorization to select a contractor, without advertising for bids, to do the required maintenance work.

It was moved by Jackson and seconded by Houdersheldt that staff be authorized to hire a contractor, for a cost not to exceed \$17,500, to perform maintenance on the Bergen, Larson, Smith Creek, Bruner, Urbanek-Hoeft, Miller, Vrbka, and Hromas/Moravek dams in accordance with the NRD staff recommendations. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson,
Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 12. REPAIRS TO RECOVERY WELLS AT RECHARGE LAKE.

Recovery wells R1 and R3 at Recharge Lake are in need of maintenance. Sargent Drilling Company has inspected the recovery well system and recommended replacement of the motor and installation of a phase monitor on pump R1 located in the maintenance building. The total operating time for pump R1 is 12,578 hours. Sargent Drilling also recommended replacing the starter on pump R3. The total operating time on pump R3 is 13,549 hours. Estimated cost for the recommended repairs is \$3,021.88. Staff recommends hiring Sargent Drilling to make the needed repairs. The repair work will be eligible for 80% federal funding in accordance with our agreement with U.S. Bureau of Reclamation.

It was a moved by Jackson and seconded by Luebbe that Sargent Drilling be hired to repair recovery wells at Recharge Lake in accordance with their proposal dated April 11, 2000, and that staff be authorized to approve additional repairs that are discovered as work proceeds. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson,
Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Eberle, Volkmer

**ITEM 13. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE
AND CONSIDERATION OF RECOMMENDATIONS.**

Moore reported that the Budget, Planning & Legislative Committee met on April 11, 2000 and reviewed the committee's report.

**ITEM 14. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF
RECOMMENDATIONS.**

Houdersheldt reported that the Executive Committee met on April 13, 2000 and presented the committee's recommendations.

ITEM 15. ESTABLISH CONSENT AGENDA POLICY.

A consent agenda policy can be established by amending operating policies nine and ten, as attached. Items on the Consent Agenda are ones that are unlikely to be discussed. Proposed consent agenda items include the adoption of the agenda, approval of minutes, payment of directors' per diem and expenses, buffer strip payments and decommissioned well payments.

The proposed amendments to Operating Policies # 9 and # 10 would make the following changes.

- Allow any item to be pulled off of the consent agenda by a board member or member of the public so that it can be considered and discussed separately.
- By voting in favor of the consent agenda, a board member's vote is recorded as voting in favor of each individual item on the consent agenda, unless the board member requests that his or her vote be "aye" on all consent agenda items, except for a particular item on the consent agenda which should be recorded as a "nay" vote or "not voting".

For example, if a board member wants to vote no on approving decommissioned well payments then that board member would vote yes for the consent agenda, but request at the time the vote is taken to have his or her vote on the well payments be recorded as a no vote.

The approval of the consent agenda would require the listing of a roll call vote in the board minutes for each consent agenda item, even though one roll call vote would cover all items. The consent agenda policy would take effect at the May board meeting.

It was moved by Houdersheldt and seconded by Hultman to adopt a consent agenda policy by

amending Operating Policy No. 9: Board of Directors Meetings, and Operating Policy No. 10: Agenda of Board Meetings as presented. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: Austin, Jackson

NOT PRESENT: Eberle, Volkmer

ITEM 16. PAYMENT OF FIRST QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Houdersheldt and seconded by Jackson to approve payment of first quarter directors' per diem of \$ 7,750.00 and expenses of \$2,310.88. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 17. PAYMENT TO NARD FOR WASHINGTON, D.C. TRIP EXPENSES.

A bill for \$1,898.52 was submitted by the Nebraska Association of Resources Districts for hotel expenses at the Capitol Holiday Inn for Jackson, Austin and Turnbull who attended the Washington, D.C. trip, as well as the cost of reception tickets and transportation expenses.

It was moved by Houdersheldt and seconded by Austin to pay the Nebraska Association of Resources Districts \$1,898.52 for the Upper Big Blue NRD's Washington, D.C. trip expenses. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 18. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met on April 13, 2000 and presented the committee's recommendations.

ITEM 19. TREE PLANTING PROPOSAL FOR SHELBY PUBLIC SCHOOLS.

Mary Gillespie presented the Education and Parks Committee with a tree planting proposal for the Shelby Public Schools prepared by Todd Faller. The estimated cost is \$2420.13. The Upper Big Blue NRD's policy is to fund up to 25% of the local share of the estimated or actual cost, whichever is less.

It was moved by Friesen and seconded by Houdersheldt that the Upper Big Blue Natural Resources District fund the tree planting on the Shelby Public School property at a cost not to exceed \$605.03 or 25% of the actual cost whichever is less. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 20. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Teegerstrom reported that the Water Committee met on April 13, 2000 and presented the committee's recommendations.

ITEM 21. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

There are 11 final payments totaling \$3,462.88. The staff recommends payment of these claims.

It was moved by Teegerstrom and seconded by Austin to approve final payment for 11 well abandonments as reviewed at a total cost of \$3,462.88. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Buller

NOT PRESENT: Eberle, Volkmer

The Water Committee reviewed the current decommissioning fund status. Because most of the decommissioning claims occur in the last quarter of the fiscal year staff recommended that applicants be notified that some claims may not be paid until the next fiscal year, if all funds have been spent.

The Water Committee discussed the need to honor existing applications and whether to continue taking applications for FY2000 funds, knowing that the funds currently budgeted may not cover the District's obligations. Some directors expressed concern over temporarily stopping funding and having abandoned wells left open or improperly abandoned during that period. The Water

Committee recommended that FY2000 funding be increased by \$2,500.

It was moved by Teegerstrom and seconded by Austin to increase the FY2000 AQWACAP funds authorized from \$27,500 to \$30,000. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: Dickinson

NOT PRESENT: Eberle, Volkmer

ITEM 22. NEBRASKA ENVIRONMENTAL PARTNERSHIP (NEP).

Formerly the State Mandates Office of NDEQ, the NEP has received a small Environmental Trust grant (\$40,000 over two-years) to provide funding for well abandonment in Wellhead Protection Areas and inside village boundaries to supplement the NRD and WWDF funds to provide 100% cost-share. The program requires the community to have certain WHPA components completed or in progress. The decommissioning would be done for all privately owned wells in the community under one contract. The NRD would then pay the normal AQWACAP program percentage to the community and NEP would pay the remainder. The staff recommended that we work with NEP to try and get communities in the NRD to participate in this program.

It was moved by Teegerstrom and seconded by Austin that we work with NEP to try and get communities in the NRD to participate in the Nebraska Environmental Partnership Well Abandonment Program. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 23. WELLHEAD PROTECTION AREA ASSISTANCE PROGRAM.

The District currently offers limited assistance to communities for determining ground water levels and flow direction in updating WHPA maps and in abandoned well identification. We have done abandoned well identification for a few communities' WHPAs but none have asked for any other assistance. NDEQ is trying to encourage communities to become more active in wellhead protection. The staff also feels that this would be good, not only for the cities and villages but the NRD as a whole. NDEQ has set aside 319-funds from the state's base grant (60/40) to fund up to three persons/year or the equivalency of those positions hired by NRDs, to work with communities on wellhead protection. Currently one full-time position is at the Lower Platte North NRD and one is at the Nemaha NRD. A third full-time position was to be placed at the Upper Republican NRD, but the NRD backed out. NDEQ has indicated they would be

willing to discuss a half-time position with us. If we were to do this, Rod proposes that we use existing Water Department personnel. The District could get grant funds for 60% of one-half of the salary and expenses for one water department technician for a minimum of two years with possible extensions up to five years. The person would not be limited to the Upper Big Blue, but may also assist in nearby communities in other NRDs. This program would tie in well with our existing Ground Water Quality Management Programs.

It was moved by Teegerstrom and seconded by Regier that the staff be authorized to negotiate a 319-grant agreement with the Department of Environmental Quality for a half-time Wellhead Protection Area Assistance position for future Board consideration. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 24. PAYMENT TO UNL WATER SCIENCES LABORATORY.

It was moved by Teegerstrom and seconded by Regier to make payment of \$2,700 to the University of Nebraska Water Sciences Laboratory for 24 pesticide analyses during the first quarter of 2000. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 25. FINANCIAL REPORT, MARCH 1, 2000 THROUGH MARCH 31, 2000, AND CONSIDERATION OF EXPENDITURES FOR MARCH 2000.

Turnbull reviewed the financial report for the period March 1, 2000 through March 31, 2000 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 March 2000. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Buller, Eberle, Volkmer

There being no other business, we adjourned the meeting at 9:12 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 20, 2000, 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.

Earl Hultman, Secretary

:nds
attachments (2)

BOARD OF DIRECTORS MEETING
May 18, 2000

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, May 18, 2000, at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rod DeBuhr, Ken Feather, Prudence Sadler, Glade Snoberger, Lee Scott, Richard Jiskra of NNRC, Jan Joseph of NRCS and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on May 4, 2000.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Austin arrived later in the meeting.

ITEM 3. APPROVE REQUESTS FOR EXCUSED ABSENCES.

It was moved by Volkmer and seconded by Regier to excuse the absence of Curt Friesen from the May 18, 2000, board of directors meeting. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Friesen

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Moore and seconded by Dickinson to adopt the consent agenda. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Friesen

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Moore and seconded by Dickinson to approve the agenda for the May 18, 2000 Board of Directors meeting. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Friesen

ITEM 6. *APPROVAL OF MINUTES OF THE APRIL 20, 2000, BOARD OF DIRECTORS MEETING.

It was moved by Moore and seconded by Dickinson to approve the minutes of the April 20, 2000 Board of Directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Friesen

ITEM 7. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on May 9, 2000 and presented the committee's recommendations.

ITEM 8. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Jackson and seconded by Luebbe that payments of NRD land treatment funds be made in the amount of \$3,202.46 for three applications reviewed by the committee. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Friesen

ITEM 9. LINCOLN CREEK PARKWAY TRAIL PEDESTRIAN BRIDGE.

Staff has been working with the Lincoln Creek Parkway Trail coordinating committee to obtain donated services to construct a pedestrian bridge over Lincoln Creek at Aurora. ABC Contracting from Aurora has agreed to donate labor and equipment to install the bridge foundation if the sponsors would be willing to purchase materials. Staff has obtained quotes from suppliers in the amount of \$10,278 for foundation materials and the University of Nebraska has agreed to reimburse the sponsors for the cost of materials. Staff is requesting authorization to purchase bridge foundation materials for the sponsors and to receive

reimbursement from the University for those expenditures.

It was moved by Jackson and seconded by Teegerstrom that staff is authorized to purchase foundation materials for the Lincoln Creek Parkway pedestrian bridge at Aurora, provided the University of Nebraska agrees to reimburse the NRD for material expenditures.

Bitner advised the board that since the Projects Committee meeting he had been in contact with the University and they are willing to pay for the materials in advance, provided the NRD board is agreeable.

We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Friesen

ITEM 10. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Education and Parks Committee met on May 11, 2000 and presented the committee's recommendations.

ITEM 11. OUTDOOR CLASSROOM APPLICATION.

Larson Christian School submitted an application for cost-share assistance for an outdoor classroom. They have a design and are raising funds and researching prices. Our policy states that the district will pay 50 percent of the local share of the cost of vegetative materials and other items related to natural resources education. Maximum payment is \$800.

It was moved by Brown and seconded by Luebbe to approve Larsen Christian Academy's application for cost-share assistance for an outdoor classroom for 50 percent of the local cost of vegetative materials and other related items with the amount paid not to exceed \$800. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Austin

NOT PRESENT: Friesen

ITEM 12. PAYMENT TO NEBRASKA STATE FORESTER.

It was moved by Brown and seconded by Houdersheldt that the Upper Big Blue Natural Resources District make payment of \$12,868.83 to the Nebraska State Forester for the purchase of 27,850 trees and shrubs, wood chips and packing of individual orders. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Friesen

ITEM 13. NEW WILDLIFE HABITAT IMPROVEMENT PROGRAM CONTRACTS.

The Education & Parks Committee reviewed two new habitat contracts submitted to the Upper Big Blue NRD for acceptance into the Wildlife Habitat Improvement Program. The Nebraska Game and Parks Commission will pay 75 percent and the NRD will pay 25 percent of the payments on these contracts. Feather advised the committee that improvements have been made to these habitat areas.

It was moved by Brown and seconded by Volkmer that the Upper Big Blue Natural Resources District accept Clayton Beckler's wildlife habitat improvement contract for the annual payment of \$557.50 and Esther Monnier's wildlife habitat improvement contract for the annual payment of \$490.00 for the next 10-year period. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Houdersheldt, Hultman, Jackson, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: Dickinson

NOT VOTING: Moore

NOT PRESENT: Friesen

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

Teegerstrom reported that the Water Committee met on May 11, 2000 and presented the committee's recommendations.

ITEM 15. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

There are 10 final payments totaling \$3,417.57. Staff recommended payment of these claims.

It was moved by Moore and seconded by Dickinson to approve final payments for 10 well abandonments, as reviewed, for a total cost of \$3,417.57. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Buller

NOT PRESENT: Austin, Friesen

ITEM 16. HIGH PLAINS CLIMATE CENTER WEATHER STATION MAINTENANCE AGREEMENT.

It was moved by Teegerstrom and seconded by Austin to pay the University of Nebraska High Plains Climate Center \$1,000 for operation and maintenance of the weather station located at Recharge Lake. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Friesen

ITEM 17. WELLHEAD PROTECTION AREA ASSISTANCE GRANT.

The Water Committee reviewed the grant proposal which calls for a full time WHPA Assistance Position. This position would be filled by existing staff. The staff would continue to do existing water quality related activities, the cost of which are part of the District's 40% match requirements for the grant. In addition, the Nebraska Environmental Partnership (NEP) has provided \$7,000 with no matching funds required. The agreement is for two years. The total cost is estimated at \$103,000, divided as follows; NDEQ (CWA 319) - \$57,600, NEP - \$7,000 and NRD - \$38,400.

It was moved by Teegerstrom and seconded by Regier to enter into an agreement with the Department of Environmental Quality for the Wellhead Protection Area Management Assistance Grant. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Friesen

ITEM 18. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on May 11, 2000 and presented the committee's recommendations.

ITEM 19. APPROVAL OF OUT-OF-STATE TRAVEL.

In order to encourage board members to attend this summer's state irrigation tour the Executive Committee recommends that Operating Policy #7 be waived to allow out-of-state travel for the irrigation tour, without it counting against the one trip per fiscal year limit.

It was moved by Houdersheldt and seconded by Jackson to approve out-of-state travel for Turnbull, Bitner, DeBuhr and all directors who intend to participate in the State Irrigation Tour to Colorado July 24-26, 2000, and to waive Operating Policy #7 for the directors going on this tour so that it does not count against future out-of-state travel in FY 2001. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Friesen

ITEM 20. PAYMENT TO LOWER PLATTE NORTH NRD FOR CLERICAL AND TECHNICAL SALARIES.

A bill was received from the Lower Platte North NRD for \$4,819.29 clerical salaries and \$1,097.06 in technical salaries from July 1 through December 31, 1999. The Executive Committee recommended payment.

It was moved by Houdersheldt and seconded by Hultman to approve payment of \$5,916.35 (\$4,819.29 clerical and \$1,097.06 technical) to the Lower Platte North NRD for salary reimbursements for July 1 through December 31, 1999. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Buller

NOT VOTING: Houdersheldt, Luebbe

NOT PRESENT: Friesen

ITEM 21. APPOINTMENT TO FILL BOARD VACANCY IN SUBDISTRICT 6.

Three individuals submitted letters of application for appointment to the Upper Big Blue NRD Board of Directors to represent subdistrict 6. They are Jerl L. Joseph, Glade Snoberger and Lee Scott. After reviewing the applications the Executive Committee found all three applicants are registered voters and reside in Subdistrict 6, therefore meeting the legal requirements to hold office. The Executive Committee forwarded the three applications to be considered for appointment to fill the vacancy in subdistrict 6 for the unexpired term ending January 2001.

Chairman Hansen introduced the three candidates and allowed each one to address the board. Ballots were distributed to the board members present. They were instructed to cast their ballots for one of the three candidates. Hansen appointed Rod DeBuhr and Jay Bitner to count the ballots.

In the first round of balloting Jerl Joseph received six votes, Glade Snoberger received seven votes and Lee Scott received two votes.

Chairman Hansen instructed the board members to cast their ballots again for either Jerl Joseph or Glade Snoberger. The balloting resulted in nine votes for Joseph and six votes for Snoberger. Jerl Joseph will serve as Upper Big Blue NRD director in subdistrict 6 until January 2001.

Turnbull administered the oath of office to Joseph who was then seated on the board.

ITEM 22. FINANCIAL REPORT, APRIL 1, 2000 THROUGH APRIL 30, 2000, AND CONSIDERATION OF EXPENDITURES FOR APRIL 2000.

Turnbull reviewed the financial report for the period April 1, 2000 through April 30, 2000 that we had distributed. It was moved by Volkmer and seconded by Austin to approve the financial report as presented and publish the expenditures for April 2000. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Friesen

There being no other business, we adjourned the meeting at 8:54 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on May 18, 2000, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
June 15, 2000

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 15, 2000, at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rod DeBuhr, Prudence Sadler, Russ Callan, Karla Callan, Jan Joseph of NRCS and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on June 6, 2000.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Friesen, Jackson and Moore arrived later.

ITEM 3. *ADOPTION OF CONSENT AGENDA.

It was moved by Regier and seconded by Volkmer to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Joseph,
Luebbe, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Friesen, Jackson, Moore

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Regier and seconded by Volkmer to approve the agenda for the June 15, 2000 Board of Directors meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Joseph,
Luebbe, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Friesen, Jackson, Moore

ITEM 5. *APPROVAL OF MINUTES OF THE MAY 18, 2000, BOARD OF DIRECTORS MEETING.

It was moved by Regier and seconded by Volkmer to approve the minutes of the May 18, 2000 Board of Directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Joseph, Luebbe, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Friesen, Jackson, Moore

ITEM 6. EMPLOYEE RECOGNITION.

Russ Callan, Lead Water Resources Technician for the Upper Big Blue NRD, was recognized for 10 years of service to the district and presented with an engraved pen set.

ITEM 7. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on June 6, 2000 and presented the committee's recommendations.

ITEM 8. NRD LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Luebbe that payments of NRD land treatment funds be made in the amount of \$8,840.83 for two applications reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 9. NSWCP LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Austin that payment of NSWCP land treatment funds be made in the amount of \$410.36 for one application reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 10. NEW LAND TREATMENT PROGRAM PRACTICE.

Jan Joseph, acting District Conservationist for NRCS, was present at the Projects Committee meeting to request that NSWCP Practice NC-14, Planned Grazing Systems, be approved as eligible for cost-share in the NRD Land Treatment Program. Jan presented a summary of rangeland and pasture/hayland conservation needs for the Upper Big Blue NRD. Jan estimates there are 110,515 acres of rangeland in the NRD, and that 63,701 acres are in fair to poor condition; he estimates there are 57,884 acres of pasture/hayland, of which 25,397 acres need management plans. It is recommended that suspension cross fencing and rodent control not be cost-shared if the NC-14 practice is adopted.

It was moved by Jackson and seconded by Brown that NSWCP Practice NC-14 be approved as eligible for cost-share in the Upper Big Blue NRD Land Treatment Program, and that the cost-share not be allowed for suspension-type cross fencing or rodent control, and that the percent of cost-share be set at 75% of estimated cost or 75% of actual cost, whichever is least, and that the practice becomes effective upon approval by the NRD Board of Directors. The motion failed.

AYE: Brown, Houdersheldt, Hultman, Jackson, Joseph, Hansen

NAY: Austin, Buller, Dickinson, Eberle, Friesen

NOT VOTING: Bruns, Luebbe, Moore, Regier, Teegerstrom, Volkmer

ITEM 11. *NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Regier and seconded by Volkmer that payments of Nebraska Buffer Strip Program funds be made in the amount of \$4,921.07 for nine fourth quarter contracts reviewed by the Committee. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Joseph,
Luebbe, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Friesen, Jackson, Moore

ITEM 12. YORK GROUNDWATER RECHARGE PROJECT MAINTENANCE.

Sargent Irrigation has completed maintenance work on recovery wells at the York Ground Water Recharge Project. The original estimate was \$3,021.88 for work on the pump at well 1 and new starter for well 3. Other items found to need repair after work began included pump bowls, electrical cable, and column flange bolts for pump 1, a phase monitor for pump 2, and transformer for pump 3. Total cost of all repairs is \$5,465.46.

It was moved by Jackson and seconded by Luebbe that Sargent Irrigation be paid \$5,465.46 for maintenance on recovery wells 1, 2, and 3 at the York Ground Water Recharge Project. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 13. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Executive Committee met on June 6, 2000 and presented the committee's recommendations.

ITEM 14. FISCAL YEAR 2001 SALARIES.

Turnbull reviewed his findings about comparable wages with the Executive Committee. The data came from the Nebraska State Government Salary Survey and a wage study conducted for the Lower Platte South NRD by a consulting firm from Lincoln. The recommended salary schedule is attached to these minutes. Based on this information Turnbull recommends that most Upper Big Blue job classifications increase from 3% to 10% depending on the job market. The salary schedules set the minimum, midpoint, and maximum for each position. Individual salaries and wages then need to be within those limits.

It was moved by Buller and seconded by Houdersheldt to approve the changes in the midpoints of the salary schedules as listed to stay in line with the job market, and that such changes and adjusted salary schedules become effective on July 1, 2000. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Moore, Regier, Teegerstrom, Hansen
NAY: Luebbe, Volkmer

Turnbull reviewed the individual staff salaries with the Executive Committee. He proposes that the board authorize \$20,476 for salary increases for the staff, which is an overall change of 4.35%. The change for last year was 3.8% or \$17,405.

It was moved by Buller and seconded by Houdersheldt to adjust the annual salaries of the district staff, with the exception of the General Manager, by an amount not to exceed \$20,476; and to authorize the General Manager to determine and make the salary and wage adjustments. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Moore, Regier, Teegerstrom, Hansen
NAY: Luebbe, Volkmer

It was moved by Buller and seconded by Hultman to increase the General Manager's salary by 4.0% (\$2,682), from \$67,058 to \$69,740.

It was moved by Moore and seconded by Luebbe to go into Executive Session at 8:26 p.m. to discuss the general manager's salary. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

It was moved by Moore and seconded by Luebbe to go back into open session at 8:45 p.m. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

The question was called on the motion to increase the manager's salary. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Moore, Regier, Teegerstrom, Hansen

NAY: Luebbe, Volkmer

ITEM 15. PAYMENT TO PLAINS POWER & EQUIPMENT FOR TRACTOR PURCHASE.

The John Deere 5410 tractor and loader have been delivered. The delivered price is the same as the bid of \$30,647. Staff recommends payment.

It was moved by Buller and seconded by Austin to approve payment of \$30,647 to Plains Power and Equipment for the John Deere 5410 tractor. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Jackson

ITEM 16. 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 quote for the new policy is \$32,913. The existing policy expires on July 1, 2000. Quotes from other carriers are difficult to get because of the liability coverage on the dams.

It was moved by Buller and seconded by Austin to approve the renewal of the liability, fire and

casualty insurance for FY2001 for \$32,913 provided by York Insurance and INSPRO. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 17. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met on June 8, 2000 and presented the committee's recommendations.

ITEM 18. 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 through the Pheasants Forever Chapters.

It was moved by Friesen and seconded by Austin that the Upper Big Blue Natural Resources District make payments of \$7,350.00 to the cooperators of the Corners for Wildlife program as reviewed. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 19. PAYMENT TO SHELBY PUBIC SCHOOLS.

On April 20, 2000, the Upper Big Blue NRD Board of Directors voted to fund the tree planting project at the Shelby Public School in the amount not to exceed \$605.03. The planting of the trees has been completed and the total amount spent was \$2,265. The NRD's share would be 25% of \$2,265 for the total amount of \$566.25.

It was moved by Friesen and seconded by Regier that the Upper Big Blue Natural Resources District make the payment of \$566.25 to the Shelby Public Schools for the planting of the trees and shrubs on the Shelby Public School property. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 20. REVISED WILDLIFE HABITAT IMPROVEMENT CONTRACT FOR

ELTON W. PETERSON.

Since Elton Peterson's wife passed away, the family has done some changing of land ownership within the family. A parcel of land located in the NE ¼ 16-13-3W is now under the ownership of Elton's daughter who wishes to make use of a portion of this land other than for wildlife. Elton has requested that the three (3) acres located on the NE ¼ 16-13-3W be removed from his Wildlife Habitat Improvement contract leaving him with a total of 27 acres for an annual payment of \$472.50 on contract #372.

It was moved by Friesen and seconded by Volkmer that the Upper Big Blue NRD Board of Directors accept the revised Wildlife Habitat Improvement contract of Elton W. Petersen in the amount of 27 acres for an annual payment of \$472.50.

Dickinson told the board that since some of the land had changed ownership the cooperater should have to reapply for entrance into the Wildlife Habitat Improvement Program. After further discussion, it was moved by Volkmer and seconded by Bruns to send the matter back to the Education and Parks Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Houdersheldt, Hultman, Joseph, Regier,
Teegerstrom, Volkmer

NAY: Dickinson, Friesen, Jackson, Luebbe, Moore, Hansen

ITEM 21. REVISED WILDLIFE HABITAT IMPROVEMENT CONTRACT FOR JOHN BUDLER.

The Nebraska State Department of Roads and the Fillmore County Highway Department has purchased one (1) acre of land from John Budler located in the NE ¼ of Section 8, Township 8 North, Range 3 West of the 6th P.M., Fillmore County, Nebraska. This one (1) acre of land is also located on a parcel of land enrolled in the Wildlife Habitat Improvement Program under contract #390, land owner John Budler.

It was moved by Friesen and seconded by Hultman that the Upper Big Blue NRD Board of Directors accept the revised Wildlife Habitat Improvement contract of John Budler in the amount of 25 acres for an annual payment of \$497.50. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Dickinson

ITEM 22. PAYMENT TO RICHARD CALLAHAN FOR WETLAND RENOVATION.

On February 17, 2000, the Upper Big Blue NRD Board of Directors voted to fund the Richard

Callahan wetland renovation project in the amount of \$5,000. This District has been reimbursed by the U.S. Fish and Wildlife Services in the amount of \$5,000.

Upper Big Blue Natural Resources District funds for this project are being provided through Cooperative Agreement 14-48-0006-96-918 with the U.S. Fish and Wildlife Service. The Cooperative Agreement is on file at the Upper Big Blue NRD office.

The following agencies helped fund the Richard Callahan project. U.S. Fish & Wildlife Services; Rainwater Basin Joint Venture; Nebraska Game & Parks Commission; Natural Fish and Wildlife Foundation; Upper Big Blue Natural Resources District; and Natural Resources Conservation Service.

It was moved by Friesen and seconded by Austin that the Upper Big Blue Natural Resources District make payment of \$5000 to Richard Callahan for the renovation of his wetland located in the E ½ SW ¼ of Section 3, Township 9 North, Range 2 West of the 6th P.M., York County, Nebraska We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Buller

ITEM 23. WILD NEBRASKA PROGRAM.

The Wildlife Habitat Improvement program is now going to be called Wild Nebraska. The Wild Nebraska program is designed to cost-share on the improvements on the land for wildlife and not make annual payment to the landowner as has been done in the past with the Wildlife Habitat Improvement program. There will be cases where the landowner has taken crop land and developed it for wildlife and then a transition payment would be made for five (5) years on a ten (10) year contract. The transition payment would be based on 80% of the county average cost for the county where the land is located.

The Education & Parks Committee reviewed the *WILD Nebraska* program as presented by the staff and recommended that this program be adopted by the Upper Big Blue NRD. Since the Nebraska Game and Parks Commission still has some modifications to the details of the activities and the practices outlined in the *WILD Nebraska* program, the Committee tabled the action until next month.

ITEM 24. WILD NEBRASKA PROGRAM AGREEMENT UNDER THE INTERLOCAL COOPERATION ACT, SECTION 23-2201 THROUGH 23-2207 RRS 1943.

This Cooperative Agreement is between the Nebraska Game and Parks Commission and the

Upper Big Blue Natural Resources District pertaining to the Wild Nebraska program. The following topics are covered in the agreement referring to the Wild Nebraska program. Purpose; allocation of state funds; District responsibilities; Commission responsibilities; overall program framework pertaining to approved activities including public access option, weed control, destination of wildlife habitat cover, leasing for recreational activities, rounding acreage figures, change of ownership or cancellation, compliance, lands that do not qualify and Federal Agricultural Program.

It was moved by Friesen and seconded by Jackson that the Upper Big Blue Natural Resources District enter into an Interlocal Agreement with the Nebraska Game and Parks Commission with the following clause inserted: "Payment less than \$100 will not be made by the Upper Big Blue Natural Resources District."

Moore expressed concern about the new program. Turnbull told the board that the actual terms of the practices and activities under this agreement have not been finalized. We have been given a draft and have been told that the Nebraska Game & Parks Commission staff will be making some minor changes. We expect to have the final document by the July Education & Parks Committee meeting.

It was moved by Moore and seconded by Buller to refer to committee until the revised draft is received. We approved the motion

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: Jackson

ITEM 25. OUTDOOR CLASSROOM PAYMENT.

Last month the Board approved the Larsen Christian Academy's application for cost-share assistance for an outdoor classroom. Our policy states that the District will pay 50 percent of the local share of the cost of vegetative materials and other items related to natural resources education. Maximum payment is \$800.

Usually the payment is made in one lump sum after the project is completed. Part of the work on the Larsen classroom is done and District staff would like to make a partial payment on the cost-share grant because the money will come from this fiscal year budget, leaving more money in the FY2001 line item for other applicants.

It was moved by Friesen and seconded by Austin to authorize payment of \$101.36 to Larsen Christian Academy as partial cost-share for an outdoor classroom. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

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

Teegerstrom reported that the Water Committee met on June 8, 2000 and presented the committee's recommendations.

ITEM 27. PAYMENT TO DELMHORST FOR MOISTURE BLOCKS.

It was moved by Teegerstrom and seconded by Regier to pay Delmhorst Instrument Company \$1,977 for 400 moisture blocks purchased for resale. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 28. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

There are six final payments totaling \$1,567.95. Staff recommended payment of these claims.

It was moved by Regier and seconded by Volkmer to approve final payments for six well abandonments, as reviewed, for a total cost of \$1,567.95. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Houdersheldt, Hultman, Joseph, Luebbe, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Buller, Volkmer

NOT PRESENT: Friesen, Jackson, Moore

ITEM 29. WELLHEAD PROTECTION AREA DEMONSTRATION PROJECT PAYMENT.

It was moved by Teegerstrom and seconded by Austin to pay the University of Nebraska \$25,727 for the District's share of the Wellhead Protection Area Demonstration Project costs. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 30. UNIVERSITY OF NEBRASKA WATER SCIENCES LAB PAYMENT.

It was moved by Teegerstrom and seconded by Regier to pay the University of Nebraska Water Sciences Laboratory \$2,700 for 24 pesticide analyses from York Ground Water Recharge Demonstration Project. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 31. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported on the Budget, Planning & Legislative Committee meeting held June 8, 2000.

ITEM 32. FINANCIAL REPORT, MAY 1, 2000 THROUGH MAY 31, 2000, AND CONSIDERATION OF EXPENDITURES FOR MAY 2000.

Turnbull reviewed the financial report for the period May 1, 2000 through May 31, 2000 that we had distributed. It was moved by Houdersheldt and seconded by Volkmer to approve the financial report as presented and publish the expenditures for May 2000. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

There being no other business, we adjourned the meeting at 9:50 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 June 15, 2000, 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.

UBBNRD Board of Directors Meeting
June 15, 2000
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Earl Hultman, Secretary

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BOARD OF DIRECTORS MEETING
July 20, 2000

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 20, 2000, at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rod DeBuhr, Ken Feather, Prudence Sadler, Russell Callan, Bob Elwell, City of Seward, Larry Warneking of NRCS, Nathan Jacobson of Sargent Drilling and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 7:36 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on July 11, 2000.

ITEM 2. ROLL CALL OF DIRECTORS.

Seventeen directors were present for the calling of the roll.

ITEM 3. CONSIDERATION OF REQUESTS FOR EXCUSED ABSENCES.

There were no requests for excused absences.

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Luebbe and seconded by Regier to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Luebbe and seconded by Regier to approve the agenda for the July 20, 2000 Board of Directors meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 6. *APPROVAL OF MINUTES OF THE JUNE 15, 2000, BOARD OF

DIRECTORS MEETING.

It was moved by Luebbe and seconded by Regier to approve the minutes of the June 15, 2000 Board of Directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 7. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on July 11, 2000 and presented the committee's recommendations.

ITEM 8. NSWCP 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 \$2,944.93 for two applications reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 9. RECONSIDER CANCELLATION OF ADOLPH NOVAK LAND TREATMENT PROGRAM APPLICATION.

On February 16, 1999, Adolph Novak applied for NSWCP cost-share on a buried pipeline to a pivot under Practice NC-17. On March 9, 1999, the NRCS forwarded the application to the NRD for eligibility consideration. On April 5, 1999, the NRD sent a letter to Adolph Novak stating that his application was eligible for cost-share. The letter to Mr. Novak stated that cost-share money would not be set aside until he contacted the NRCS to confirm design and schedule staking, and that he must call the NRD for an authorization number. The eligibility letter is the only way a landowner knows that the NRD has his application and that he can call for authorization of funding.

In October 1999, Novak hired Stutzman Digging Service of Dorchester to install the buried pipeline. The NRD was then notified by NRCS and Adolph Novak's tenant, Darrel Novak, that work had been completed without authorization from the NRD. The tenant explained that he reads all of Adolph's mail, and that neither he nor Adolph had received the April 5 letter, and they were not aware that they needed to call for authorization. On November 23, 1999, staff sent a notice to Adolph Novak that his application was cancelled since the work was completed

without authorization.

In December 1999, the Projects Committee discussed this application. The Projects Committee decided that staff acted in accordance with District Policy and that no Board action was required.

When the NRCS sends cost-share applications to the NRD, their transmittal is supposed to indicate whether correspondence is to be sent to persons other than the landowner. The NRCS transmittal for Adolph Novak's application indicated that Adolph was to be the only contact. If an additional copy of the April 5 letter had been sent to the tenant, it is possible that this problem could have been avoided.

After a review of all the facts concerning this application, Wayne Hansen and John Turnbull recommended that cost-share be paid to Adolph Novak, since staff did not mail a copy of the April 5 letter to the tenant.

It was moved by Jackson and seconded by Volkmer that the staff decision to cancel Adolph Novak's February 16, 1999 application for NSWCP cost-share on a buried pipeline to a pivot, located in Section 36, Township 9 North, Range 2 East of Seward County, be reversed, and that payment of NSWCP funds be made to Adolph Novak in the amount of \$1,785.40. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Hultman, Jackson, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: Austin, Friesen, Houdersheldt, Joseph, Regier

ITEM 10. LAND TREATMENT PROGRAM NONCOMPLIANCE WITH NC-17 PRACTICE.

Landowners receiving NSWCP cost-share on Practice NC-17 are required to report their irrigation water use for a period of three years after receiving cost-share. If a landowner fails to report during one year, the reporting period is extended one year. If he fails to report two years' data, staff requests that all cost-share for the practice be repaid to the Nebraska State Treasury. The District has a list of six landowners who have not reported their irrigation water use, nor have they responded to the request to repay the cost-share. Staff requested that the Board decide what action should be taken in cases where a landowner fails to respond to requests for reporting and repayment.

It was moved by Jackson and seconded by Luebbe that the District's Land Treatment Program Policy on NSWCP, Practice NC-17, is amended to include the following statement concerning reporting irrigation water use and repayment of cost-share funds:

LAND TREATMENT PROGRAM
NSWCP, PRACTICE NC-17

IRRIGATION WATER USE REPORTING COMPLIANCE POLICY

Landowners who receive cost-share from the Nebraska Soil and Water Conservation Programs are required to report their irrigation water use during the irrigation season, May through September, for the first three years after receiving cost-share. Landowners who fail to comply with this requirement will be issued a notice to repay the Nebraska State Treasury for cost-share received on the NC-17 practice. If the landowner fails to report his irrigation water, and fails to repay the cost-share within 30 days of the notice to repay, the landowner will be requested to appear before the Projects Committee to explain his reasons for noncompliance, and he will not be eligible for cost-share from any NRD programs until he is in compliance.

We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 11. SET ASIDE LAND TREATMENT PROGRAM COST SHARE FUNDS FOR TREE PLANTING.

The District cost-shares on windbreak renovation, Practice NC-16, and tree planting for windbreaks, Practice NC-12. Since the planting plan for these practices is developed during the winter months, it is likely that applicants for cost-share on these practices will call for authorization of cost-share after all funds are obligated. Staff is requesting that the Board set aside \$15,000 of the Land Treatment Program funds, until March 1 of each fiscal year, so that applicants for the NC-12 and NC-16 practices will have time to develop their plans and call for authorization.

It was moved by Jackson and seconded by Brown that the District's Land Treatment Program set aside \$15,000 for Practices NC-12 and NC-16 until March 1 of each fiscal year. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Dickinson

ITEM 12. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT CLAIMS.

Claim number one has been submitted by the City of Seward for expenditures on the Big Blue River Flood Hazard Mitigation Project. The total amount of the claim is \$1,884.01. FEMA's share is \$1,413.01, the City's share is \$235.50, and the NRD's share is \$235.50.

It was moved by Jackson and seconded by Austin that payment of \$235.50 from NRD funds be made to the City of Seward, and that the District file a claim in the amount of \$1,413.01 for the FEMA share of claim one of the Big Blue River Flood Hazard Mitigation Project, and that \$1,413.01 of the FEMA share be paid to the City when it is received by the District. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 13. YORK GROUNDWATER RECHARGE PROJECT MAINTENANCE.

The recovery well pumps at Recharge Lake have each been operated for at least 14,000 hours. The pump on recovery well one was replaced last month. Staff recommends that the pumps at wells two and three also be replaced since the number of operating hours is high and it is expected that pump failure could occur very soon on these units. Staff recommends that Sargent Irrigation be hired to replace the pumps and motors at recovery wells two and three, in accordance with their proposal in the amount of \$7,991.

It was moved by Jackson and seconded by Luebbe that Sargent Irrigation be hired to replace pumps and motors on recovery wells two and three at the York Ground Water Recharge Project, in accordance with their proposal in the amount of \$7,991, and that work be completed no later than August 31, 2000. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 14. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Executive Committee met on July 11, 2000 and presented the committee's recommendations.

ITEM 15. *PAYMENTS OF SECOND QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Luebbe and seconded by Regier to approve payment of second quarter directors' per diem of \$5,750.00 and expenses of \$1,747.53. We approved the motion as a part

of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 16. REIMBURSEMENT TO LITTLE BLUE NRD FOR SALARIES.

We received an invoice for \$9,816.86 from the Little Blue NRD for salaries of \$2,874.09 for the Adams County NRCS clerk and \$6,942.77 for the Clay County NRCS clerk for the past 12 months ending June 30, 2000.

It was moved by Buller and seconded by Austin to approve payment of \$9,816.86 to the Little Blue NRD for NRCS office salaries for fiscal year 2000 (July 1, 1999 through June 30, 2000).

We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Houdersheldt

ITEM 17. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met on July 13, 2000 and presented the committee's recommendations.

ITEM 18. APPOINT A REPRESENTATIVE TO NEBRASKA GREAT PLAINS RC&D.

The Nebraska Great Plains RC&D includes Butler, Cass, Douglas, Lancaster, Polk, Sarpy, Saunders, Seward and York counties and parts of four NRDs.

It was moved by Friesen and seconded by Houdersheldt to appoint Vance Teegerstrom as the Upper Big Blue NRD's representative to the Nebraska Great Plains RC&D. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Volkmer, Hansen

NAY: None

NOT VOTING: Teegerstrom

ITEM 19. PLUM CREEK TRAILS SYSTEM.

Mayor Bob Elwell and Dan Berlowitz, City Administrator from the City of Seward attended the Parks and Education Committee meeting to discuss the possibility of working with the Upper Big Blue Natural Resources District in developing a trail system which would include but not be limited to walking, biking and hiking on the lands purchased or obtained with a long-term easement. These lands are involved with the flood plain buyout by the Federal Emergency Management Agency (FEMA). These lands are all located within the flood plain along Plum Creek. The City requests that the District assist them in applying for the grant monies available for constructing a trail system along Plum Creek and also provide engineering and construction inspection and funds toward the construction of a trail system along Plum Creek. The engineering cost for designing the trail system is estimated at \$74,000. The total cost of the trail system including engineering is approximately \$820,000.

It was moved by Friesen and seconded by Austin that the Upper Big Blue Natural Resources District cooperate with the City of Seward to make application for the grant monies available to develop and construct a trail system along Plum Creek; that the District will provide the engineering, design and construction inspection; and further that the City of Seward will contribute 50% of the engineering and design cost and the NRD will provide an amount not to exceed \$37,000 toward the construction cost of the trail system provided that the grant applications are approved. We approved the motion.

A YE: Austin, Brown, Bruns, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Buller, Houdersheldt

NOT VOTING: Dickinson

ITEM 20. INTERLOCAL AGREEMENT WITH THE CITY OF SEWARD.

The Education & Parks Committee discussed an Interlocal Agreement with the City of Seward for designing and constructing a trail system along Plum Creek. The Committee reviewed the Interlocal Agreement stating the responsibilities of the Upper Big Blue NRD and the City of Seward. This Agreement states that the Upper Big Blue NRD will make application for the grant monies to construct a trail system along Plum Creek. The District will provide engineering, design, and construction inspections and contribute an amount not to exceed \$37,000 toward the construction of the trail system provided that the grant applications are approved. The City of Seward will contribute 50% of the engineering and design cost.

It was moved by Friesen and seconded by Luebbe that the Upper Big Blue Natural Resources District enter into an Interlocal Agreement with the City of Seward for the purpose of applying for grants, designing and constructing a trail system along Plum Creek at Seward.

Following considerable discussion, it was moved by Austin and seconded by Dickinson to amend the motion to read “that the Upper Big Blue Natural Resources District enter into an Interlocal Agreement with the City of Seward for the purpose of applying for grants, designing

and constructing a trail system along Plum Creek at Seward and the NRD share not exceed \$37,000 for engineering.” We approved the amendment.

AYE: Austin, Bruns, Buller, Dickinson, Houdersheldt, Hultman, Regier, Teegerstrom,
Volkmer, Hansen

NAY: Brown, Eberle, Friesen, Jackson, Joseph, Luebbe, Moore

We approved the original motion, as amended.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 21. ELTON W. PETERSON’S R REVISED WILDLIFE HABITAT IMPROVEMENT CONTRACT.

Since Elton Peterson’s wife passed away, the family has done some changing of land ownership within the family. A parcel of land located in the NE ¼ 16-13-3W is now under the ownership of Elton’s daughter who wishes to make use of a portion of this land other than for wildlife. Elton has requested that the three (3) acres located on the NE ¼ 16-13-3W be removed from his Wildlife Habitat Improvement contract leaving him with a total of 27 acres for an annual payment of \$472.50 on contract #372. The original contract included three parcels of land.

The remaining 27 acres are in two parcels located in the W ½ SW ¼ 10-13-3W and the SE ¼ 9-13-3W which are still under the ownership of Elton W. Peterson.

It was moved by Friesen and seconded by Hultman that the Upper Big Blue NRD Board of Directors accept the revised Wildlife Habitat Improvement contract of Elton W. Peterson in the amount of 27 acres for an annual payment of \$472.50. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Dickinson

ITEM 22. PAYMENT TO HORNBACHER HOUSE MOVING, INC.

Hornbacher House Moving, Inc. was hired by the Upper Big Blue NRD to move the visitor’s center from the area adjacent to the treatment plant to the picnic area where it will be utilized as a picnic shelter.

It was moved by Friesen and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment of \$1500 to Hornbacher House Moving, Inc. for the moving and setting of the visitor’s center which is presently being used as a picnic shelter. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 23. PAYMENT TO WYAD UTILITY CONTRACTORS.

WyAd Utility Contractors of York, Nebraska contracted the work to move the visitor's center at Recharge Lake. There was a need to have 10 yards of clay and 10 yards of black dirt hauled in to complete the project.

It was moved by Friesen and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment of \$2,237.50 for the concrete work and the needed dirt work for the visitor's center now used as a picnic shelter at Recharge Lake. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt

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

Teegerstrom reported that the Water Committee met on July 13, 2000 and presented the committee's recommendations.

ITEM 25. LATE WELL PERMIT REQUEST FROM PIONEER HYBRIDS INTERNATIONAL.

Representatives of Pioneer Hybrids and Sargent Drilling were present at the Water Committee meeting to explain why a well permit was not obtained prior to construction. Directors asked several questions concerning the circumstances surrounding the drilling of this well. The staff recommended approval of the late permit and that a letter of reprimand be sent to Nathan Jacobson of Sargent Drilling and a copy forwarded to the Nebraska Water Well Standards and Contractors' Licencing Board.

It was moved by Teegerstrom and seconded by Austin to approve a late well permit, UBB-1-2513, for a well in the NW1/4 SW1/4 Section 23-T11N-R2W, York County, owned by Pioneer Hybrids International, Inc., and to authorize the staff to send a letter of reprimand to Nathan Jacobson of Sargent Drilling, Geneva, concerning the failure to obtain a timely permit and, to forward a copy of said letter to the Water Well Standards and Contractors' Licencing Board, recommending that no punitive action be taken by the Licencing Board based solely on this issue.

After some discussion, it was moved by Buller and seconded by Jackson to amend the motion to read “to approve a late well permit, UBB-1-2513, for a well in the NW1/4 SW 1/4 Section 23-T11N-R2W, York County, owned by Pioneer Hybrids International, Inc., and to authorize the staff to send a letter of reprimand to Nathan Jacobson of Sargent Drilling, Geneva, concerning the failure to obtain a timely permit and to forward a copy of said letter to the Water Well Standards and Contractors’ Licencing Board recommending that no punitive action be taken by the Licencing Board based solely on this issue.”

It was moved by Austin and seconded by Brown to amend the amendment to include “and that a letter of reprimand also be sent to Pioneer Hybrids International.” We approved the amendment.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

We approved the original amendment, as amended.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Bruns, Friesen, Houdersheldt, Hultman, Joseph

NOT VOTING: Luebbe

We approved the original motion, as amended, to read “to approve a late well permit, UBB-1-2513, for a well in the NW 1/4 SW 1/4 Section 23-T11N-R2W, York County, owned by Pioneer Hybrids International, Inc., and to authorize the staff to send a letter of reprimand to Nathan Jacobson of Sargent Drilling, Geneva, concerning the failure to obtain a timely permit and that a letter or reprimand also be sent to Pioneer Hybrids International.”

AYE: Austin, Brown, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Bruns, Friesen, Joseph

NOT VOTING: Luebbe

ITEM 26. *AQUIFER QUALITY WELL ABANDONMENT COST SHARE ASSISTANCE PROGRAM PAYMENTS.

There are seven final payments totaling \$1,862.85. The staff recommends payment of these claims.

It was moved by Luebbe and seconded by Regier to approve final cost-share payments for seven well abandonments as reviewed at a total cost of \$1,862.85. We approved the motion as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Buller

ITEM 27. PAYMENT TO UNL WATER SCIENCE LABORATORY.

It was moved by Teegerstrom and seconded by Jackson to pay the University of Nebraska Water Science Laboratory \$2,812.50 for 25 pesticide analyses from York Ground Water Demonstration Recharge Project. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 28. WELL HEAD PROTECTION AREA CRP RULE.

A 1,000 foot radius of public water supply wells are eligible for CRP. The Nebraska Department of Environmental Quality has requested that this be expanded to include the delineated Wellhead Protection Areas. It is recommended that the Board authorize the staff to draft a letter to support this change.

It was moved by Teegerstrom and seconded by Volkmer to authorize the staff to draft a letter to support the expansion for CRP to delineated Wellhead Protection Areas. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Volkmer

ITEM 29. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported on the Budget, Planning & Legislative Committee meeting held July 18, 2000 and presented the committee's recommendations.

ITEM 30. FY 2001 BUDGET HEARING SCHEDULE.

Turnbull recommended that the August board meeting and budget hearing be scheduled one week later in August. The final county valuations are required to be in the District's hands on August 20. A later meeting and hearing date would allow the board to approve the budget and set the tax request all in one month, rather than adopting the budget one month and the tax

request the next month.

It was moved by Moore and seconded by Regier to change the August board meeting date to Thursday, August 24, 2000; to schedule the FY2001 Budget Hearing for 7:30 p.m., Thursday, August 24, 2000; and further to schedule a Special Hearing for the FY2001 Tax Request for 7:45 p.m., Thursday, August 24, 2000. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 31. FISCAL YEAR 2001 BUDGET.

Turnbull presented the draft budget to the Budget Planning & Legislative Committee, which takes into account the cash balances as of June 30. The Budget Committee reviewed the main budget items and the compliance with the tax lid limit. Interlocal Agreements were reviewed, because funds used in those agreements are exempt from the lid. Capital expenditures which are exempt from the lid were also reviewed. Turnbull recommended a significant tax increase in order to build up the investment fund for the Indian Creek Project.

The Budget, Planning & Legislative Committee also discussed the recent actions of the Legislature which are placing pressure on NRDs to raise property tax levies and rely less on state funds.

Turnbull reviewed the same budget information with the NRD Board. Copies are attached.

It was moved by Moore and seconded by Regier to adopt the FY2001 Budget, with the \$195,394 transfer from General Fund to Sinking Fund for future dam development instead of Indian Creek, for the purpose of public hearing.

It was moved by Volkmer and seconded by Austin to amend the motion to read "to adopt the FY2001 Budget, with the \$195,394 transfer from General Fund to Sinking Fund for ~~future dam development instead of Indian Creek~~, for the purpose of public hearing." The amendment failed.

AYE: Austin, Brown, Bruns, Hultman, Teegerstrom, Volkmer, Hansen

NAY: Buller, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore,
Regier

It was moved by Jackson and seconded by Volkmer to amend the motion to remove \$200,000 for water quality from the budget. The amendment failed.

AYE: Jackson, Volkmer

NAY: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,

Joseph, Moore, Regier, Teegerstrom, Hansen
NOT VOTING: Luebbe

It was moved by Friesen and seconded by Jackson to amend the motion to read “to put \$45,000 into the land treatment program and to adopt the FY 2001 Budget, with the \$195,394 transfer from General Fund to Sinking Fund for future dam development instead of Indian Creek, for the purposes of public hearing.” We approved the amendment.

AYE: Brown, Buller, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom
NAY: Austin, Bruns, Dickinson, Houdersheldt, Volkmer, Hansen

It was moved by Moore and seconded by Austin to amend the motion to read “to put \$45,000 into the land treatment program and to adopt the FY 2001 Budget, with a \$50,000 transfer from General Fund to Sinking Fund for future dam development, for the purposes of public hearing.”
We approved the amendment.

AYE: Austin, Bruns, Dickinson, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Hansen
NAY: Brown, Buller, Eberle, Friesen, Regier
NOT VOTING: Volkmer

We approved the motion as amended to read “to put \$45,000 into the land treatment program and to adopt the FY 2001 Budget, with a \$50,000 transfer from General Fund to Sinking Fund for future dam development, for the purposes of public hearing.”

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 32. ADDITIONAL 1 PERCENT RESTRICTED FUNDS AUTHORITY.

Turnbull recommended that the Board approve an additional 1 percent of restricted funds authority to allow three and one-half percent for restricted funds increased authority.

It was moved by Moore and seconded by Jackson for the purpose of public hearing, to approve an increase in the total budgeted restricted funds for FY2001 by an additional 1 percent. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen
NAY: Austin, Volkmer

ITEM 33. PAYMENT TO CENTRAL PLATTE NRD FOR COHYST.

An invoice was received from the Central Platte NRD for \$15,000 for the district's share of the Platte River Cooperative Hydrology Study (COHYST). This payment would complete our obligation of \$45,000 for the computer modeling study currently underway. Turnbull told the board that the district should consider more funding for COHYST in order to continue the necessary work on the Platte River issues.

It was moved by Moore and seconded by Jackson to approve payment of \$15,000 to the Central Platte NRD for the Platte River COHYST (Cooperative Hydrology Study). We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 34. FINANCIAL REPORT, JUNE 1, 2000 THROUGH JUNE 30, 2000, AND CONSIDERATION OF EXPENDITURES FOR JUNE 2000.

Turnbull reviewed the financial report for the period June 1, 2000 through June 30, 2000 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 June 2000. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

There being no other business, we adjourned the meeting at 10:28 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on July 20, 2000, 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.

Earl Hultman, Secretary

:nds
attachment

corrected 8/24/2000

**BOARD OF DIRECTORS MEETING
AND
FY 2001 BUDGET HEARING
August 24, 2000**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 24, 2000, at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier and Vance Teegerstrom. Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rod DeBuhr, Ken Feather, Prudence Sadler, Richard Jiskra, DNR, William Gilliam, York NRCS, Jay Rempe, Nebraska Farm Bureau and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on August 15, 2000.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll. Austin arrived a short time later.

ITEM 3. CONSIDERATION OF REQUESTS FOR EXCUSED ABSENCES.

It was moved by Luebbe and seconded by Brown to excuse the absence of Merlin Volkmer from the August 24, 2000 Board of Directors meeting as requested. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Teegerstrom, Hansen

NAY: Regier

NOT PRESENT: Austin, Volkmer

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Hultman and seconded by Luebbe to adopt the consent agenda. Buller asked that the minutes of the July 20, 2000 board meeting be corrected to reflect that he abstained from voting on item 26, aquifer quality well abandonment cost-share assistance program payments, and that he voted in favor of item 30, FY 2001 budget hearing schedule. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Hultman and seconded by Luebbe to approve the agenda for the August 24, 2000 Board of Directors meeting and FY 2001 Budget Hearing. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 6. *APPROVAL OF MINUTES OF THE JULY 20, 2000, BOARD OF DIRECTORS MEETING.

It was moved by Hultman and seconded by Luebbe to approve the minutes of the July 20, 2000 Board of Directors meeting as corrected. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 7. FY 2001 BUDGET HEARING.

Chairman Wayne Hansen opened the budget hearing at 7:37 p.m.. He 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 2001 Budget. Since this was a Public Hearing, he asked for comments from the public. He stated the Public Notice of this Hearing appeared once in the York News-Times on August 17, 2000. Hansen asked John Turnbull, General Manager of the District, to be the Hearing Officer and to review the proposed FY 2001 Budget.

Turnbull reviewed the FY 2000-2001 State of Nebraska General Budget Form. He advised the board that this is the budget document that will be filed with the County Clerks and State Auditor's office. There have been no changes in any of the proposed budget items, since the July 20, 2000 Board meeting, except for the valuations. He told the Board they would not be adopting a tax rate tonight. We had originally scheduled a tax request hearing for tonight, but we were unable to get the final valuations from the county assessors' in time to publish the notice 5 days prior to the hearing, as required. Turnbull also went over the Upper Big Blue NRD's internal budget planning document. He told the board that the final valuations were \$4,195,982,833 and reviewed the valuations by county. The average increase in valuation district wide was 5.7 percent. The property tax levy is .02526, which is the levy he will ask them

to set at the September Property Tax Request Hearing.

The total general fund budget is \$2,343,107.01. Of that \$1,120,401.62 will come from property tax. The rest will come from state and federal grants, cash on hand, and other income. The sinking fund will be \$680,098.94, which includes a transfer from the general fund to the sinking fund of \$50,000 for future dam development. He reminded the board that we discussed last month whether we should set money aside for the Indian Creek Project or for future structures. The single biggest line item in the general fund is intergovernment cost sharing at \$626,500. The bulk of that is for the Big Blue River flood plain buyout at Seward which is largely funded by federal funds. The next biggest item is payroll, which is \$589,068.73 for nineteen staff members.

Turnbull reviewed the lid computation form with the board. The total restricted funds are \$1,212,857.49. Restricted funds are the tax requirements, motor vehicle prorated and state aid. Lid exceptions for capital improvements are \$310,291.57; \$143,547.42 for interlocal agreements, such as the ones with Seward and Southeast Community College, for a total lid exception of \$453,838.99. Unused restricted funds from last year's budget were \$792,837.47. The unused restricted funds authority from last year is \$159,107.79. When you add these together you get \$951,945.26 in restricted funds authority for last year. The base increase is 2.5%. Later tonight the board will consider a resolution for an additional 1 percent increase in budget authority. If the board approves the additional one percent that doesn't mean the tax will go up one percent, it just gives the authority to do that. The two combined would make a 3.5% change, which is \$33,318.08. If you take the total restricted funds authority of \$985,263.34 less \$759,018.50 restricted funds from the lid computation supporting schedule, it leaves a total unused restricted funds authority of \$226,244.84. In simple terms, what this means is you could raise the property tax another \$226,244.84 and still be within the lid.

Turnbull asked if there were any questions. There were no questions so Turnbull gave a short slide presentation comparing this year's budget with past years' budgets.

Hansen closed the hearing at 7:55 p.m..

ITEM 8. ADOPTION OF FY 2001 BUDGET.

It was moved by Moore and seconded by Regier to adopt the FY 2001 Budget. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

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

Buller reported that the Projects Committee met on August 15, 2000 and presented the committee's recommendations.

ITEM 10. PAYMENTS OF NSWCP LAND TREATMENT COST-SHARE FUNDS.

It was moved by Buller and seconded by Luebbe that payments of NSWCP land treatment funds be made in the amount of \$6,477.22 for five applications reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 11. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT.

Claim number two has been submitted by the City of Seward for expenditures on the Big Blue River Flood Hazard Mitigation Project. The total amount of the claim is \$190.43. FEMA's share is \$142.82. The City of Seward's share is \$23.80 and the NRD's share is \$23.81.

It was moved by Buller and seconded by Teegerstrom that payment of \$23.81 from NRD funds be made to the City of Seward and that the District file a claim in the amount of \$142.82 for the FEMA share of Claim 2 of the Big Blue River Flood Hazard Mitigation Project, and that \$142.82 of the FEMA share be paid to the City when it is received by the District. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 12. YORK GROUNDWATER RECHARGE PROJECT MAINTENANCE.

Sargent Irrigation has completed replacement of the pumps and motors on recovery wells three and four at Recharge Lake. Sargent Irrigation's July 16, 2000 proposal was to complete the work for \$7,991.

It was moved by Buller and seconded by Houdersheldt that Sargent Irrigation be paid \$7,991 for replacement of pumps and motors on recovery wells three and four at the York Ground Water Recharge Project, in accordance with their July 16, 2000 proposal. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 13. QUOTES FOR PROJECT MAINTENANCE.

Quotes have been received from two contractors to perform maintenance work on 15 District-owned and operated projects. Van Kirk Brothers' quote was \$45,928.50 and Huebert Land Leveling's quote was \$53,615. Work will begin September 1, 2000 and is to be completed by December 1, 2000.

It was moved by Buller and seconded by Austin that Van Kirk Brothers' July 19, 2000 quote in the amount of \$45,928.50 to perform maintenance on 15 District-owned projects be accepted, and that the District's general manager is authorized to enter into a Maintenance Work Agreement with Van Kirk Brothers. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 14. REQUEST FOR SPILLWAY MODIFICATION OF LANGWORTHY DAM.

The District owns and operates a storage and flood control dam in Section 19, Township 11 North, Range 2 East of Seward County. The structure was designed as a road dam and construction was completed in June 1976. The construction cost was \$9,757. The NRD paid 36%, Seward County paid 48%, and the Langworthy Trust paid 16%. The Langworthy Trust donated land for the reservoir and the District holds a perpetual easement to operate and maintain the dam and reservoir.

The land manager for the Langworthy Trust has requested that the District allow the Trust to modify the spillway to lower the conservation pool elevation. The purpose for this request is to allow their new pivot to pass the reservoir site, and allow additional acres to be farmed.

The District's engineering staff has checked the project site to determine what structural requirements would be needed if the principal spillway is converted from a riser type inlet to a "shotgun" type inlet. This type of modification would reduce the conservation storage depth by six feet at the dam and would cost approximately \$5,000.

Staff recommends that the Langworthy Trust request to modify the spillway be denied, since the dam is still in good repair and functions as designed to control runoff and provide flood control and water storage.

It was moved by Buller and seconded by Luebbe that the Langworthy Dam, which is owned and operated by the District, and is located in the Northwest Quarter of Section 19, Township 11 North, Range 2 East, not be modified to reduce water storage capacity, and that the request by the Langworthy Trust for such modification be denied. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

**ITEM 15. APPROVAL OF 1 PERCENT INCREASE IN RESTRICTED FUNDS
AUTHORITY.**

It was moved by Moore and seconded by Houdersheldt to adopt the following resolution: 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 24, 2000, to exceed the budget limit on restricted funds for FY 2001 by 1 percent. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

**ITEM 16. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE
AND CONSIDERATION OF RECOMMENDATIONS.**

Moore reported on the Budget, Planning & Legislative Committee meeting held August 15, 2000 and presented the committee's recommendations.

**ITEM 17. NEBRASKA FARM BUREAU/NEBRASKA WATER USERS
STATEMENT OF PRINCIPALS AND POSITIONS.**

Jim Lundgren, Attorney Jim Doyle from the Nebraska Water Users, and Jay Rempe of the Nebraska Farm Bureau attended the Budget, Planning & Legislative Committee meeting and gave a background description of the Platte River issues.

In February 1990 the Federal Energy Regulatory Commission (FERC) ordered Nebraska Public Power District (NPPD) to release stored irrigation water from Lake McConaughy for habitat

needs. This water had been stored under Nebraska surface water rights for summer irrigation use. The Nebraska Water Users became involved in the FERC negotiations because of that action. Over time it became apparent to them that the environmental interests wanted more than Nebraska could provide. Two mitigation attempts with the various interests failed because of the wide divergence of views. Colorado and Wyoming were having similar problems with proposed water projects. The Cooperative Agreement process then started in an attempt to resolve the endangered species and water right issues in Colorado, Wyoming, and Nebraska.

The Nebraska Farm Bureau and Nebraska Water Users feel that due to the Department of Interior's lack of commitment to the Cooperative Agreement that Nebraska needs to proceed cautiously. They believe that Nebraska needs to seriously consider staying in the Program, but that the Program must work for the State. The Statement of Principals and Positions have been developed as a guidance paper to judge the work coming out of the Cooperative Agreement. Their position paper states "Nebraska Water Users and Nebraska Farm Bureau Federation declare that Nebraska's further involvement under any program or any further cooperative agreement among the three states and the Department of Interior must address, in a manner which furthers the best interests of irrigated agriculture and economic development and stability in Nebraska . . .". Their hope is that the Governor of Nebraska will use the Statement of Principals and Positions to help decide whether the Cooperative Agreement is in Nebraska's best interests. The Nebraska Farm Bureau and Nebraska Water Users are requesting that the involved NRDs endorse and adopt these Principals.

It was moved by Moore and seconded by Regier that the Upper Big Blue NRD Board of Directors generally support the Nebraska Farm Bureau and Nebraska Water Users Statement of Principals and Positions relating to continuation of the Cooperative Agreement and Adoption of a Proposed Program for the Platte River. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 18. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met on August 17, 2000 and presented the committee's recommendations.

ITEM 19. WILD NEBRASKA PROGRAM.

The Wildlife Habitat Improvement Program has been changed to WILD Nebraska. The WILD Nebraska program is designed to cost-share on the improvements of the land for wildlife and not make annual payments to the landowner as has been done in the past with the Wildlife Habitat

Improvement Program. There will be cases where the landowner has taken cropland and developed it for wildlife. A transition payment would be made for five years on a ten year contract. The transition payment would be based on 80 % of the county average cost for the county where the land is located.

The Nebraska Game and Parks Commission has completed and reviewed the WILD Nebraska document for contract consistency and it is ready for use as a program reference. The Education & Parks Committee reviewed the WILD Nebraska program and recommended that the program be adopted by the Upper Big Blue NRD.

It was moved by Friesen and seconded by Jackson that the WILD Nebraska program be adopted by the Upper Big Blue NRD. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Regier, Teegerstrom, Hansen
NAY: Dickinson, Luebbe, Moore
NOT PRESENT: Volkmer

ITEM 20. WILD NEBRASKA PROGRAM AGREEMENT UNDER THE INTERLOCAL COOPERATION ACT, SECTIONS 23-2201 THROUGH 23-2207 RRS 1943.

The Cooperative Agreement between the Nebraska Game and Parks Commission and the Upper Big Blue Natural Resources District for the WILD Nebraska program was reviewed. Staff recommended approval of the agreement.

It was moved by Friesen and seconded by Austin that the Upper Big Blue Natural Resources District enter into an Interlocal Agreement with the Nebraska Game and Parks Commission; payments less than \$100 will not be made by the Upper Big Blue Natural Resources District. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Regier, Teegerstrom, Hansen
NAY: Dickinson, Luebbe, Moore
NOT PRESENT: Volkmer

ITEM 21. TRAIL DEVELOPMENT ASSISTANCE FUND APPLICATION FOR PLUM CREEK TRAIL.

The staff has submitted an intent-to-apply and the draft application forms to the Nebraska Department of Roads and Transportation Enhancement Program. The staff is presently working on the final application and if accepted would bring in \$500,000 for the Plum Creek Trail at Seward. On August 21, 2000, John Williams with Sinclair Hille Architects in Lincoln came out

to walk through the project. Sinclair Hille Architects have been chosen by the Nebraska Department of Roads to review all projects being submitted for funding.

The staff wishes to apply for another grant through the Nebraska Game and Parks Commission, entitle the Trail Development Assistance Fund - Fiscal Year 2000. This is a 50 percent matching grant which could bring in an additional \$100,000. The city of Seward understands they would have to match this grant.

It was moved by Friesen and seconded by Austin that the Upper Big Blue Natural Resources District make application to the Nebraska Game and Parks Commission for a 50% matching grant through the Trail Development Assistance Funds for the Plum Creek Trail in Seward, Nebraska. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 22. TRAIL DEVELOPMENT ASSISTANCE FUND RESOLUTION FOR PLUM CREEK TRAIL.

The Nebraska Game and Parks Commission asked that everyone applying for grant monies and involved with a project involving the Trail Development Assistance Fund vote on and sign the following resolution.

NEBRASKA GAME & PARKS COMMISSION
TRAILS DEVELOPMENT ASSISTANCE FUND
8/24/00

- a. The Upper Big Blue Natural Resources District proposes to apply for assistance from the Trail Development Assistance Fund for the purposes described in the application and supporting documents.
- b. Upper Big Blue Natural Resources District has been appointed as Project Liaison Officer by the project sponsor's governing bodies as the principle local contact to work with Game and Parks Commission staff on all matters concerning the project.
- c. The City of Seward currently has the 50% matching share of the total project cost identified on the application form and will provide the financial resources to operate and maintain the completed project in a safe and attractive manner for the life of the facility.
- d. The City of Seward will not discriminate against any person on the basis of race, color, age, religion, handicap, sex, or national origin in offering the project for public use.

- e. The City of Seward agrees to comply, where applicable and within the purview of the law, with the Americans with Disabilities Act of 1991, as amended, by making the project facilities accessible to, and usable by, the disabled.

It was moved by Friesen and seconded by Brown that the Upper Big Blue Natural Resources District Board of Directors adopt the Nebraska Game & Parks Commission Trails Development Assistance Fund Resolution. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: Jackson

NOT VOTING: Volkmer

ITEM 23. ADOPTION OF TRANSPORTATION ENHANCEMENT PROGRAM RESOLUTION FOR PLUM CREEK TRAIL.

It was moved by Friesen and seconded by Houdersheldt to adopt the following resolution: BE IT RESOLVED BY THE UPPER BIG BLUE NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS: WHEREAS: The Upper Big Blue Natural Resources District has entered into an Interlocal Agreement, as a cosponsor, with the City of Seward, to plan, design, and construct a trail system along Plum Creek along the eastern edge of Seward, Nebraska; WHEREAS: The Upper Big Blue Natural Resources District and the City of Seward have the ability and authority to fund a minimum of 20% of the Plum Creek Trail Project cost, and have agreed in the Interlocal Agreement to share in the local share of the Project cost; WHEREAS: The City of Seward has acquired title to almost all of the lands needed for the Plum Creek Trail Project through a flood plain buyout program, and has the authority to acquire easements on the remaining lands necessary; WHEREAS: The Upper Big Blue Natural Resources District and the City of Seward have agreed in the Interlocal Agreement that the City of Seward is responsible for operation and maintenance; NOW, THEREFORE, BE IT RESOLVED: That the Upper Big Blue Natural Resources District apply for funding assistance from the TRANSPORTATION ENHANCEMENT PROGRAM for the purpose of planning, designing, and constructing the Plum Creek Trail, on behalf of the City and the District. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

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

Teegerstrom reported that the Water Committee met on August 17, 2000 and presented the

committee's recommendations.

ITEM 25. *AQUIFER QUALITY WELL ABANDONMENT COST SHARE ASSISTANCE PROGRAM PAYMENTS.

There are ten final payments totaling \$3,002.54. The staff recommends payment of these claims.

It was moved by Hultman and seconded by Luebbe to approve final cost-share payments for ten well abandonments as reviewed at a total cost of \$3,002.54. We approved the motion as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

NOT VOTING: Buller

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

Buller reported that the Executive Committee met on August 17, 2000 and presented the committee's recommendations.

ITEM 27. PAYMENT TO LOWER BIG BLUE NRD FOR SALARY REIMBURSEMENT.

A bill for \$3,162.71 was received for salaries for the Saline County NRCS Clerk and part-time technician from the Lower Big Blue NRD for the 12 months ended June 30, 2000.

It was moved by Buller and seconded by Brown to approve payment of \$ 3,162.71 to the Lower Big Blue NRD for NRCS office salaries for FY 2000 (July 1, 99 through June 30, 2000). We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: Houdersheldt

NOT PRESENT: Volkmer

ITEM 28. FINANCIAL REPORT, JULY 1, 2000 THROUGH JULY 31, 2000, AND CONSIDERATION OF EXPENDITURES FOR JULY 2000.

Turnbull reviewed the financial report for the period July 1, 2000 through July 31, 2000 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 July 2000. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

There being no other business, we adjourned the meeting at 9:42 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on August 24, 2000, 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.

Earl Hultman, Secretary

:nds

**BOARD OF DIRECTORS MEETING
AND
FY 2001 PROPERTY TAX REQUEST HEARING
September 19, 2000**

The Board of Directors of the Upper Big Blue Natural Resources District met Tuesday, September 19, 2000, at the Upper Big Blue NRD office, 105 Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer. Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rod DeBuhr, Ken Feather, Prudence Sadler, Stephanie Mousel, William Gilliam, York NRCS, Jerry Foote, Jerome A. Mousseau, Cindy Brown, Alicia Warren, Fred Nickel, George Krause, Stan Paulsen, Mark Stokebrand, Brian Zastrow and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on September 12, 2000.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Austin and Regier arrived a short time later.

ITEM 3. CONSIDERATION OF REQUESTS FOR EXCUSED ABSENCES.

There were no requests for excused absences.

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Teegerstrom and seconded by Volkmer to adopt the consent agenda. We approved the motion.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown, Regier

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Teegerstrom and seconded by Volkmer to approve the agenda for the September 19, 2000 Board of Directors meeting and FY 2001 Property Tax Request Hearing. We approved the motion as part of the consent agenda.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown, Regier

ITEM 6. *APPROVAL OF MINUTES OF THE AUGUST 24, 2000, BOARD OF DIRECTORS MEETING AND FY 2001 BUDGET HEARING.

It was moved by Teegerstrom and seconded by Volkmer to approve the minutes of the August 24, 2000 Board of Directors meeting and FY 2001 Budget Hearing. We approved the motion as part of the consent agenda.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown, Regier

ITEM 7. FY 2001 PROPERTY TAX REQUEST HEARING.

Chairman Wayne Hansen opened the property tax request hearing at 7:35 p.m.. Hansen stated that the notice of the special hearing to set the property tax request was published once on September 11, 2000 in the York News-Times. Hansen turned the meeting over to John Turnbull, who acted as Hearing Officer.

Turnbull asked the board to consider passing the following resolution, which he read for those present, following the closing of the hearing.

RESOLUTION

Whereas the FY 2001 Budget for the Upper Big Blue NRD, as adopted by this Board of Directors on August 24, 2000, has a property tax requirement of \$1,120,401.62;

Whereas the final total valuation of the NRD is \$4,434,692,240;

Whereas the FY 2000 Budget (prior year) required a tax request of \$976,971.87 and a property tax rate of \$ 0.02328;

Whereas the FY 2001 (current year) property tax rate would be \$0.02203 to generate \$976,971,87.

Therefore be it resolved by this Board of Directors on September 19, 2000 to set the **FY 2001**

tax request at \$1,120,401.62 for the Upper Big Blue Natural Resources District which will require a **property tax rate of \$ 0.02526.**

Last month the board adopted the FY 2001 Budget, which has been submitted to the State Auditor's Office, the nine county clerks and the Department of Natural Resources. It had a tax request of \$1,120,401.62. A tax rate of 0.02526 is necessary to support the budget that was adopted. Turnbull also distributed a two-page handout that is a summary of property valuations, by county. Last month a question was asked about what percentage of property tax revenue came from urban and rural areas. This handout shows that 74.3% of the property valuations in the district are rural and 25.7% are urban. Rural includes rural suburban, which means subdivisions like Lockridge Acres, just west of York. The handout also shows the valuation of each city, village or rural area in the district, which are listed from the largest to the smallest. Also shown was the growth in valuation from fiscal year 1988 to fiscal year 2001. Turnbull told those present that if they had questions about the tax rate or valuations he would be glad to explain them. He asked if there were any comments regarding the tax rate. He explained, for those unhappy about the valuations, we cannot change the valuations because we do not set the property valuations.

No comments were received on the proposed property tax request. Hansen closed the hearing at 7:40 p.m..

ITEM 8. ADOPTION OF RESOLUTION TO SET FY 2001 TAX REQUEST.

It was moved by Houdersheldt and seconded by Hultman to adopt the resolution to set the FY 2001 property tax request at .02526. We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Regier

ITEM 9. NRCS REPORT.

Bill Gilliam of the York NRCS Office advised the board that he had made the decision recently to shutdown construction of dams and terraces. Due to the extremely dry conditions it is difficult to get adequate compaction. He hopes construction will resume in the near future.

ITEM 10. NEBRASKA GREAT PLAINS RC&D REPORT.

Teegerstrom advised the board that the Nebraska Great Plains RC&D met in Seward on September 18. He updated the board on RC&D activities in Cass County.

ITEM 11. PLATTE RIVER ADVISORY COMMITTEE REPORT.

Austin told the board that the Governor's Platte River Advisory Committee met on Monday, September 18. She reviewed the presentations given by Duane Woodward on the COHYST study and Jim Daake, of UNL Conservation & Survey, on the geology and geography of the Platte River.

ITEM 12. PROJECT WET (Water Education Teacher) FACILITATOR AWARD.

Stephanie Mousel, Public Information Specialist for the Upper Big Blue NRD, was honored as Project WET Facilitator of the Year. Chairman Hansen presented her with the plaque on behalf of the Nebraska Project WET organization. The award was in recognition of her contribution to water education in Nebraska.

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

Jackson reported that the Projects Committee met on September 12, 2000 and presented the committee's recommendations.

ITEM 14. DAVID CITY NORTHWEST STORM WATER MANAGEMENT AND FLOOD CONTROL PROJECT.

Representatives from David City were present at the Projects Committee meeting to request support for a storm water management and flood control project in northwest David City. Roger Helgoth, the city's consultant for the project, explained that several alternatives were considered to provide flood protection to residential, commercial, and public properties that are currently subject to flooding from ag land runoff that enters the city from the north and east. The city's plan would include most components previously recommended by the Upper Big Blue and Lower Platte North Natural Resource Districts. Helgoth explained that Alternative 3 also contains components that were added to resolve downstream landowner concerns about flooding and erosion that could result from drainage improvements and future development in David City.

Steve Smith, David City Mayor, said the city is currently seeking general support for the project from the NRDs and Butler County. The city plans to request funding assistance from the Army Corps of Engineers and Nebraska Resource Development Fund. The city will likely come back to the NRDs for financial support as the project moves closer to the construction phase. The committee recommended the NRD support David City's storm water management and flood control project proposal, known as Alternative 3.

It was moved by Jackson and seconded by Luebbe that the Upper Big Blue Natural Resources District support David City's Northwest Storm Water Management and Flood Control Project, Alternative 3, as presented by Helgoth and Associates. We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,

Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown

ITEM 15. NSWCP LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Volkmer that payments of NSWCP land treatment funds be made in the amount of \$10,880.08 for three applications reviewed by the Committee.
We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown

ITEM 16. *NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

The Board was provided a summary of Nebraska Buffer Strip Program activity to-date. A total of 625 acres have been signed up on 75 tracts. The total annual payments on these tracts are \$46,297.57. The majority of contracts are for 10 years. Payments of \$8,252.02 are now due on nine contracts for the period July through September.

It was moved by Teegerstrom and seconded by Volkmer that payments of Nebraska Buffer Strip Program funds be made in the amount of \$8,252.02 for nine contracts reviewed by the Committee. We approved the motion as part of the consent agenda.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore,
Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Houdersheldt

NOT PRESENT: Austin, Brown, Regier

ITEM 17. INDIAN CREEK PROJECT.

If the District is going to proceed with development of the Indian Creek Project, more detailed site investigations need to be conducted. Bitner recommended to the Projects Committee that preliminary drilling and testing, infiltration studies, and preliminary environmental assessments be done to further evaluate the project site selected in the Olsson Associates Reconnaissance Study, and one other site downstream. These evaluations will help with final site selection. Additional mapping will also be needed for the downstream site. The Fiscal Year 2001 Projects Department budget includes \$40,000 for these types of investigations.

The Projects Committee felt that the Indian Creek Project should be suspended since the Board has indicated it is unlikely sufficient local funds can be raised to build the project. The Projects Committee recommendation is to suspend the project.

It was moved by Jackson and seconded by Houdersheldt that the Indian Creek Project be suspended.

Chairman Hansen noted there were a number of people present to hear discussion and address the board regarding the Indian Creek project, which he allowed them to do.

George Krause spoke in favor of continuing the Indian Creek project. He said he had recently telephoned approximately 25 people in the area regarding the project and of those 25 most were in favor of the project. He said that not all residents of the area are in favor, because their farming operations will be affected. He told the board that he knew the NRD had spent staff time and money to conduct studies of the proposed Indian Creek project, but the residents affected by the project are unaware of what is being done. He asked that the public be kept better informed of the progress on the project. He asked the board not to suspend the project.

Fred Nickel said he was present at the first meeting, sixteen years ago, when the project was first proposed. He told the board that since that first meeting he had been dreaming of seeing the project built. He asked the board if they were suspending the project because of the financial feasibility if it would be possible to downsize the project to cut the overall costs. He told the board that he felt more people who support the project would have attended the meeting had it not been for the dry weather. He asked when the decision had been made to suspend the project.

Turnbull informed him that the Projects Committee recommendation was to suspend the project, but that the board had not yet suspended the project. The Board is considering whether or not to suspend the project at this meeting.

Various other comments in favor of the project were heard from the audience. Houdersheldt expressed his concern that it would take a significant tax rate increase to fund the district's share of the project, even if 75% of the funds for construction were available from other sources.

Turnbull said that if the project costs six million dollars, and the district is able to get a 75% grant from other sources, we would need to raise an additional \$195,000 a year for five years. We currently have \$470,000 set aside for this project. On a quarter section of irrigated land that would amount to \$15 additional tax per year. To-date \$55,000 in professional services and staff time have been spent on the project.

Board members expressed concerns about being unable to maintain an adequate lake level for recreation, as well as the high costs of the project, when the benefits are primarily recreation. Moore and others said they too were concerned about funding, but want to see further preliminary studies and mapping results before making a decision whether or not to suspend the

project.

The question was called. The motion failed.

AYE: Buller, Friesen, Houdersheldt, Jackson

NAY: Austin, Bruns, Dickinson, Eberle, Hultman, Joseph, Luebbe, Moore, Regier,
Teegerstrom, Volkmer, Hansen

NOT PRESENT: Brown

It was moved by Austin and seconded by Volkmer that staff be authorized to proceed with preliminary feasibility evaluations on the Indian Creek project, and that staff be authorized to obtain proposals for drilling, testing, environmental assessment and mapping to support evaluation of two possible project sites. We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown

**ITEM 18. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE
AND CONSIDERATION OF RECOMMENDATIONS.**

Moore reported on the Budget, Planning & Legislative Committee meeting held September 12, 2000 and presented the committee's recommendations.

ITEM 19. NARD RESOLUTIONS.

The Budget, Planning and Legislative Committee reviewed the proposed resolutions to be presented at the NARD Annual Conference and submitted their recommendations to the Board of Directors.

It was moved by Moore and seconded by Luebbe that the Board of Directors take the following positions on the NARD Resolutions which are to be presented at the 2000 NARD Annual Conference.

Res. #	Description	Position
2000-1	Well Registration Fees - Middle Republican	Support
2000-2	Improvement Project Area Revisions - Tri Basin	Support

2000-3	Ethanol Mandate - Tri Basin	Support with strikeout of “for Ag implements, construction equipment and small engines”
2000-4	Exemption for County Collection Fees and Delinquent Taxes from 2½% lid - Upper Elkhorn	Support
It is proposed by the NARD Budget Committee to consolidate the next three resolutions into one NARD Policy Statement		
2000-5	Water Resources Fund - Upper Elkhorn	Generally support one policy statement with more emphasis on sales tax.
2000-6	Natural Resources Fund - Upper Elkhorn	
2000-7	Groundwater Monitoring System - Upper Niobrara White	
2000-8	NRD role in TMDL Planning and Implementation - Lower Platte South	Support
2000-9	Update Nebraska Resources Development Fund - Lower Platte South	Support
2000-10	Flood Management Corridors - Lower Platte South	Support
2000-11	In-Lieu of Taxes on NRD Property - Lower Platte South	Oppose
2000-12	NRD State Aid - Lower Platte South	Support
2000-13	Sales Tax for Environmental Enhancement - Little Blue	Support

We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Brown

**ITEM 20. CONTINUATION OF PLATTE RIVER COOPERATIVE HYDROLOGY
STUDY (COHYST).**

The COHYST effort is in its third year, but much remains to be done in the study of the relationship between surface and groundwater in the Platte River. The original Environmental Trust Grant will end June 30, 2001. The COHYST sponsors have submitted a second grant application to the Trust in order to continue and expand the study effort. The proposal is for an additional three years of funding.

THE PROPOSAL

Cooperative Hydrologic Modeling and Assessment	Cash Contribution	In Kind Services
Environmental Trust	\$1,939,000.00	
Central Platte NRD	3,000.00	235,980.53
Tri-Basin NRD	47,000.00	39,975.47
Twin Platte NRD	69,500.00	39,975.47
South Platte NRD	2,000.00	88,308.80
North Platte NRD	2,000.00	136,642.14
Upper Big Blue NRD	47,000.00	39,975.47
Little Blue NRD	24,500.00	39,975.47
CNPP&ID		189,404.76
NPPD		199,404.76
Department of Natural Resources	80,000.00	153,071.43
Game and Parks Commission	45,000.00	16,071.43
Municipalities		16,071.43
Agricultural Water Users		16,071.42
Environmental Organizations		16,071.42
USGS and UNL Conservation and Survey		595,000.00
TOTALS	\$2,257,000.00	\$1,822,000.00
GRAND TOTAL (Cash and In Kind)	\$4,079,000.00	

It was moved by Moore and seconded by Regier that the Upper Big Blue NRD support the Cooperative Hydrologic Modeling and Assessment grant application to the Environmental Trust Fund, submitted by the Central Platte NRD; and to participate as a cosponsor by funding

\$47,000 in cash and approximately \$40,000 of in kind services, over three years beginning with the FY 2002 Budget. We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown

ITEM 21. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on September 12, 2000 and presented the committee's recommendations.

ITEM 22. PAYMENT TO NARD FOR FY 2001 DUES.

The Association has invoiced the District \$13,486.47 for the FY 2001 annual dues. The dues have been \$13,093.66 for the past three years. Staff recommends payment.

It was moved by Houdersheldt and seconded by Hultman to pay the Nebraska Association of Resources Districts \$13,486.47 for FY2001 dues. We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: Volkmer

NOT PRESENT: Brown

ITEM 23. APPROVE PURCHASE OF COMPUTERS AND PLOTTER.

Bitner and Sadler reviewed their computer replacement needs with the Executive Committee. The budget includes funds for the new computers they are requesting. Bitner and DeBuhr are also requesting that the District purchase a new plotter which can be networked into our system. Quotes have been obtained on four computers and one plotter. Turnbull recommends the purchase of equipment from Computer Spectrum, Inc. and DLT Solutions, as outlined below. Two old computers will be sold and two will be kept for limited use in the system.

Item	Computer Spectrum (\$)	IBM GSA (\$)	Gateway GSA (\$)	DLT Solutions (\$)	HP Business Store (\$)
Computer - Projects Department Pentium III, 800 MHZ 20 GB Disc Drive 128 MB RAM, Expandable to 384 MB CD ROM Recordable / Rewritable 22" Monitor	\$2,999	\$3,327	\$3,083	\$0	\$0
Computer - Projects Department Pentium III, 800 MHZ 20 GB Disc Drive	\$2,799	\$3,120	\$2,884	\$0	\$0

128 MB RAM, Expandable to 384 MB CD ROM 22" Monitor					
Computer - Projects Department Pentium III, 800 MHZ 20 GB Disc Drive 128 MB RAM, Expandable to 384 MB CD ROM 17" Monitor	\$1,899	\$2,501	\$2,414	\$0	\$0
Computer - Public Information Department Pentium III, 800 MHZ 20 GB Disc Drive 128 MB RAM, Expandable to 384 MB CD ROM 19" Monitor	\$2,228	\$3,120	\$2,884	\$0	\$0
Hewlett Packard 450 C Plotter Drawing Sizes thru 36" width Includes 36" wide roll feed Includes 10/100 network card	\$0	\$0	\$0	\$3,612	\$3,749
Install Computers & Network Connection	\$400	\$0	\$0	\$0	\$0
Totals	\$10,325	\$12,068	\$11,265	\$3,612	\$3,749

It was moved by Houdersheldt and seconded by Hultman to approve the purchase of four computers from Computer Spectrum, Inc. for \$10,325, and the purchase of one plotter from DLT Solutions for \$3,612, and to hire Computer Spectrum, Inc., to install the equipment for approximately \$400. We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown

ITEM 24. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met on September 14, 2000 and presented the committee's recommendations.

ITEM 25. PURCHASE BOAT DOCK FOR RECHARGE LAKE.

The District has received two quotes for a boat dock at Recharge Lake. The quotes are listed below.

Atlantic Medco, the Marina Co.

No Quote Submitted

Super Deck Marketing	\$11,703.00
Trade-Winds Distributing, Inc.	\$ 8,567.57

Staff recommends purchasing the boat dock from Trade-Winds Distributing. Trade-Winds Distributing can have the boat dock delivered by October 16, 2000. The District staff will install the boat dock at Recharge Lake. The total estimated cost of the boat dock and installation is \$8,900.

It was moved by Friesen and seconded by Luebbe that the Upper Big Blue Natural Resources District purchase the boat dock from Trade-Winds Distributing, Inc. for \$8,567.57 and have the NRD staff install the boat dock at Recharge Lake. We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown

ITEM 26. FISCAL YEAR 2001 TREE PROGRAM.

The tree prices from Bessey Nursery at Halsey, Nebraska will remain the same as last year. Staff wants to set the District tree prices now so they can be published in the fall newsletter instead of the winter newsletter.

Staff recommends the Upper Big Blue Natural Resources District charge 55¢ apiece for trees and shrubs and 35¢ apiece for planting.

It was moved by Friesen and seconded by Volkmer that the Upper Big Blue Natural Resources District adopts the following tree and planting cost for FY2001. Trees and shrubs 55¢ each and planting 35¢ each. We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown

ITEM 27. CORNERS FOR WILDLIFE PROGRAM FISCAL YEAR 2001.

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 FY2001. The application was submitted in September. If approved, the sign-up will begin in the Spring of 2001. Individuals interested in the Corners for Wildlife Program will need to make application this fall or early winter so that when the funds are approved, their application will be ready for approval.

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.

It was moved by Friesen and seconded by Austin that the Upper Big Blue Natural Resources District participate in the Corners for Wildlife Program in FY2001. We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown

ITEM 28. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Teegerstrom reported that the Water Committee met on September 14, 2000 and presented the committee's recommendations.

ITEM 29. *AQUIFER QUALITY WELL ABANDONMENT COST SHARE ASSISTANCE PROGRAM PAYMENTS.

There are three final payments totaling \$387.33. The staff recommends payment of these claims.

It was moved by Teegerstrom and seconded by Volkmer to approve final cost-share payments for three well abandonments as reviewed at a total cost of \$387.33. We approved the motion as a part of the consent agenda.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown, Regier

ITEM 30. WEST FORK-BIG BLUE RIVER TMDL.

Section 303(d) of the Clean Water Act requires States to address Total Maximum Daily Loads (TMDL) for "impaired water bodies." The West Fork-Big Blue River is classified as impaired because of high fecal coliform counts discovered during sampling in 1997. NDEQ has prepared a draft management plan. After discussion in August, the Committee directed the staff to prepare comments for the review in September. The comments are attached in the form of a letter to Mike Linder, Director of Environmental Quality.

It was moved by Teegerstrom and seconded by Regier to approve the comments on the draft TMDL for the West Fork of the Big Blue River for submittal to the Department of Environmental Quality. We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown

ITEM 31. CHEMIGATION PROGRAM.

The Water Committee reviewed the 2000 Chemigation program summary. The Committee also reviewed the proposed Blue River Basin Chemigation Inter-local Cooperative Agreement between the Little Blue, Lower Big Blue and Upper Big Blue NRDs. The purpose of this Agreement is to cooperatively conduct chemigation inspections that are required by Nebraska statutes. The Little Blue NRD has approved the agreement and the Lower Big Blue is also considering it this month.

It was moved by Teegerstrom and seconded by Regier to approve the Blue River Basin Chemigation Inter-local Cooperative Agreement. We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown

ITEM. 32. USGS JOINT FUNDING AGREEMENT.

The District has cooperated with the USGS for the joint maintenance of four automatic recorder wells, on a 50/50 basis. It is time to renew the agreement for FY2001. The cost for FY2001 is \$2,900 or \$1,450 for each agency.

It was moved by Teegerstrom and seconded by Regier to approve the Fiscal Year 2001 Joint Funding Agreement with the United States Geological Survey. We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,

Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown

**ITEM 33. FINANCIAL REPORT, AUGUST 1, 2000 THROUGH AUGUST 31, 2000,
AND CONSIDERATION OF EXPENDITURES FOR AUGUST 2000.**

Turnbull reviewed the financial report for the period August 1, 2000 through August 31, 2000 that we had distributed. It was moved by Volkmer and seconded by Austin to approve the financial report as presented and publish the expenditures for August 2000. We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown

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 September 19, 2000, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
October 19, 2000

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 19, 2000, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Russell Callan, Jay Bitner, Ken Feather, Prudence Sadler, Tim Schaaf, NRCS, Randy Mierau of Mierau & Company, and Ray Naber, Seward County Commissioner. Hansen called the meeting to order at 7:35 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on October 12, 2000.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Moore arrived at 7:41 p.m. and Buller arrived at 7:53 p.m..

ITEM 3. CONSIDERATION OF REQUESTS FOR EXCUSED ABSENCES.

Yvonne Austin requested an excused absence from the October 19, 2000 Board of Directors meeting.

It was moved by Regier and seconded by Volkmer to excuse the absence of Yvonne Austin from the October 19, 2000 Board of Directors meeting as requested. We approved the motion.

AYE: Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Buller, Moore

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Volkmer and seconded by Regier to adopt the consent agenda. We approved the motion.

AYE: Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,

Luebbe, Regier, Teegerstrom, Volkmer, Hansen
NAY: None
NOT PRESENT: Austin, Buller, Moore

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Volkmer and seconded by Regier to approve the agenda for the October 19, 2000 Board of Directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen
NAY: None
NOT PRESENT: Austin, Buller, Moore

ITEM 6. *APPROVAL OF MINUTES OF THE SEPTEMBER 19, 2000 BOARD OF DIRECTORS MEETING.

It was moved by Volkmer and seconded by Regier to approve the minutes of the September 19, 2000 Board of Directors meeting. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen
NAY: None
NOT PRESENT: Austin, Buller, Moore

ITEM 7. NARD REPORT.

Austin submitted a written report of the NARD Board Meeting held following the September Conference in Kearney, Nebraska. One item of note was that the NRCS funding for the NARD Program Coordinator's salary for the last quarter has not been received and no further funding will be forthcoming. The NARD Board will need to find an alternative method to fund the position. She also provided the board with a list of the final votes for Resolutions considered at the Fall Conference.

ITEM 8. NRCS REPORT.

Tim Schaaf of York NRCS updated the board on the WRP Program. Some NRD board members expressed their concern that under the program guidelines pits are being filled and the landowners are no longer required to reseed the area, but are allowed to let naturally occurring vegetation reseed itself.

ITEM 9. TRAILBLAZER RC&D REPORT.

Volkmer reported that the Trailblazer RC&D met August 28, 2000 and reviewed the minutes of that meeting.

ITEM 10. NEBRASKA GREAT PLAINS RC&D REPORT.

Teegerstrom reported on the September 18 meeting of the Nebraska Great Plains RC&D.

ITEM 11. PLATTE RIVER ADVISORY COMMITTEE REPORT.

Austin submitted a written report of the September 21, 2000 meeting with U.S. Fish & Wildlife and the methods used to establish target flows on the Platte River.

ITEM 12. PRESENTATION & REVIEW OF FISCAL YEAR 2000 AUDIT.

Each director received a copy of the FY 2000 audit earlier this month. The NRD's accountant, Randy Mierau, briefly reviewed the audit and compared it with the prior year's data. The auditor informed the board that there were no reportable conditions or findings relating to the audit. He stated that the NRD financial records are well kept.

It was moved by Volkmer and seconded by Regier to accept the fiscal year 2000 audit as presented. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

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

Jackson reported that the Projects Committee met on October 10, 2000 and presented the committee's recommendations.

ITEM 14. NRD LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Luebbe that payments of NRD land treatment funds be made in the amount of \$5,606.20 for two applications reviewed by the committee. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 15. NSWCP LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Volkmer that payments of NSWCP land treatment funds be made in the amount of \$6,869.56 for six applications reviewed by the Committee. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 16. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT.

Claim three has been submitted by the City of Seward for expenditures on the Big Blue River Flood Hazard Mitigation Project. The total amount of the claim is \$1,600. FEMA's share is \$1,200 and the City and NRD shares are each \$200.

It was moved by Jackson and seconded by Luebbe that payment of \$200 from NRD funds be made to the City of Seward, and that the District file a claim in the amount of \$1,200 for the FEMA share of claim three of the Big Blue River Flood Hazard Mitigation Project, and that \$1,200 of the FEMA share be paid to the City when it is received by the District. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 17. INDIAN CREEK PROJECT.

In September 2000 the Board decided to proceed with more detailed site investigations for the Indian Creek Project. The detailed work will evaluate two possible dam and reservoir sites, and will include additional aerial photography and mapping, preliminary drilling and testing, infiltration studies, preliminary environmental assessments, and economic evaluation. These detailed evaluations will help with decisions as to site selection, and whether to proceed with a grant application.

Additional mapping will be needed to evaluate a possible dam site on Indian Creek located north of Cordova. The site located west of Cordova was mapped in 1996. Staff has obtained proposals from Western Air Maps, Inc. for \$21,950 and Horizons, Inc. for \$24,800 to provide

photography and mapping. Both Western Air Maps and Horizons have done photography and mapping for the District on past projects. The NRD staff will provide horizontal and vertical ground control surveys. Staff recommends hiring Western Air Maps to provide the mapping services.

It was moved by Jackson and seconded by Hultman that Western Air Maps, Inc. be hired to provide aerial photography and mapping of the Indian Creek project site, located north of Cordova, in accordance with their proposal dated October 10, 2000, for a fixed fee of \$21,950. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Dickinson, Friesen, Jackson

NOT PRESENT: Austin

ITEM 18. PAYMENT TO VANKIRK BROTHERS FOR PROJECT MAINTENANCE.

VanKirk Brothers has completed maintenance work on the Hastings Northwest dam in Adams County and Benson dam in Clay County. Staff recommends that VanKirk Brothers be paid \$5,426 for work completed to date.

It was moved by Jackson and seconded by Luebbe that VanKirk Brothers Contracting, Inc. be paid \$5,426 for maintenance work completed on the Hastings Northwest and Benson dams. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 19. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on October 10, 2000 and presented the committee's recommendations.

ITEM 20. *PAYMENT OF THIRD QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Volkmer and seconded by Regier to approve payment of third quarter directors' per diem of \$8,750 and expenses of \$2,642.54. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Buller, Moore

ITEM 21. PAYMENT TO DLT FOR PURCHASE OF PLOTTER.

The computer plotter purchased from DLT of Herndon, Virginia has been received. DLT has submitted a \$3,231.00 invoice for the items we received. The total purchase price was \$3,612. One item was back ordered and will be invoiced separately.

Bitner informed the board that since the Executive Committee meeting the back ordered part was received and the plotter is on line and operating.

It was moved by Houdersheldt and seconded by Jackson to approve payment of \$3,231 to DLT of Herndon, Virginia for one Design Jet 450C plotter. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 22. REIMBURSEMENT TO LOWER PLATTE NORTH FOR SALARIES.

We received a bill from Lower Platte North NRD for \$4,871.67 for the Butler County NRCS Clerk's salary and \$72.29 for some part time technician work for January through June 2000.

It was moved by Houdersheldt and seconded by Jackson to approve payment of \$ 4,943.96 to the Lower Platte North NRD for NRCS office salaries for half of FY2000 (January 1 through June 30, 2000). We approved the motion.

AYE: Brown, Bruns, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: Buller, Houdersheldt, Moore

NOT PRESENT: Austin

ITEM 23. FISCAL YEAR 2000 AUDIT.

Mierau & Company has submitted an invoice for \$1,800 for conducting the audit. The cost is the same as last year.

It was moved by Houdersheldt and seconded by Hultman to approve payment of \$1,800 to Mierau & Co., P.C., for the FY2000 audit. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 24. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Education and Parks Committee met on October 12, 2000 and presented the committee's recommendations.

ITEM 25. PAYMENT TO TRADE WINDS DISTRIBUTING, INC. FOR RECHARGE LAKE BOAT DOCK.

The District staff has installed the boat dock at Recharge Lake. Trade Winds Distributing, Inc. delivered the dock to the District office for the quoted amount of \$8,567.57. Total spent on the boat dock to date is \$8,648.88.

It was moved by Volkmer and seconded by Luebbe that the Upper Big Blue NRD make payment of \$8,567.57 to Trade Winds Distributing, Inc. for the boat dock installed at Recharge Lake. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 26. FILLMORE CENTRAL HIGH SCHOOL OUTDOOR CLASSROOM COST-SHARE APPLICATION.

Fillmore Central High School has designed an outdoor classroom that includes a butterfly garden, native grasses and other native plants, lawn grasses for the horticulture classes, shrubs, a four-foot deep pond for the biology classes and water and electricity. The estimated cost is just under \$7,000. The school has pledged financial support and will apply to the Nebraska State Arboretum for funding. Our grant program allows them to match locally-raised funds at 50 percent with a limit of \$800 of NRD funds. NRD funds may be used for trees, shrubs, native grasses, ponds and related materials. NRD funding may be combined with school district

funding to match the state grant.

It was moved by Volkmer and seconded by Teegerstrom to approve Fillmore Central High School's application for cost-share assistance for an outdoor classroom for 50 percent of the local share of the cost of vegetative materials and other items related to natural resources education, not to exceed \$800. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

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

Teegerstrom reported that the Water Committee met on October 12, 2000 and presented the committee's recommendations.

ITEM 28. *AQUIFER QUALITY WELL ABANDONMENT COST SHARE ASSISTANCE PROGRAM PAYMENTS.

There are three final payments totaling \$793.98. The staff recommends payment of these claims.

It was moved by Volkmer and seconded by Regier to approve final cost-share payments for three well abandonments as reviewed at a total cost of \$793.98. We approved the motion as a part of the consent agenda.

AYE: Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Buller, Moore

ITEM 29. PAYMENT TO UNL WATER SCIENCE LABORATORY.

The University of Nebraska Water Science Laboratory completed 23 pesticide analyses for Recharge Lake and the monitoring wells near the lake. These are the last samples the District plans to collect.

It was moved by Teegerstrom and seconded by Brown to pay the University of Nebraska Water Science Laboratory \$2,587.50 for 23 pesticide analyses of water samples collected at Recharge

Lake. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 30. FINANCIAL REPORT, SEPTEMBER 1, 2000 THROUGH SEPTEMBER 30, 2000, AND CONSIDERATION OF EXPENDITURES FOR SEPTEMBER 2000.

Turnbull reviewed the financial report for the period September 1, 2000 through September 30, 2000 that we had distributed. It was moved by Regier and seconded by Volkmer to approve the financial report as presented and publish the expenditures for September 2000. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

There being no other business, we adjourned the meeting at 8:34 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on October 19, 2000, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
November 16, 2000

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 16, 2000, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, Rodney DeBuhr, Richard Jiskra of DNR, William Gilliam of NRCS, Dwight Johnson, Fredric Nickel, George Krause, Sandra Mitchell, Mike Sullivan, Melanie Wilkinson of York News-Times, Don L. Due, Katherine Due, Dean Harrison, Todd Ricenbaw, Stanley Rhodes, Jon D. Petersen, Don Petersen, Tom Petersen, Delayne Eberspacher, William Morgan, Gerald Lutz, Norman Lutz, Roger Johnson, Jr., Robert Scott, Steve Petersen, Lawrence Jensen, Roger Johnson, Sr., and Gerald Gery. Hansen called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on November 9, 2000.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Austin, Luebbe and Volkmer arrived at approximately 1:40 p.m..

ITEM 3. CONSIDERATION OF REQUESTS FOR EXCUSED ABSENCES.

There were no requests for excused absences.

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Teegerstrom and seconded by Regier to adopt the consent agenda. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Austin, Luebbe, Volkmer

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Teegerstrom and seconded by Regier to approve the agenda for the November

16, 2000 Board of Directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Austin, Luebbe, Volkmer

ITEM 6. *APPROVAL OF MINUTES OF THE OCTOBER 19, 2000 BOARD OF DIRECTORS MEETING.

It was moved by Teegerstrom and seconded by Regier to approve the minutes of the October 19, 2000 Board of Directors meeting. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Austin, Luebbe, Volkmer

ITEM 7. NARD REPORT.

Dickinson asked to be put on the Water Committee agenda for December to discuss the proposed NARD dues increase. It will be discussed with the Water Committee since the Budget, Planning & Legislative Committee will not meet in December. He highlighted the November 13, 2000 NARD Board meeting activities and reminded the board the NARD Legislative Conference will be held January 23 - 24, 2001 at the Embassy Suites in Lincoln.

ITEM 8. NRCS REPORT.

Bill Gilliam advised the board that because of the rain received this fall construction of land treatment practices was allowed to resume. Construction had been halted due to extremely dry conditions that made it difficult to achieve adequate compaction. He also advised the board that the next CRP sign-up will have a wetland provision attached to it. Land that is designated as wetlands, farmed wetlands, or previously converted wetlands, will be eligible for the CRP program. Gilliam gave a brief report on activities in Polk County. He told the board his office had been contacted by the Polk County Commissioners about a proposed hog confinement operation in that county and that the Commissioners requested technical information regarding soils. He stated this would be the extent of the NRCS involvement.

ITEM 9. DEPARTMENT OF NATURAL RESOURCES REPORT.

Richard Jiskra told the board that the physical move of the Department of Natural Resources is complete. Some additional work remains to be done to fully integrate the computer systems.

Dayle Williamson will stay approximately six months on a part time basis to help with the merger of the NNRC into the DNR. He also informed the board that Clint Johannes will fill the vacancy on the board brought about by the death of Dale Watermeier. Tri-Basin NRD has requested that drip irrigation be added to the NC-17 practice. The DNR Board will consider the request in December. He asked for input from the Upper Big Blue NRD Board.

ITEM 10. PLATTE BASIN MEETING REPORT.

Moore gave a brief summary of the NRD Platte Basin meeting held November 8 in North Platte.

ITEM 11. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Projects Committee met on November 7, 2000 and presented the committee's recommendations.

ITEM 12. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Buller and seconded by Luebbe that payment of NRD Land Treatment funds be made in the amount of \$2,515.36 for one application reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 13. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Buller and seconded by Austin that payments of NSWCP Land Treatment funds be made in the amount of \$25,692.95 for 19 applications reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 14. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT CLAIM.

Claim four has been submitted by the City of Seward for expenditures on the Big Blue River Flood Hazard Mitigation Project. The total amount of the claim is \$2,400. FEMA's share is \$1,800 and the City and NRD shares are each \$300.

It was moved by Buller and seconded by Brown that payment of \$300 from NRD funds be made

to the City of Seward, and that the District file a claim in the amount of \$1,800 for the FEMA share of claim four of the Big Blue River Flood Hazard Mitigation Project, and that \$1,800 of the FEMA share be paid to the City when it is received by the District. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM. 15. PROJECT PRIORITY LIST.

Over the past couple of years the following projects have been discussed by the staff and Projects Committee:

- Plum Creek Trail at Seward - the NRD and City have an Interlocal Agreement for implementing this project
- Pioneer Trails Lake Restoration - proposal to implement a combination of lake sealing and pumping to develop the lake as a fishery
- Kezan Creek Dam - proposal for a multipurpose dam and 200 acre ± reservoir near the Village of Garrison in Butler County

Staff recommends that these projects be added to the priority list at this time as priorities 8, 9, and 10 respectively, and that the list be considered for re-prioritization in January or February, prior to budget considerations for FY2002.

It was moved by Buller and seconded by Luebbe that the Plum Creek Trail at Seward, Pioneer Trails Lake Restoration, and Kezan Creek Dam be added to the Project Priority List as priorities 8, 9, and 10 respectively. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 16. PAYMENT TO VAN KIRK BROTHERS FOR PROJECT MAINTENANCE.

Maintenance work has been completed on the Bergan, Larson, Bruner, Urbanek-Hoeft, Miller, Vrbka, Percival-Erickson, Nuss, and Siebert dams. Staff recommends payment of \$33,487.54 to VanKirk Brothers for work completed in October. The contract amount is \$45,228.25, and the amount earned to date is \$38,913.54.

It was moved by Buller and seconded by Houdersheldt that VanKirk Brothers Contracting, Inc. be paid \$33,487.54 for maintenance work completed in October 2000 on the Bergan, Larson, Bruner, Urbanek-Hoeft, Miller, Vrbka, Percival-Erickson, Nuss, and Siebert dams. We

approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 17. LINCOLN CREEK PARKWAY PEDESTRIAN BRIDGE.

Work on the foundation for the Lincoln Creek pedestrian bridge at Aurora is nearly complete. All of the contractor labor and equipment for earthwork, grading, setting pile shells, and fabricating reinforcing steel has been donated by ABC Contracting of Aurora and Mid Nebraska Land Developers of Aurora. Overland Concrete donated the flowable fill grout for backfilling the pile shells. The University of Nebraska grant of \$11,500 for purchasing the steel pile shells, reinforcing steel, and structural concrete has nearly been expended. Staff is requesting that the Upper Big Blue NRD contribute funds to pay for concrete pumping and structural concrete, not to exceed \$1,500. The NRDs out of pocket expense to date, not including staff time is \$908.

It was moved by Buller and seconded by Austin that expenditure of additional NRD funds, not to exceed \$1,500, be approved for construction of the Lincoln Creek Parkway pedestrian bridge foundation. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 18. INDIAN CREEK PROJECT.

Approximately 25 people attended the board meeting to voice their support and opposition to the proposed Indian Creek Project.

George Krause addressed the board in support of the Indian Creek Project. He stated that he had the signatures of 430 people who are in favor of the project. He presented the list of names to the Upper Big Blue NRD Board for their review. The signatures are on file at the district office in York.

Delayne Eberspacher spoke to the board representing those in opposition to the further study, planning, or construction of the Indian Creek Project. He presented the board with a petition signed by 153 people who oppose the project. He told the board that the names on the petition are those of landowners, present and future heirs, and citizens who live in and around 5 miles of Cordova. The petition is on file at the Upper Big Blue NRD office in York.

The board had not proposed to take any action on the Indian Creek Project during the November 16, 2000 meeting and none was taken. Chairman Hansen thanked both the supporters and the

opposition for attending the meeting and advised them that the board would give the matter proper consideration.

ITEM 19. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on November 7, 2000 and presented the committee's recommendations.

ITEM 20. PAYMENT TO DLT FOR COMPUTER PLOTTER.

The computer plotter from DLT of Herndon, Virginia was received last month and \$3,231 was paid at that time. The total purchase price was \$3,612.00. An external port was back ordered. It is now installed and an additional bill for \$321.00 has been received.

It was moved by Houdersheldt and seconded by Hultman to approve payment of \$321.00 to DLT of Herndon, Virginia for one Jet 450C plotter external port. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Buller

ITEM 21. PAYMENT TO COMPUTER SPECTRUM FOR COMPUTERS.

The four new computers have been delivered and installed. The invoice from Computer Spectrum Inc. includes \$9,964 for the computers and \$676.74 for installation and setup, for a total of \$10,640.74. The amount approved at the September Board meeting was \$10,325. The installation took more time than the estimate and some additional minor parts were needed to complete the work. The Random Access Memory was increased in three of the computers for and additional \$1,346, which was approved on a purchase order signed by the General Manager. Five Hundred ninety-nine dollars of the additional cost are to be refunded to the District by COHYST. Two of the old computers have been sold for a total of \$300. The other two remain in service.

It was moved by Houdersheldt and seconded by Hultman to approve the payment for four computers and their installation to Computer Spectrum, Inc. for \$10,640.74. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 22. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Education and Parks Committee met on November 9, 2000 and presented the committee's recommendations.

ITEM 23. WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS FOR OCTOBER AND NOVEMBER 2000.

It was moved by Volkmer and seconded by Austin that the Upper Big Blue Natural Resources District make payments totaling \$4,121.25 to the cooperators of the Wildlife Habitat Improvement program for the months of October and November. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 24. WILD NEBRASKA CONTRACT WITH BETTGER BROTHERS.

The Bettger Brothers have submitted a *WILD Nebraska* contract. This contract will be done in three (3) phases.

Phase I-	Seed six acres to a warm season grass mix including ground prep	\$570.00
Phase II-	Seed 15 acres to a warm season grass mix including ground prep and public access	\$1443.00
Phase III-	Plant trees in and around the area including public access	\$476.25

The remaining 19 acres of the 40 acres will be covered with water. When twenty-five percent of the area has a depth of ten feet or more it will be stocked with fish. This area is all open to the public. Public access payments will be made in the amount of \$120 per year for the remaining eight years for a total of \$960. Total contract amount is \$3,449.25.

It was moved by Volkmer and seconded by Austin that the Upper Big Blue accept the *WILD Nebraska* contract from Bettger Brothers in the amount of \$3,449.25. We approved the motion.

AYE: Austin, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: Dickinson
NOT PRESENT: Brown

ITEM 25. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Teegerstrom reported that the Water Committee met on November 9, 2000 and presented the committee's recommendations.

ITEM 26. *AQUIFER QUALITY WELL ABANDONMENT COST SHARE ASSISTANCE PROGRAM PAYMENTS.

There are four final payments totaling \$845.01. The staff recommends payment of these claims.

It was moved by Teegerstrom and seconded by Regier to approve final cost-share payments for four well abandonments as reviewed at a total cost of \$845.01. We approved the motion as a part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Austin, Luebbe, Volkmer

ITEM 27. PAYMENT TO USGS FOR RECORDER WELLS.

It was moved by Teegerstrom and seconded by Regier to pay the US Geological Survey \$1,370 for the District's share of operation and maintenance of the Aurora, Burress, Rising City and Seward automatic recorder wells. We approved the motion.

AYE: Austin, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown

ITEM 28. FINANCIAL REPORT, OCTOBER 1, 2000 THROUGH OCTOBER 31, 2000, AND CONSIDERATION OF EXPENDITURES FOR OCTOBER 2000.

Turnbull reviewed the financial report for the period October 1, 2000 through October 31, 2000 that we had distributed. It was moved by Volkmer and seconded by Austin to approve the financial report as presented and publish the expenditures for October 2000. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

There being no other business, we adjourned the meeting at 3:15 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on November 16, 2000, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
December 21, 2000

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, December 21, 2000, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, Rodney DeBuhr, Russell Callan, Russ Gierhart, Randy Saathoff, Jeff Ball, Rita Hoblyn, Stephanie Mousel, William Gilliam and Tim Schaaf of NRCS, Wes Eberspacher, Delayne Eberspacher, Jerry Vandersnick and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on December 14, 2000.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll. Friesen arrived at 1:35 p.m. and Luebbe arrived at 1:50 p.m.

ITEM 3. CONSIDERATION OF REQUESTS FOR EXCUSED ABSENCES.

There were no requests for excused absences.

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Volkmer and seconded by Regier to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Dickinson

NOT VOTING: Friesen

NOT PRESENT: Luebbe

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Volkmer and seconded by Regier to approve the agenda for the December 21, 2000 Board of Directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: Dickinson

NOT VOTING: Friesen

NOT PRESENT: Luebbe

ITEM 6. *APPROVAL OF MINUTES OF THE NOVEMBER 16, 2000 BOARD OF DIRECTORS MEETING.

It was moved by Volkmer and seconded by Regier to approve the minutes of the November 16, 2000 Board of Directors meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: Dickinson

NOT VOTING: Friesen

NOT PRESENT: Luebbe

ITEM 7. PLATTE RIVER COOPERATIVE AGREEMENT REPORT.

Jerry Vandernick, of Nebraska Department of Natural Resources, gave a presentation on the Platte River Cooperative Agreement.

ITEM 8. NRCS REPORT.

Bill Gilliam updated the board on the NRCS activities in the Upper Big Blue NRD. He requested to be placed on the January Projects Committee agenda to discuss land treatment program cost-share rates.

ITEM 9. NEBRASKA STATE IRRIGATION ASSOCIATION REPORT.

Earl Hultman and John Turnbull reported on the Nebraska State Irrigation Association meeting they attended November 19-21, 2000 in Grand Island.

ITEM 10. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Projects Committee met on December 12, 2000 and presented the committee's recommendations.

ITEM 11. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Buller and seconded by Luebbe that payments of NRD land treatment funds be made in the amount of \$38,365.54 for 11 applications reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 12. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Buller and seconded by Austin that payments of NSWCP land treatment funds be made in the amount of \$21,315.55 for 16 applications reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 13. *PAYMENT FOR NEBRASKA BUFFER STRIP PROGRAM.

There are currently 557.7 acres under contract in the Nebraska Buffer Strip Program with annual payments totaling \$35,387.84. Most of the contracts are for 10 years. A payment of \$1,317.84 is due on one contract for the October through December period.

It was moved by Volkmer and seconded by Regier that payment of Nebraska Buffer Strip Program funds be made in the amount of \$1,317.84 for one contract reviewed by the committee. We approved the motion as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: Dickinson
NOT VOTING: Friesen, Houdersheldt
NOT PRESENT: Luebbe

ITEM 14. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT CLAIM FIVE.

Claim five has been submitted by the City of Seward for expenditures on the Big Blue River Flood Hazard Mitigation Project. The total amount of the claim is \$209,571.19. FEMA's share is \$157,178.39. The City and NRD shares are each \$26,196.40.

It was moved by Buller and seconded by Brown that payment of \$26,196.40 from NRD funds be made to the City of Seward and that the District file a claim in the amount of \$157,178.39 for the

FEMA share of claim five of the Big Blue River Flood Hazard Mitigation Project and that \$157,178.39 of the FEMA share be paid to the City when it is received by the District. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 15. PAYMENT TO WESTERN AIR MAPS FOR AERIAL PHOTOGRAPHY OF THE INDIAN CREEK SITE.

Western Air Maps has submitted an invoice for aerial photography of the Indian Creek Project. Detailed mapping from the aerial photography will be completed after the district finishes ground control surveys. Staff recommends payment to Western Air Maps for work completed.

It was moved by Buller and seconded by Hultman that Western Air Maps be paid \$2,950 for aerial photography completed on the Indian Creek Project. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

Delayne Eberspacher addressed the board on behalf of the citizens opposed to the Indian Creek project. He expressed concerns about the effects of the project on water quality in and around Cordova and said that removing land from production would harm local businesses, such as the Co-op which is the main employer. He also stated that the local fire department is not equipped to transport victims should there be an accident at the dam. They are currently a volunteer department with only first responder status. He questioned where the funding would come from to upgrade equipment and hire EMTs.

ITEM 16. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Hultman reported that the Executive Committee met on December 12, 2000 and presented the committee's recommendations.

ITEM 17. NARD VOTING DELEGATE AND ALTERNATE.

It was moved by Hultman and seconded by Brown to appoint Doug Dickinson as the Voting Delegate and Yvonne Austin as the Alternate for the January 2001 NARD Conference. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 18. PAYMENT OF GREAT PLAINS RC&D ANNUAL DUES.

A bill has been received from the Nebraska Great Plains RC&D for annual dues of \$150. The annual dues for the Trailblazer and South Central RC&Ds have each been \$50.

It was moved by Hultman and seconded by Teegerstrom to approve payment of \$150 to the Great Plains RC&D for 2001 dues.

The question arose about how the dues being requested were computed. Teegerstrom told the board that he had intended to ask that question at the RC&D meeting scheduled for December 18, but the meeting was cancelled due to weather.

It was moved by Volkmer and seconded by Teegerstrom to table the matter until the next board meeting. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Dickinson, Friesen

ITEM 19. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Education and Parks Committee met on December 14, 2000 and presented the committee's recommendations.

ITEM 20. ULYSSES TOWNSHIP CEMETERY TREE PLANTING AND RENOVATION PROJECT.

The Education & Parks Committee discussed removing old and planting new trees at the Ulysses Township Cemetery located in the SE ¼ of Section 29, Township 13 North, Range 2 East Butler County. Cemetery board representative Don Mashek presented plans on what the cemetery board wanted to accomplish. The current trees were planted in the early 1900's when the cemetery was laid out. The plans include planting one row of trees on the north and west which would consist of scotch pine, Austrian pine, and white pine spaced 18 feet apart. The total distance is approximately 950 feet. The plans are to use four and five foot pines at a cost of \$90 each with a total number of 52 trees at a cost of \$4,680. The state average cost for windbreak renovation for the District is \$2,109.20 per acre. There would be twenty-two hundredths (.22) of an acre of trees that would need renovated for a cost-share rate of \$460. The total cost of the project would be approximately \$5,140. Under the windbreak renovation program there is a 75% cost-share for removal of trees (460 x 75%= \$345). The cemetery board is also checking with the Nebraska State Arboretum on a matching grant through the Tree Recovery Program

which is state allocated monies. NRD monies are not eligible for their match.

It was moved by Volkmer and seconded by Luebbe that the Upper Big Blue Natural Resources District fund the Ulysses Township Cemetery Tree Planting and Renovation project in the amount not to exceed \$1,515. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Dickinson

ITEM 21. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Teegerstrom reported that the Water Committee met on December 14, 2000 and presented the committee's recommendations.

ITEM 22. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS SPECIAL DUES ASSESSMENT.

This item was discussed by the Water Committee because there was no Budget, Planning and Legislative Committee meeting in December. The NARD's Fiscal Planning and Budget Committee has recommended a special dues assessment of 8% to each NRD over a two-year period for a total of 16%. The first assessment would be made in March 2001. Dickinson reported that this is due to the NRCS paying only \$9,000 of an expected \$37,500, leaving a short fall of \$28,500. NARD staff recommended several budget cuts to reduce the deficit. However, even with the additional assessment, the NARD cash reserve will be severely reduced. The committee discussed several concerns including the reduction of the NARD cash reserve, the NRD having to pay additional dues and the NRCS' failure to meet their obligations and how the NRD could make up the additional cost in the budget without raising taxes.

Dickinson told the board that the NARD Fiscal Planning & Budget Committee had originally proposed a 16% special assessment. Some of the districts felt they couldn't pay the full amount in one year, so it was suggested they assess half this fiscal year and half the next fiscal year. The NARD would use money from their cash reserve until the second half of the assessment is collected. Dickinson stated he did not want the NARD to use money from their cash reserve.

It was moved by Teegerstrom and seconded by Moore to continue to support the Nebraska Association of Resources Districts and pay the additional assessment.

The motion was amended by Austin and seconded by Buller to add "and to present the 16% increase as our preferred option in order to leave the cash reserve intact." We approved the amendment.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen
NAY: Volkmer

We approved the original motion as amended.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen
NAY: Volkmer

ITEM 23. *AQUIFER QUALITY WELL ABANDONMENT COST SHARE ASSISTANCE PROGRAM PAYMENTS.

There are nineteen final payments totaling \$5,282.30. The staff recommends payment of these claims.

It was moved by Volkmer and seconded by Regier to approve final cost-share payments for nineteen well abandonments as reviewed at a total cost of \$5,282.30. We approved the motion as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier,
Teegerstrom, Volkmer, Hansen
NAY: Dickinson
NOT VOTING: Buller, Friesen
NOT PRESENT: Luebbe

ITEM 24. PURCHASES OF WELLHEAD PROTECTION AREA PROGRAM SIGNS.

The Department of Environmental Quality has authorized the amendment of the District's Wellhead Protection Area Assistance Program grant to include \$5,000 for signs to be installed in wellhead protection areas to increase public awareness. The NRD's contribution is the labor for installation and \$152.80 for the remaining sign and material costs.

It was moved by Teegerstrom and seconded by Austin to authorize the purchase of 113 wellhead protection area signs and posts at a cost of \$5,152.80. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 25. FINANCIAL REPORT, NOVEMBER 1, 2000 THROUGH NOVEMBER 30, 2000, AND CONSIDERATION OF EXPENDITURES FOR NOVEMBER 2000.

Turnbull reviewed the financial report for the period November 1, 2000 through November 30, 2000 that we had distributed. It was moved by Regier and seconded by Austin to approve the financial report for November 2000 as presented, make payments for the accounts payable, with the exception of the \$150 to Nebraska Great Plains RC&D, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Moore

There being no other business, we adjourned the meeting at 4:24 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 21, 2000, 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.

Earl Hultman, Secretary

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BOARD OF DIRECTORS MEETING
January 18, 2001

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 18, 2001, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, Rodney DeBuhr, William Gilliam of NRCS, Darren Eberspacher, Delayne Eberspacher, Darcee Fricke, Gerald Lutz, William Morgan and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on January 11, 2001.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Luebbe arrived later in the meeting.

ITEM 3. DIRECTORS' OATHS OF OFFICE.

Turnbull administered the oaths of office for Houdersheldt, Bruns, Volkmer, Friesen, Eberle and Buller who were elected in the November general election.

ITEM 4. CONSIDERATION OF REQUESTS FOR EXCUSED ABSENCES.

Austin requested she be excused from the January 18, 2001 board of directors meeting.

It was moved by Regier and seconded by Jackson to excuse the absence of Yvonne Austin from the January 18, 2001 Board of Directors meeting as requested. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Luebbe

ITEM 5. SUBDISTRICT SIX VACANCY.

Ed Ediger had filed for reelection to subdistrict six and was running unopposed. Ediger died February 25, 2000, after the filing deadline for non incumbents had passed. The Secretary of State's office removed Ediger's name from the ballot and there were no candidates for subdistrict six in either the primary or general election. On May 18, 2000, the Upper Big Blue

NRD Board interviewed three candidates for the seat in subdistrict six and appointed Jerl Joseph to fill the remainder of Ediger's unexpired term, which ran until January 2001.

A vacancy again exists in subdistrict six. In light of the fact that it has been such a short time since the board advertised and interviewed for the seat in subdistrict six the Executive Committee has recommended that the board waive their operating policy on appointments to the board and reappoint Jerl Joseph to fill the vacancy in subdistrict six.

It was moved by Houdersheldt and seconded by Volkmer that the Board of Directors waive Operating Policy No. 3: Directors' Vacancies, and appoint Jerl Joseph for the remainder of the unexpired term in subdistrict six, which runs until January 2005. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Luebbe

ITEM 6. OATH OF OFFICE FOR JERL JOSEPH.

Turnbull administered the oath of office to Jerl Joseph.

ITEM 7. PUBLIC COMMENTS.

Delayne Eberspacher addressed the board in opposition to the proposed Indian Creek project.

ITEM 8. *ADOPTION OF CONSENT AGENDA.

Turnbull advised the board that the AQWACAP report presented to the Water Committee for final payments incorrectly showed the landowner's share instead of the NRD's share for Harold Schlechte. The NRD share is \$352.92. The correct total for all finals should be \$1,688.78.

It was moved by Jackson and seconded by Regier to adopt the consent agenda with the correction to the AQWACAP final payments. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 9. *ADOPTION OF AGENDA.

It was moved by Jackson and seconded by Regier to approve the agenda for the January 18, 2001 Board of Directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 10. *APPROVAL OF MINUTES OF THE DECEMBER 21, 2000 BOARD OF DIRECTORS MEETING.

It was moved by Jackson and seconded by Regier to approve the minutes of the December 21, 2000 Board of Directors meeting. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 11. NRCS REPORT.

William Gilliam of the York NRCS Office advised the board that Nebraska has received approval for two new RC&Ds, Loess Hills and Trailblazer. He told the board that he had been notified of the receipt of EQIP funding for Nebraska in the range of \$450,000. The NRCS has been taking applications for the funding all year and can now rank the applications and submit them.

ITEM 12. TRAILBLAZER RC&D REPORT.

Volkmer presented a handout to the board on the Trailblazer RC&D and restated that the Trailblazer had received funding approval.

ITEM 13. NEBRASKA GREAT PLAINS RC&D REPORT.

The motion regarding payment of dues to the Nebraska Great Plains RC&D was tabled at the December 21, 2000 board of directors meeting.

It was moved by Moore and seconded by Luebbe to take from the table the motion relating to the payment of dues for the Nebraska Great Plains RC&D. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Jackson

NOT PRESENT: Austin

There was concern last month about the request for \$150 in dues from the Nebraska Great Plains

RC&D since the NRD only pays \$50 to Trailblazer and \$25 to South Central Nebraska RC&D.

It was moved by Moore and seconded by Volkmer that payment of \$50 from NRD funds be made to the Nebraska Great Plains RC&D for the 2001 dues. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Dickinson

NOT PRESENT: Austin

ITEM 14. GROUNDWATER MANAGEMENT DISTRICTS ASSOCIATION CONFERENCE REPORT.

Eberle gave a short report on the GMDA Conference held January 7-10, 2001 in New Orleans.

ITEM 15. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jackson reported that the Projects Committee met on January 9, 2001 and presented the committee's recommendations.

ITEM 16. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Jackson and seconded by Luebbe that payments of NRD Land Treatment funds be made in the amount of \$14,187.04 for four applications reviewed by the Committee. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 17. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Jackson and seconded by Teegerstrom that payments of NSWCP Land Treatment funds be made in the amount of \$9,810.80 for four applications reviewed by the Committee. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Houdersheldt

NOT PRESENT: Austin

ITEM 18. BIG BLUE RIVER FLOOD HAZARD MITIGATION CLAIM.

Claim six has been submitted by the City of Seward for expenditures on the Big Blue River Flood Hazard Mitigation Project. The total amount of the claim is \$4,413.25. FEMA's share is \$3,309.94 the City's share is \$551.66, and the NRD's share is \$551.65.

It was moved by Jackson and seconded by Luebbe that payment of \$551.65 from NRD funds be made to the City of Seward, and that the District file a claim in the amount of \$3,309.94 for the FEMA share of claim six of the Big Blue River Flood Hazard Mitigation Project, and that \$3,309.94 of the FEMA share be paid to the City when it is received by the District. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 19. JOHNSON CREEK SITE 10.

The Nebraska Department of Environmental Quality has notified the NRDs that grant funds are available for projects, such as Johnson Creek Site 10, where recycled tires can be used as part of the constructed facilities. Staff is requesting authorization to submit a grant application for Johnson Creek Site 10 to help fund construction. The deadline for submitting an application is February 1, 2001.

The landowner and District have not yet decided to proceed with the project. If the grant is approved, and the landowner or NRD decides not to proceed with the project, the grant can be refused.

It was moved by Jackson and seconded by Regier that staff is authorized to submit an application to the Nebraska Department of Environmental Quality for a Waste Reduction and Recycling Incentive Grant to be used for construction on the Johnson Creek Site 10 Project. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 20. PROJECT PRIORITIES.

The Projects Committee reviewed the status and priority of existing projects being conducted by the District. New priorities were assigned to expedite some projects that are nearing completion.

The Plum Creek Trail priority was set higher since NDOR has approved the TEA 21 grant; design will probably be done in 2001 and construction in 2002. The Henderson Industrial Park Drainage Improvement Project was set lower since the City has not adopted the plan, and is not currently pursuing funding for construction; final design remains to be completed. The Lincoln Creek Parkway Pedestrian Bridge priority was set lower since the foundation work is completed, and the NRD's role is reduced to advisory and construction inspection.

It was moved by Jackson and seconded by Volkmer that the District adopts the following priorities for projects being conducted by the District:

Priority	Project
1	Northwest Drainage Master Plan - Seward
2	School Creek Flood Plain Mapping - Sutton
3	Plum Creek Trail - Seward
4	Johnson Creek Site 10 Erosion Control Project - Saline County
5	Indian Creek Dam - Cordova
6	Big Blue River Flood Hazard Mitigation Project - Seward
7	Develop Pioneer Trails Lake For Fishing - Aurora
8	Kezan Creek Dam - Garrison
9	Industrial Park Drainage Improvements - Henderson
10	Lincoln Creek Parkway Pedestrian Bridge - Aurora

We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 21. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on January 9, 2001 and presented the committee's recommendations.

ITEM 22. FOURTH QUARTER DIRECTORS' PER DIEM AND EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses for the fourth quarter of 2000.

It was moved by Jackson and seconded by Regier to approve payment of directors' per diem of \$6,200 and expenses of \$1,918.39. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 23. SOUTH CENTRAL NEBRASKA RC&D ANNUAL DUES.

The South Central Nebraska RC&D dues for this year are \$25. The Executive Committee recommends payment.

It was moved by Houdersheldt and seconded by Hultman to approve payment of \$25 to the South Central Nebraska RC&D for 2001 dues. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Dickinson

NOT PRESENT: Austin

ITEM 24. PAYMENT OF NEBRASKA WATER RESOURCES ASSOCIATION DUES.

It was moved by Houdersheldt and seconded by Hultman to approve payment of \$1200 to the Nebraska Water Resources Association for 2001 dues. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 25. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met on January 11, 2001 and presented the committee's report. There were no items requiring board action.

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

Friesen reported on the Nominating Committee's meeting and presented the slate of candidates for the 2001 election of officers.

It was moved by Friesen and seconded by Brown to accept the Nominating Committee's report and proceed with voting. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

Hansen turned the meeting over to Vice Chairman Houdersheldt during the election of the chairman.

ITEM 27. NOMINEES FOR CHAIRMAN.

The nominees for chairman of the board were Wayne Hansen and Ken Regier. Regier asked that his name be withdrawn from consideration. Nominations from the floor were requested. Luebbe nominated Gus Brown.

It was moved by Jackson and seconded by Friesen that nominations for the office of chairman cease and the board proceed with voting. We approved the motion.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Brown

NOT PRESENT: Austin

The board members were asked to cast their ballots for chairman. Bitner and Sadler were instructed to collect and count the ballots. Hansen was elected chairman by a vote of eleven to five.

ITEM 28. NOMINEES FOR VICE CHAIRMAN.

The nominees for vice chairman were Roger Houdersheldt and Linda Luebbe. There were no other nominations from the floor, so the chair instructed the members to cast their ballots. Houdersheldt was elected vice chairman by a vote of twelve to four.

ITEM 29. NOMINEES FOR SECRETARY.

The nominees for secretary were Earl Hultman and Jim Jackson. There were no nominations from the floor, so the chair instructed the members to cast their ballots. Hultman was elected

secretary by a vote of eleven to five.

ITEM 30. NOMINEES FOR TREASURER.

The nominees for treasurer were Steve Buller and Gary Eberle. There were no nominations from the floor, so the chair instructed the members to cast their ballots. The first round of voting resulted in a tie. The board members were instructed to vote again. Buller was elected treasurer by a vote of nine to seven.

ITEM 31. NOMINEES FOR NARD REPRESENTATIVE & VOTING DELEGATE.

The nominee for NARD representative and voting delegate was Doug Dickinson. The nominee for NARD alternate was Yvonne Austin.

It was moved by Moore and seconded by Friesen to accept the Nominating Committee's recommendations for NARD Representative and Alternate and cast a unanimous ballot. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Dickinson

NOT PRESENT: Austin

ITEM 32. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Teegerstrom reported that the Water Committee met on January 11, 2001 and presented the committee's recommendations.

ITEM 33. *AQUIFER QUALITY WELL ABANDONMENT COST SHARE ASSISTANCE PROGRAM PAYMENTS.

There are five final payments totaling \$1,688.78. The staff recommends payment of these claims.

It was moved by Jackson and seconded by Regier to approve final cost-share payments for five well abandonments as reviewed at a total cost of \$1,688.78. We approved the motion as a part of the consent agenda.

AYE: Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Buller

NOT PRESENT: Austin

ITEM 34. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

The Budget, Planning & Legislative Committee discussed Senator Stuhr's proposed bill (LB 709) which would prevent NRDs from using eminent domain for recreation or park facilities. The committee consensus was that this bill is not in the district's best interest. The Upper Big Blue NRD's projects are multipurpose, not solely recreational, and this bill would make multipurpose projects difficult to achieve. The committee made no recommendation.

It was moved by Regier and seconded by Houdersheldt to oppose the bill LB 709 as written. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 35. FINANCIAL REPORT, DECEMBER 1, 2000 THROUGH DECEMBER 31, 2000, AND CONSIDERATION OF EXPENDITURES FOR DECEMBER 2000.

Turnbull reviewed the financial report for the period December 1, 2000 through December 31, 2000 that we had distributed. It was moved by Volkmer and seconded by Brown to approve the financial report for December 2000 as presented, make payments for the accounts payable, and publish the expenditures. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

There being no other business, we adjourned the meeting at 3:46 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify

that these are true and correct minutes of the meeting of the Board of Directors of the District held on January 18, 2001, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
February 15, 2001

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 15, 2001, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, Rodney DeBuhr, Rita Hoblyn, Russ Gierhart, William Gilliam of York NRCS and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on February 8, 2001.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll. Friesen arrived at 1:38 p.m. and Luebbe arrived at 1:41 p.m..

ITEM 3. *ADOPTION OF CONSENT AGENDA.

It was moved by Teegerstrom and seconded by Austin to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Friesen, Luebbe

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Teegerstrom and seconded by Austin to approve the agenda for the February 15, 2001 Board of Directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Friesen, Luebbe

ITEM 5. *APPROVAL OF MINUTES OF THE JANUARY 18, 2001 BOARD OF DIRECTORS MEETING.

It was moved by Teegerstrom and seconded by Austin to approve the minutes of the January 18, 2001 Board of Directors meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Friesen, Luebbe

ITEM 6. NARD REPORT.

Dickinson told the board that Steve Chick of NRCS has indicated they may be able to contribute \$10,000 to the NARD for the Information & Education Coordinator's position. If so, this will decrease the additional dues assessments needed from each district. He also stated that the Upper Big Blue NRD will host the November 2001 NARD Board of Directors meeting to be held at the Holiday Inn Express.

ITEM 7. NRCS REPORT.

Bill Gilliam handed out copies of the NRCS Annual Report for Fiscal Year 2001.

ITEM 8. RC&D REPORTS.

Merlin Volkmer and Vance Teegerstrom presented the board with minutes of the most recent meetings of the Trailblazer and Nebraska Great Plains RC&Ds.

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

Jackson reported that the Projects Committee met on February 6, 2001 and presented the committee's recommendations.

ITEM 10. PAYMENT FROM NSWCP LAND TREATMENT PROGRAM FUND.

It was moved by Jackson and seconded by Luebbe that payment of NSWCP land treatment funds be made in the amount of \$812.52 for one application reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 11. JANUARY PAYMENT OF NSWCP LAND TREATMENT PROGRAM FUNDS TO MARK JOST.

The January 2001 NSWCP payment request for Mark Jost should have been \$3,892 rather than \$2,268. The \$1,624 increase was due to an NRCS design change from an 8" diameter to 10" diameter pipe at the time of construction. NRCS did not record the diameter change on the final payment request. Staff made the correction after the January board meeting and forwarded the corrected payment request to NDNR.

It was moved by Jackson and seconded by Austin that the NSWCP payment request for Mark Jost, which was approved at the January 2001 board of directors meeting, be increased from \$2,268 to \$3,892 to correct an error in the payment calculation. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 12. CONSIDERATION OF NEW LAND TREATMENT PROGRAM PRACTICE.

The Nebraska Soil and Water Conservation Program (NSWCP) has approved a new practice for "Subsurface Drip Irrigation Systems." The practice is part of NC-17, Irrigation Water Management. Drip irrigation systems would be eligible for NSWCP cost-share if they are designed and installed in accordance with NRCS standards and specifications. The maximum cost-share would be 50% of county average cost, or 50% of actual cost, whichever is less. Cost-share would be allowed on only those systems that have been irrigated four of the five years prior to application, and utilize ground water as their water source. All components of the system are eligible, except pumping plants, fertilizer or chemical injection systems, and electrical components.

The Projects Committee discussed the practice, and reviewed the practice requirements and program description.

It was moved by Jackson and seconded by Brown that the District's Land Treatment Programs be amended to include Subsurface Drip Irrigation as eligible for NSWCP cost-share under the practice NC-17, and that the Practice Description as reviewed by the Committee be adopted.

Following some discussion by the board on the need to cost-share on this type of practice and pursuant to Upper Big Blue NRD Operating Policy 9, Section X, Dickinson requested that the matter be held over until the March board of directors meeting.

ITEM 13. FINAL PAYMENT TO VAN KIRK BROTHERS FOR FY 2001 PROJECT MAINTENANCE.

Van Kirk Brothers have completed FY2001 maintenance on 15 projects owned and operated by the District. The total contract amount is \$45,228.25 and the final payment request is \$5,810.

It was moved by Jackson and seconded by Luebbe that Van Kirk Brothers Contracting, Inc. be paid \$5,810 as final payment for maintenance work completed in FY2001 on District owned projects. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 14. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT CLAIM & PAYMENT.

Claim seven has been submitted for expenditures on the Big Blue River Flood Hazard Mitigation Project. The total amount of the claim is \$871.42. FEMA's share is \$653.57, the City's share is \$108.93 and the NRD's share is \$108.92.

It was moved by Jackson and seconded by Austin that payment of \$97.83 from NRD funds be made to the City of Seward and that the District file a claim in the amount of \$653.57 for the FEMA share of claim seven of the Big Blue River Flood Hazard Mitigation Project, and that \$620.25 of the FEMA share be paid to the City when it is received by the District. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 15. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on February 6, 2001 and presented the committee's recommendations.

ITEM 16. COMMITTEE ASSIGNMENTS FOR 2001-2002.

The Executive Committee reviewed past committee assignments and considered individual board member requests for committee assignments. They submitted their recommendations for committee assignments for the years 2001 and 2002.

Austin asked to be reassigned so that she could attend two committee meetings on the same day. She explained that she has to take time off work to attend meetings and this would keep her absence from work to a minimum. Houdersheldt was moved to Projects and Austin moved to

Water. Each committee will select their own chair and vice chair. The committee assignments are listed below.

COMMITTEE ASSIGNMENTS 2001-2002

Projects Committee

Houdersheldt
Buller
Friesen
Hultman
Jackson
Joseph
Luebbe
Volkmer

Water Committee

Brown
Bruns
Eberle
Austin
Hultman
Joseph
Moore
Teegerstrom

Budget Committee

Brown
Buller
Dickinson
Eberle
Friesen
Houdersheldt
Moore
Regier

Ed/Parks Committee

Austin
Bruns
Dickinson
Jackson
Luebbe
Regier
Teegerstrom
Volkmer

It was moved by Houdersheldt and seconded by Jackson to approve the 2001 and 2002 committee assignments. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 17. PROPOSED CHANGE TO OPERATING POLICY 10: AGENDA OF BOARD MEETINGS.

Turnbull recommended that the consent agenda items be expanded to include NRD and NSWCP land treatment payments, Wild Nebraska and Corners for Wildlife payments.

It was moved by Houdersheldt and seconded by Hultman to amend Operating Policy #10: Agenda of Board Meetings as presented.

Some board members expressed concern about expanding the consent agenda and said they

aren't comfortable with the consent agenda concept. After some discussion, Moore requested the matter be held over until the March board of directors meeting.

ITEM 18. PROPOSED CHANGES TO OPERATING POLICY 13: OFFICERS OF THE BOARD.

Turnbull recommended the Nominating Committee not be required to present a slate of two candidates for each officer's position. The Executive Committee proposed a wording change that would require a minimum of one name for each office.

It was moved by Houdersheldt and seconded by Friesen to amend Operating Policy #13: Officer of the Board as presented.

There was discussion about the current procedure being used by the Nominating Committee and the difficulty they sometimes have finding board members who want to be officers of the board. Austin asked that the matter be held over until the March board of directors meeting.

ITEM 19. NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS DUES FOR 2001.

The 2001 dues for the National Association of Conservation Districts are \$1,700. The dues are based on budget size with the minimum being \$725 and the maximum \$1,700. Because of their size, the Nebraska districts always pay the maximum. Staff recommended payment.

It was moved by Houdersheldt and seconded by Hultman to approve payment of \$1,700 to the National Association of Conservation Districts for 2001 dues. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 20. PAYMENT TO CROSBY, GUENZEL, DAVIS, KESSNER & KUESTER FOR ATTORNEY FEES.

The attorney fees for the month are \$3,446.80 for work relating to the Platte River issues and attending the Budget Committee meeting in January. Staff recommends payment.

It was moved by Houdersheldt and seconded by Hultman to approve payment of \$3,446.80 to Crosby, Guenzel, Davis, Kessner & Kuester for Steve Seglin's work through January 20, 2001. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,

Jackson, Joseph, Luebbe, Moore, Regier, Volkmer, Hansen

NAY: None

NOT PRESENT: Teegerstrom

ITEM 21. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Friesen reported that the Education and Parks Committee met on February 8, 2001 and presented the committee's report.

ITEM 22. WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS FOR FEBRUARY.

It was moved by Friesen and seconded by Volkmer that the Upper Big Blue Natural Resources District make payments totaling \$1,907.50 to the cooperators of the Wildlife Habitat Improvement Program for the month of February. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Dickinson

ITEM 23. COMMUNITY FORESTRY PROGRAM II, FILLMORE COUNTY COURTHOUSE.

Les Wilcox representing Fillmore County came to the Education & Parks Committee meeting and gave a presentation to the Committee about the plans that the County has for replacing the old trees and planting new trees on the property owned by the county where the Fillmore County Courthouse is located. The County is also working with the City of Geneva in planting additional trees and shrubs along the street right-of-way adjacent to the courthouse. The County has plans to plant 16 trees and shrubs around the courthouse area for a cost not to exceed \$1000.

The Upper Big Blue NRD policy is that the District will provide a 50 percent matching grant with a maximum of \$1000 and a minimum of \$200.

It was moved by Friesen and seconded by Volkmer that the Upper Big Blue Natural Resources District fund 50% of the estimated cost of the tree and shrub planting for the area around the Fillmore County Courthouse not to exceed \$500. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 24. REPORT OF WATER COMMITTEE AND CONSIDERATION OF

RECOMMENDATIONS.

Teegerstrom reported that the Water Committee met on February 8, 2001 and presented the committee's recommendations.

ITEM 25. *AQUIFER QUALITY WELL ABANDONMENT COST SHARE ASSISTANCE PROGRAM PAYMENTS.

There were three applications for final payments. Staff recommends payment of these claims.

It was moved by Teegerstrom and seconded by Austin to approve final cost-share payments for three well abandonments as reviewed for a total cost of \$281.95. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Friesen, Luebbe

ITEM 26. WELL HEAD PROTECTION AREA ASSISTANCE PROGRAM.

Staff recommended payment of \$5,152.80 to Newman Traffic Signs for 113 WHPA signs and post. The NRD will receive reimbursement for \$5,000 of this expense from EPA.

It was moved by Teegerstrom and seconded by Regier to pay Newman Traffic Signs \$5,152.80 for 113 WHPA signs and posts. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 27. FINANCIAL REPORT, JANUARY 1, 2001 THROUGH JANUARY 31, 2001, AND CONSIDERATION OF EXPENDITURES FOR JANUARY 2001.

Turnbull reviewed the financial report for the period January 1, 2001 through January 31, 2001 that we had distributed. It was moved by Houdersheldt and seconded by Dickinson to approve the financial report for January 2001 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

There being no other business, we adjourned the meeting at 3:09 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 15, 2001, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
March 15, 2001

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, March 15, 2001, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, Rodney DeBuhr, William Gilliam and Nancy Schuerman of York NRCS, Richard Jiskra of NDNR, Michael Yost, Pete Olson and Dave Plettner of Sutton. Hansen called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on March 8, 2001.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll. Moore arrived at 2:17 p.m..

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

Regier requested that he be excused from the March 15, 2001 board of directors meeting due to travel.

It was moved by Volkmer and seconded by Luebbe to excuse Ken Regier from the March 15, 2001 board of directors meeting, as requested. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Moore, Regier

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Austin and seconded by Brown to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Moore, Regier

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Austin and seconded by Brown to approve the agenda for the March 15, 2001 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Moore, Regier

ITEM 6. *APPROVAL OF MINUTES OF THE FEBRUARY 15, 2001 BOARD OF DIRECTORS MEETING.

It was moved by Austin and seconded by Brown to approve the minutes of the February 15, 2001 board of directors meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Moore, Regier

ITEM 7. NDNR REPORT.

Richard Jiskra advised the board of membership changes on the Commission this past year and highlighted some of the recent projects and activities.

The Swan Creek Project has been closed out and two properties have been sold. Site 9, which is on Hwy. 15 about 2 miles north of Western, consists of about 154 acres and sold for \$212,190. It was purchased by four individuals primarily for hunting. There are 91 acres of cropland on the site that will be rented out. Site 31 located 3 miles east of Swanton has 160 acres, which are currently in CRP, and sold for \$129,600. This site was purchased by an individual as an investment. The Commission had \$107,000 invested in Site 31 and \$114,000 in Site 9.

The Antelope Valley Project in Lincoln has been approved. It is a 170 million dollar, 20-year project. It starts at Holmes Lake in Southeast Lincoln and runs down past the University Campus around the Fairgrounds and empties into Salt Creek just north of the Fairgrounds. They are asking for 7.5 million from the Resources Development Fund. The funding will come in part from grant money, but will consist mostly of loaned money.

The Commission turned down funding for the Platte River Flood Enhancement Project. This was a project that would pump water from underneath the northwest part of Grand Island and take it down through their water system into the Platte River to enhance river flows. The

Commission felt the project was a drainage project and not a flood control project.

The Western Sarpy County Clear Creek Flood Reduction Project starts at the Hwy. 6 bridge and crosses the Platte River and runs northwest up the Platte for about 8 miles. The proposal is to rebuild the dikes along that stretch to a 50-year flood level. It would involve some voluntary buyouts of property between the dikes and the river. Since the buyout is strictly voluntary, they don't anticipate that they will get more than 10 percent of the properties bought.

The Big Papio Flood Control Channel Project is asking for \$212,200 from the Small Watershed Control Fund for easements and rights-of-way. This will probably close out any further channel improvements on the Papio.

To-date the Environmental Trust Fund has had funding requests for 250 million dollars. There are 54 million in completed projects. This year there were 114 requests for 14 million dollars. They were able to approve 65 projects totaling 9 million dollars. They have also set up an endowment fund for donations to perpetuate the Environmental Trust Fund.

ITEM 8. NARD REPORT.

Dickinson handed out a summary of some of the current legislative bills that are of interest to the NRD. He advised the board that the NARD changed their position to support LB 791, which is the law governing how 25% of the proceeds from the State Lottery are distributed to the various funds. The proposed legislation would reduce the percentage to 18% for five years.

ITEM 9. NRCS REPORT.

Bill Gilliam introduced Nancy Schuerman of DeWitt. Nancy is the new NRD field office clerk at the York NRCS office. She began work for the district on March 12.

ITEM 10. RC&D REPORTS.

Volkmer reported on the activities of the Trailblazer RC&D. He told the board that the Trailblazer RC & D has not yet filled the position for a manager and they are still in the process of obtaining office space.

Teegerstrom gave a brief report for the Nebraska Great Plains RC& D. Their next meeting is March 19.

ITEM 11. WATER QUALITY FUNDING REPORT.

Turnbull handed out charts showing revenue sources for all NRDs as well as their current property tax levies and what portion of the property tax levy is going to water quality needs. He also showed the effects on the property tax levies if replacement of state water quality funds has to be funded with property taxes. He discussed some of the proposed legislation for funding

water quality programs.

ITEM 12. LEGISLATIVE BILL LB 709.

Turnbull explained that he and others have been working with the state association to try to deal with LB 709 which is the bill that would restrict the NRDs use of eminent domain on a project that has recreation as a component. It is still before the Natural Resources Committee. The hearing was held within the last month. Several people from various project sites around the state testified in favor of the bill, including some from the Cordova area. Four testified against the bill representing the Upper Big Blue NRD, Lower Elkhorn NRD, Papio NRD and the Nebraska Sportsman's Club. Turnbull has talked with Senators Stuhr, Kramer and Schrock. After talking with Senator Schrock, Turnbull said he felt it would be appropriate for this board to adopt the following resolution.

RESOLUTION 2001-1

LB 709

AND

NATURAL RESOURCES DISTRICTS EMINENT DOMAIN AUTHORITY

Whereas: The Legislature enabled Natural Resources Districts, through § 2-3229, to carry out 12 purposes, number 11 being "development and management of recreational and park facilities";

Whereas: These 12 purposes have not been changed since the original enactment of the statutes creating Natural Resources Districts in 1969;

Whereas: Multipurpose projects may include several authorized purposes including recreation, without which certain projects would not be economically feasible;

Whereas: The public should have the right of public access on public lands and projects, built and paid for with the public's money, as long as safety is not an overriding issue;

Whereas: Local control means local boards making decisions after weighing the facts including project purposes, siting, technical feasibility, benefits, costs, funding, advantages and disadvantages to area, public opinion, and impact to local property owners;

Whereas: The Natural Resources Districts have been given the authority of eminent domain to carry out their purposes because complete consensus of those affected by projects is not always possible;

Whereas: LB 709 would restrict the use of eminent domain by Natural Resources Districts for recreation facilities and works;

Therefore Be It Resolved that the Upper Big Blue Natural Resources District Board of Directors urges the Legislature's Natural Resources Committee to kill LB 709.

It was moved by Austin and seconded by Volkmer to adopt Resolution 2001-01 "LB 709 and Natural Resources Districts Eminent Domain Authority." We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Moore, Regier

ITEM 13. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on March 6, 2001 and presented the committee's report.

ITEM 14. OMAHA WORLD-HERALD'S MASTER CONSERVATIONIST AWARDS.

The *Omaha World-Herald's* Master Conservationist Awards are organized into two categories: Production Agriculture and Residential and Community. We have a nominee for each category.

It was moved by Bruns and seconded by Austin to nominate John and Gloria Turnbull for the *Omaha World-Herald's* Residential Master Conservationist Award. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier

It was moved by Bruns and seconded by Houdersheldt to nominate Lloyd Smith and Jeff Scow for the *Omaha World-Herald's* Production Agriculture Master Conservationist Award. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier

ITEM 15. COMMUNITY FORESTRY PROGRAM II FUNDING FOR CITY OF GENEVA.

Geneva's City Administrator Bob Higel and city maintenance man Jim Quick gave a presentation about planting trees at the two parking lots that are adjacent to the Fillmore County Courthouse and also planting trees in the city park by the ballfield. The trees to be planted in these areas will be 6' - 8' tall and are Autumn Flame Maple, Red Sunset Maple, Sugar Maple, Patmore Ash, Autumn Gold Ginkgo, Flowering Crab, Bur Oak, Red Oak, Greenspine Linder, Clump River Birch, Thornless Hawthorn and Charticlaer Pear. The cities estimated cost is \$2,000.

The District's policy is to provide a 50% matching grant with a maximum of \$1,000 and a minimum of \$200 based on \$1.00/capita. The population of Geneva is 2,310.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District fund 50% of the estimated cost of the trees and shrubs being planted at the city's parking lots adjacent to the Fillmore County Courthouse and the city park in the amount not to exceed \$1,000. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier

ITEM 16. COMMUNITY FORESTRY PROGRAM I FUNDING FOR CITY OF YORK.

York City Administrator Jack Vavra and Jim Stansberry and Mary Evans from the York Senior Center presented the Committee with a tree planting plan for the new senior citizen's complex to be constructed on the north side of the Community Center. These trees and shrubs will be planted along Grant Avenue, Eighth Street and Nebraska Avenue. The property is owned by the York School District, but the City will have a long-term lease on the property and will be the owners and operators of the Senior Citizen's Center. The planting of the trees and shrubs will not take place until the spring of 2002. The estimated cost of this project is \$8,670.82. The funds would be budgeted in the FY2002 budget.

The District policy for the Community Forestry Program I is that the District will provide a 50% matching grant with a maximum of \$5,000 and a minimum of \$200 based on \$1.00/capita. The population of the City of York is 7,940. If this project is approved by the Board, an agreement between the City and the District will need to be written and signed.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District budget \$4,500 in the FY2002 budget for the planting of trees and shrubs around the new Senior Citizen's Center located adjacent to Grant Avenue, Eighth Street and Nebraska Avenue. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier

ITEM 17. CLARKS POND RESTORATION PROJECT IN THE CITY OF SUTTON.

Michael Yost and Jeff Palik of Olsson Associates and Pete Olson, Sutton's City Administrator gave a presentation on Clarks Pond located in the City of Sutton.

Clarks Pond and the park area have been a great asset to the residents of Sutton and surrounding areas. In addition to ice-skating in the winter months, the pond had been used extensively for fishing in the summer months. Because of sedimentation, the pond currently has a surface area of .6 of an acre and a maximum depth of three feet. These degraded conditions have virtually eliminated the fishing and use of the pond. Impacts to the pond have also decreased the aesthetics of the entire park area.

The City of Sutton would like to expand the uses of Clarks Pond to include education as an outdoor classroom setting, and fishing. With the help of the University of Nebraska-Lincoln surface water quality extension program, local schools would be able to monitor water quality and sediment content in Clarks Pond before and after this project. The students would obtain a better understanding of watershed management concepts and the impacts of nutrients and sediments in runoff. These studies could be included as part of the schools' curriculum. The Nebraska Game and Parks Commission would be able to stock Clarks Pond with various species of fish including bass, bluegill and channel catfish.

The watershed draining into Clarks Pond consists of approximately 159 acres of farmland and 28 acres of pastureland. Rainfall in this watershed is the only inflow to Clarks Pond. Sediment yield from this drainage area is estimated at 10 tons per acre per year. At this rate, the pond is filling up with sediment at .6 of a foot per year. A large detention cell and sediment storage basin is designed to be located upstream of Clarks Pond to provide some flood control and to reduce sediment and nutrient loading to Clarks Pond. The sediment storage in the detention cell will be 6 acre feet.

A wetland area is proposed to be constructed between Ash Street and Clarks Pond. The primary function of the wetland area will be to provide additional removal of sediment and nutrients. It will be constructed by building a small berm upstream of Clarks Pond. A structure will also be constructed directly north of Clarks Pond to control the water elevation in the wetland area. The wetland, which will be approximately 1/4 acre will be developed to promote a diversity of wetland plant species that will also provide unique habitat for biological organisms.

The project goals and objectives are as follows:

Goal 1. Improve the physical, chemical, and biological integrity of Clarks Pond.

Objective 1. Increase pond depth from the existing maximum of 3 feet to 12 feet over 25 percent of the pond's surface area.

Objective 2. Stabilize 350 linear feet of eroding shoreline.

Goal 2. Maintain the physical, chemical, and biological integrity of Clarks Pond by reducing pollutant loading from the watershed,

Objective 1. Decrease average annual watershed sediment loads to Clarks Pond from 800 tons per year to 200 tons per year.

PROJECT COST

Detention cell and sediment basin	\$333,313
Wetland	17,608
Pond restoration	<u>77,238</u>
Total project cost	\$428,159.

The City is planning to receive \$153,200 in Nebraska Department of Environmental Quality (NDEQ) - 319 Funds. \$63,250 is to be received through the Community Lake Restoration Fund. The remaining \$211,709 is the cost that the City of Sutton is left to pay. Any funds that the District would want to contribute toward the local share of this project would be budgeted in the FY2002 budget. If this project is approved by the Board, an agreement between the City and the District will need to be written and signed.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District budget \$106,000 in FY2002 for the Clarks Pond Restoration Special Project located in the City of Sutton.

Houdersheldt stated he felt that \$106,000 was too much for the size of the project. It was moved by Houdersheldt and seconded by Jackson to amend the motion to read that the Upper Big Blue Natural Resources District fund up to 20% of the local share, not to exceed \$40,000, in FY2002 for the Clarks Pond Restoration Special Project located in the City of Sutton.

Moore felt that if we are going to reduce the local share then we should use a 25% figure to remain consistent with our past funding on projects of this nature. Houdersheldt said he offered the 20% figure because he didn't feel there was enough support from other board members to get 25%.

It was moved by Moore and seconded by Eberle to amend the amendment to read that the Upper Big Blue Natural Resources District fund up to 25% of the local share, not to exceed \$53,000, in

FY 2002 for the Clarks Pond Restoration Special Project located in the City of Sutton. We approved the amendment.

AYE: Austin, Brown, Bruns, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Hansen
NAY: Buller, Dickinson, Houdersheldt, Volkmer
NOT PRESENT: Regier

The question was called for on the original amendment, as amended. We approved the amendment.

AYE: Austin, Brown, Bruns, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen
NAY: Buller, Dickinson, Houdersheldt
NOT PRESENT: Regier

The question was called for on the original motion as amended. We approved the motion.

AYE: Austin, Brown, Bruns, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen
NAY: Buller, Dickinson, Houdersheldt
NOT PRESENT: Regier

ITEM 18. WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS FOR MARCH.

The Education and Parks Committee reviewed the list of cooperators that are to receive a payment for lands enrolled in the Wildlife Habitat Improvement Program for the month of March.

It was moved by Bruns and seconded by Jackson that the Upper Big Blue Natural Resources District make payments totaling \$4,278.75 to the cooperators of the Wildlife Habitat Improvement Program for the month of March. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen
NAY: Dickinson
NOT PRESENT: Regier

ITEM 19. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on March 6, 2001 and presented the committee's

recommendations.

ITEM 20. PAYMENT TO DELMHORST FOR MOISTURE BLOCKS.

It was moved by Brown and seconded by Eberle to make payment of \$3,938.50 to Delmhorst Instrument Company for 800 moisture blocks purchased for resale. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier

ITEM 21. APPROVAL OF LATE WELL PERMIT FOR IOLA WEISS.

Rod reported that Alfs Well Drilling discovered they had not obtained a permit for a well drilled in the NE1/4 of Section 13-T6N-R3W, Fillmore County owned by Iola Weiss. This replacement well was drilled in August 2000. Alfs discovered the oversight while doing their year end reports. No rules were violated other than failure to obtain a permit. Alfs Well Drilling has paid the \$250.00 late permit fee.

It was moved by Brown and seconded by Volkmer to approve the late permit numbered UBB-1-2601 for a well in the NE1/4 of Section 13-T6N-R3W, Fillmore County, owned by Iola Weiss.
We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier

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

Houdersheldt reported that the Projects Committee met on March 8, 2001 and presented the committee's recommendations.

ITEM 23. PAYMENT OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Jackson 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: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier

ITEM 24. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Austin that payments of NSWCP Land Treatment funds be made in the amount of \$5,363.10 for three applications reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier

ITEM 25. LAND TREATMENT PROGRAM POLICY CHANGE.

The District's current Land Treatment Program policy does not allow use of NRD funds for Practice NC-17, Irrigation Water Management. Only NSWCP funds can be used for this practice. Due to wet conditions, many of the earthwork practices for which funds are obligated, or could be obligated, will not be completed this fiscal year. This will leave a substantial balance of unused funds. As of the March Committee meeting there was an unobligated NRD fund balance of \$16,170, and an unobligated NSWCP fund balance of \$1,214.45.

The Projects Committee felt that allowing both NRD funds and NSWCP funds to be used for Practice NC-17 would allow more flexibility in the management of cost-share. If the policy is changed to allow Practice NC-17 to use either NRD or NSWCP funds, applications would still be filed initially as NSWCP, and state money would be used before NRD funds are used.

It was moved by Houdersheldt and seconded by Hultman that the District's Land Treatment Program policy be amended to allow either NRD funds or NSWCP funds to be used for cost-share on Irrigation Water Management Practice NC-17.

It was moved by Moore and seconded by Jackson to amend the motion to read that the District's Land Treatment Program policy be *waived for the remainder of FY2001* to allow either NRD funds or NSWCP funds to be used for cost-share on Irrigation Water Management Practice NC-17. We approved the amendment.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Jackson, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: Buller, Friesen, Houdersheldt, Hultman, Joseph

NOT PRESENT: Regier

The question was called for on the original motion, as amended. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: Buller

NOT PRESENT: Regier

ITEM 26. PAYMENTS OF NEBRASKA BUFFER STRIP PROGRAM FUNDS.

A total of 563.71 acres is currently under contract. The total annual payments on these acres are \$41,588.22. The majority of contracts are for 10 years. Payments of \$7,365.70 are now due on 14 contracts for the January through March quarter.

It was moved by Austin and seconded by Brown that payments of Nebraska Buffer Strip Program funds be made in the amount of \$7,365.70 for 14 contracts reviewed by the Committee. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: none

NOT PRESENT: Moore, Regier

ITEM 27. NEW LAND TREATMENT PROGRAM PRACTICES FOR RANGE MANAGEMENT.

Bill Gilliam and Jan Joseph of NRCS were present at the Projects Committee meeting to explain Practice NC-10, "Pasture Planting or Range Seeding" and Practice NC-14, "Planned Grazing Systems." Jan estimates there are 110,515 acres of rangeland and 57,884 acres of pasture/hayland in Fillmore, Hamilton, Polk, Seward, and York Counties. Jan also estimated that approximately 63,701 acres of the rangeland is in fair to poor condition, and 25,397 acres of the pasture/hayland is under low management. The Committee felt that both practices NC-10 and NC-14 should be eligible for cost-share in order to help preserve what little pasture and hayland remains in the District.

If the District approves these practices as eligible for cost-share, staff recommends that cost-share not be allowed on boundary fencing, suspended cross fencing (NC-14, Item A(2)), and rodent control (NC-14, Item C). Cost-share on these practices would be subject to the 75% rate, and maximum of \$5,000 per landowner per year.

It was moved by Houdersheldt and seconded by Hultman that the District's Land Treatment Program be amended to include Planned Grazing Systems, Practice NC-14, and Pasture Planting or Rangeland Seeding, Practice NC-10, and that cost share be subject to the 75% rate and \$5,000 per landowner per year maximum consistent with other Land Treatment Program cost-share practices, and that cost-share not be allowed on boundary fencing, suspended cross fencing (NC-14, Item A(2)), and rodent control (NC-14, Item C).

It was moved by Friesen and seconded by Buller to amend the motion that cost-share not be allowed on well drilling and casing (NC-14, Item B(1)(a) (b) and (c).

Gilliam told the board that if we eliminated well construction from the planned grazing system then we are restricting people who want to develop pasture land or range land. The question of how to water the livestock without a well was also raised.

It was moved by Austin and seconded by Moore to refer the matter back to the Projects Committee. We approved the motion.

AYE: Austin, Brown, Dickinson, Eberle, Friesen, Hultman, Moore, Teegerstrom, Hansen
NAY: Bruns, Buller, Houdersheldt, Joseph, Luebbe, Volkmer
NOT PRESENT: Jackson, Regier

ITEM 28. NEW LAND TREATMENT PROGRAM PRACTICE FOR SUBSURFACE DRIP IRRIGATION.

The motion to consider approving Drip Irrigation, Practice NC-17, as eligible for Land Treatment Program cost-share was held over from the February 15, 2001 Board Meeting.

The motion was made by Jackson and seconded by Brown that the District's Land Treatment Program be amended to include Subsurface Drip Irrigation as eligible for NSWCP cost-share under the practice NC-17, and that the practice description, as reviewed by the Committee, be adopted. We approved the motion.

AYE: Austin, Brown, Buller, Eberle, Friesen, Luebbe, Moore, Volkmer, Hansen
NAY: Bruns, Dickinson, Houdersheldt, Hultman, Joseph
NOT PRESENT: Jackson, Regier, Teegerstrom

ITEM 29. SCHOOL CREEK FLOOD PLAIN MAPPING FOR CITY OF SUTTON.

Staff requested that the Interlocal Agreement between the District and City of Sutton be amended to extend project completion to June 30, 2003, and to modify wording in Section 7.02 so that amendments to the Agreement become effective upon approval by the District Board and City Council. Extension of the completion date is needed to allow more time to collect documents needed by FEMA and provide sufficient time for FEMA to respond to the City's request for mapping.

It was moved by Houdersheldt and seconded by Austin that the Interlocal Agreement between the District and City of Sutton, dated April 13, 1999, that provides for assistance in flood plain mapping, be amended to change the termination date, Sections 2.02 and 2.03, from June 30, 2001 to June 30, 2003, and to change the words "30 days after" in Section 7.02 to "upon." We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Hansen

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Jackson, Regier, Teegerstrom

ITEM 30. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT AT SEWARD.

Claim eight has been submitted for expenditures on the Big Blue River Flood Hazard Mitigation Project. The total amount of the claim is \$191,508.06. FEMA's share is \$143,631.05. The City's share is \$23,938.51 and the NRD's share is \$23,938.50.

It was moved by Houdersheldt and seconded by Luebbe that a payment of \$23,938.50 from NRD funds be made to the City of Seward and that the District file a claim in the amount of \$143,631.05 for the FEMA share of claim eight of the Big Blue River Flood Hazard Mitigation Project, and that \$143,631.05 of the FEMA share be paid to the City when it is received by the District. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Jackson, Regier, Teegerstrom

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

Houdersheldt reported that the Executive Committee met on March 8, 2001 and presented the committee's recommendations.

ITEM 32. LOWER PLATTE NORTH SALARIES REIMBURSEMENT.

An invoice was received for salaries for the Butler County NRCS clerk and some part-time technician work from the Lower Platte North NRD for the past six months.

It was moved by Houdersheldt and seconded by Hultman to approve payment of \$5,923.72 to the Lower Platte North NRD for NRCS office salaries for one half of FY2001 (July 1, 2000 - December 31, 2000). We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: Buller, Friesen

NOT PRESENT: Jackson, Regier, Teegerstrom

ITEM 33. TRAILBLAZER RC&D ANNUAL DUES.

It was moved by Houdersheldt and seconded by Hultman to pay \$50 to the Trailblazer RC&D for 2001 annual dues. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Jackson, Regier, Teegerstrom

ITEM 34. NEBRASKA ASSOCIATION OF RESOURCE DISTRICTS SPECIAL ASSESSMENT.

The NARD decided to split the special assessment to fund the Information & Education Coordinator's position over two fiscal years beginning with the current year. The special assessment was necessary to replace the lost NRCS funding for the position. The first of two special assessments to this District is \$1,079. The second assessment will come after July 1, 2001.

It was moved by Houdersheldt and seconded by Hultman to pay \$1,079 to the NARD for the first of two special assessments to replace lost NRCS funding. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Moore, Hansen

NAY: Luebbe, Volkmer

NOT PRESENT: Jackson, Regier, Teegerstrom

ITEM 35. PROPOSED AMENDMENT TO OPERATING POLICY #10: AGENDA OF BOARD MEETINGS.

The motion to amend Operating Policy # 10 to add NRD and NSWCP Land Treatment, Wild Nebraska, and Corners for Wildlife to the consent agenda was held over from the February 15, 2001 board meeting.

It was moved by Houdersheldt and seconded by Hultman to amend Operating Policy #10: Agenda of Board Meetings, as presented.

It was moved by Houdersheldt and seconded by Buller to table the motion. We approved the motion.

AYE: Brown, Bruns, Buller, Houdersheldt, Hultman, Joseph, Moore, Hansen

NAY: Austin, Dickinson, Eberle, Friesen, Luebbe

NOT VOTING: Volkmer

NOT PRESENT: Jackson, Regier, Teegerstrom

ITEM 36. PROPOSED AMENDMENT TO OPERATING POLICY #13 OFFICERS OF THE BOARD.

The motion to amend operating policy #13 to change the Nominating Committee's slate of officers from two names per position to one name per position was held over from the February 15, 2001 board meeting.

It was moved by Houdersheldt and seconded by Friesen to amend Operating Policy # 13: Officers of the Board, as presented.

It was moved by Volkmer and seconded by Luebbe to table the matter. The motion to table failed.

AYE: Austin, Brown, Bruns, Dickinson, Jackson, Luebbe, Volkmer
NAY: Buller, Eberle, Friesen, Houdersheldt, Hultman, Moore, Hansen
NOT PRESENT: Jackson, Regier, Teegerstrom

The question was called on the original motion. The motion failed.

AYE: Buller, Eberle, Friesen, Houdersheldt, Hultman, Moore, Hansen
NAY: Austin, Brown, Bruns, Dickinson, Joseph, Luebbe, Volkmer
NOT PRESENT: Jackson, Regier, Teegerstrom

ITEM 37. FINANCIAL REPORT, FEBRUARY 1, 2001 THROUGH FEBRUARY 28, 2001, AND CONSIDERATION OF EXPENDITURES FOR FEBRUARY 2001.

Turnbull reviewed the financial report for the period February 1, 2001 through February 28, 2001 that we had distributed. It was moved by Houdersheldt and seconded by Buller to approve the financial report for February 2001 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Volkmer, Hansen
NAY: None
NOT PRESENT: Jackson, Regier, Teegerstrom

There being no other business, we adjourned the meeting at 4:35 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

March 15, 2001, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
April 19, 2001

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, April 19, 2001, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, Rodney DeBuhr, Marie Ebel, William Gilliam of York NRCS, Delayne Eberspacher, Bill Whitney, Bruce Ramsour, and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on April 12, 2001.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll. Austin arrived at 7:32 p.m. and Jackson arrived at 7:40 p.m..

ITEM 3. *ADOPTION OF CONSENT AGENDA.

It was moved by Buller and seconded by Brown to adopt the consent agenda. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Jackson

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Buller and seconded by Brown to approve the agenda for the April 19, 2001 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Jackson

ITEM 5. *APPROVAL OF MINUTES OF THE MARCH 15, 2001 BOARD OF

DIRECTORS MEETING.

It was moved by Buller and seconded by Brown to approve the minutes of the March 15, 2001 board of directors meeting. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Jackson

ITEM 6. WASHINGTON, D.C. TRIP REPORTS.

Buller provided the board with a written report of the meetings attended during the Washington, D.C. lobbying trip. Houdersheldt gave a brief oral report.

ITEM 7. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Projects Committee met on April 10, 2001 and presented the committee's recommendations.

ITEM 8. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Jackson that payments of NSWCP Land Treatment funds be made in the amount of \$9,131.23 for four applications reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 9. NEW LAND TREATMENT PROGRAM PRACTICES FOR RANGE MANAGEMENT.

At the March 2001 Board Meeting the Projects Committee recommended including Practice NC-10, "Pasture Planting or Range Seeding" and Practice NC-14, "Planned Grazing Systems" as eligible cost-share practices in the Land Treatment Program. After some discussion by the Board this item was referred back to Committee for additional consideration.

The Projects Committee discussed the following concerns that were raised by the Board:

- Q. If cost-share is provided for a stock well, would we be cost-sharing on wells that could be used for irrigation?

- A. The well would be sized based on NRCS technical guidelines for stock wells. The NRCS determines well size based on number of animals and type of grazing rotation; this is generally five to six gallons per day per animal. The number of animals is based on acres of grassland in each rotation. A typical stock well has capacity between 50 gallons per minute and 100 gallons per minute. An irrigation well would generally be at least 500 gallons per minute.
- Q. If cost-share is provided for a stock well, what assurance do we have that the well would not be used for other than livestock?
- A. Our Land Treatment Program policy requires the practice to be maintained for the life of the practice. For NC-10 the expected life is 10 years, and for NC-14 the expected life is five years. Stock wells would be cost-shared under Practice NC-14. If the practice is abandoned, or altered to be out of compliance, within the design life, cost-share must be repaid. Using a stock well for a purpose other than stock watering during the five-year design life would require cost-share repayment.
- Q. Will there be sufficient cost-share funds if we add practices NC-10 and NC-14?
- A. At this time the demand for Practices NC-10 and NC-14 does not appear to be high. On this basis, there should be sufficient cost-share funds available.

Staff recommends that Practices NC-10 and NC-14 be approved as eligible for cost-share under the Land Treatment Program, and that cost-share be available for all components except boundary fencing, suspended cross fencing, and rodent control.

It was moved by Houdersheldt and seconded by Volkmer that the District's Land Treatment Program be amended to include Planned Grazing Systems, Practice NC-14, and Pasture Planting or Rangeland Seeding, Practice NC-10, and that NC-14 components for boundary fencing, suspended cross fencing, and rodent control not be eligible for cost-share, and that the cost-share rates for these practices be 75% of county average or 75% of actual cost, whichever is least, subject to the District's policy of \$5,000 per landowner per year maximum cost-share. We approved the motion.

A YE: Brown, Bruns, Buller, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Volkmer, Hansen

NAY: Austin, Dickinson, Eberle, Friesen, Teegerstrom

ITEM 10. PAYMENT TO WESTERN AIR MAPS FOR INDIAN CREEK PROJECT MAPPING.

Western Air Maps has completed aerial photography and mapping at the Indian Creek Project in accordance with their contract. The total contract amount is \$21,950 and one progress payment of \$2,950 was made in December. The balance due is \$19,000. Staff has reviewed the mapping

and recommends final payment to Western Air Maps.

It was moved by Houdersheldt and seconded by Jackson that Western Air Maps be paid \$19,000 as final payment for aerial photography and mapping on the Indian Creek Project. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 11. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on April 10, 2001 and presented the committee's recommendations.

ITEM 12. PAYMENTS OF DIRECTORS' FIRST QUARTER 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 Brown to approve payment of first quarter directors' per diem of \$9,150.00 and expenses of \$3,187.91. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Jackson

ITEM 13. CHANGE IN COMMITTEE MEETING SCHEDULE.

Curt Friesen has a scheduling conflict with Tuesday nights. He is the Mayor of Henderson and must be at Tuesday-night city council meetings. He has been assigned to the Projects Committee which also meets on Tuesday nights. The Executive Committee would prefer to have the meeting nights changed rather than changing committee members.

It was moved by Houdersheldt and seconded by Luebbe to schedule the Education and Parks, and the Water Committee meetings for Tuesdays, and to schedule the Projects, Budget and Executive Committees for Thursdays. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Friesen, Volkmer

ITEM 14. INTERLOCAL AGREEMENTS FOR NRCS FIELD OFFICES.

The District has shared the costs of field office clerks and technicians with the surrounding NRDs since July 1, 1972, when the NRDs started. This has been by an informal unwritten agreement. The Little Blue NRD has suggested an interlocal agreement for shared personnel services be signed by both NRDs for two reasons.

- 1 - To formalize in writing the long standing informal agreement
- 2 - To allow NRDs to exempt the field office salary costs from the two and one-half percent lid.

The exemption is possible because the Legislature encourages local governments to work together by allowing the costs associated with interlocal agreements to be exempted from the lid.

The manager recommends that an interlocal agreement be signed with each of the surrounding NRDs for field office staff costs, and that each agreement reflect the unwritten understandings with each NRD. The proposed agreements are with the Central Platte, Little Blue, Lower Big Blue, Lower Platte South, and the Lower Platte North NRDs. The main points covered in the agreements are:

- NRDs in the agreement
- which NRD has the staffing responsibility in each county
- the staffing responsibility which includes hiring, supervision, hours worked, pay rates and benefits
- how the cost of staffing is split between the NRDs
- how often the costs are reimbursed

It was moved by Houdersheldt and seconded by Hultman to approve the interlocal agreements for shared personnel services with the Central Platte, Little Blue, Lower Big Blue, Lower Platte South, and the Lower Platte North Natural Resources Districts as presented. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Austin

ITEM 15. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on April 12, 2001 and presented the

committee's report.

ITEM 16. PRAIRIE PLAINS RESOURCES INSTITUTE REQUEST FOR FUNDING FOR SOAR (SUMMER ORIENTATION ABOUT RIVERS) PROGRAM.

For seven years, the District has provided a grant to the Prairie Plains Resources Institute of Aurora for its annual, nature day-camp for second through sixth graders, held each July. The institute requested funding for the 2001 SOAR last year and the Board budgeted \$1500.

It was moved by Bruns and seconded by Regier to authorize payment of \$1,500 to the Prairie Plains Resource Institute for the 2001 SOAR program. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Hansen

NAY: Austin, Dickinson, Friesen, Houdersheldt, Luebbe, Volkmer

ITEM 17. RAYMOND A. BURKE SCHOLARSHIP RECIPIENT.

We received two applications for the Burke Scholarship, one from Aurora and one from York. Jonathon Soper of Aurora has been selected to receive the scholarship. He will attend UNL to study wildlife biology.

ITEM 18. REQUEST FOR FUNDING TO LANDSCAPE YORK COLLEGE STUDENT PLAZA.

Todd Faller of Faller Landscaping and Nursery and Randy Givens with York College presented the Committee with a tree, shrub and native grass planting plan that the college wishes to plant in the spring of 2001. The area is to be located on the north side of the new student union and the planting is being designed by Todd Faller. The planted area would be used as a study area for the science classes as well as a gathering area for students to relax. The total estimated cost of the project is \$6,606.50.

It was moved by Bruns and seconded by Austin that the Upper Big Blue Natural Resources District fund the York College Student Plaza and Biological study area at a cost not exceed \$1,660 for the tree, shrub and native grass plantings as designed by Todd Faller of Faller Landscaping and Nursery. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 19. AGREEMENT WITH NEBRASKA DEPARTMENT OF ROADS FOR PLUM CREEK HIKING & BICYCLE TRAIL.

The Upper Big Blue Natural Resources District is the grant sponsor for the Plum Creek Hiking and Bicycle Trail. The Upper Big Blue Natural Resources District will need to enter into an Agreement with the Nebraska Department of Roads to construct a concrete hiking and bicycle trail with funds made available through the Transportation Enhancement Program located along Plum Creek on the east edge of Seward beginning at the city's North Park on Karol Kay Boulevard and ending south of State Highway 34 on Columbia Avenue. Four pedestrian foot bridges will also be constructed along the trail where it crosses Plum Creek. The total project cost is \$850,186.

The Upper Big Blue Natural Resources District was successful in receiving a federal grant through the Transportation Enhancement Program sponsored by the Nebraska Department of Roads which will pay a maximum of 59% of the eligible cost, up to a maximum payment of federal funds of \$500,000.

The Upper Big Blue Natural Resources District is responsible for the remaining \$350,186 or a matching share of 41% of the project costs.

The Upper Big Blue Natural Resources District has also received a \$100,000 grant through the Trails Development Assistance Fund sponsored by the Nebraska Game & Parks Commission for a matched share of 12% of project costs.

The City of Seward will reimburse the Upper Big Blue Natural Resources District in the amount of \$176,186 or 20% of the project cost.

The Upper Big Blue Natural Resources District has agreed to pay half of the engineering costs not to exceed \$37,000 and also contribute \$37,000 to the construction of the project for a total of \$74,000.

The Upper Big Blue Natural Resources District will need to budget the engineering cost and a portion of the construction cost in the FY2002 budget and the remaining portion of the construction cost would be budgeted in FY2003.

It was moved by Bruns and seconded by Moore that the Upper Big Blue Natural Resources District enter into an agreement with the Nebraska Department of Roads for the construction of the Plum Creek Hiking and Bicycle Trail (Project #STPB-80(27) State Control #12557) along Plum Creek located on the east side of the City of Seward beginning at the city's North Park on Karol Kay Boulevard and ending south of State Highway 34 at Columbia Avenue; and this project be designed and constructed in accordance with the terms and conditions of the Agreement with the Nebraska Department of Roads. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Buller

ITEM 20. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on April 12, 2001 and presented the committee's recommendations.

ITEM 21. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Buller and seconded by Brown to make cost-share payments for six well abandonments totaling \$1,635.12. We approved the motion as a part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Jackson

ITEM 22. PAYMENT TO NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR CHEMIGATION FEES.

During 2000, the District received 464 renewal and 24 new applications for chemigation permits. The statutes require the fees to be divided as follows:

Renewals	NRD \$8	DEQ \$2	Total \$10
New	NRD \$25	DEQ \$5	Total \$30

The District owes the Nebraska Department of Environmental Quality the following amount for their share of the permit fees collected:

	Permits	Fee	Total Revenue	NRD Share	DEQ Share
Renewals	464	\$10	\$4,640	\$3,712	\$928
New	24	\$30	\$720	\$600	\$120
					\$0
Total	488		\$5,360	\$4,312	\$1,048

It was moved by Brown and seconded by Hultman to pay the Nebraska Department of Environmental Quality \$1,048 for the year 2000 for their share of the year 2000 chemigation fees. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 23. GROUND WATER MANAGEMENT AREA ONE - CONSIDERATION OF CLUSTER WELL RULES CHANGES.

The Water Committee reviewed draft changes to the District Rule 5. This change would make a well with a pumping capacity of less than 100 g.p.m. subject to the District's Groundwater Management Area Rules and Regulations if the well is commingled, combined, clustered, or joined with another well and the wells are used for a similar or related purpose.

It was moved by Brown and seconded by Dickinson to approve the draft changes to Rule 5 regarding clustered wells for the purpose of holding a public hearing on May 17, 2001 at 7:30 p.m. during the May Board of Directors Meeting. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen
NAY: Volkmer

ITEM 24. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on April 12, 2001 and presented the committee's report.

ITEM 25. FINANCIAL REPORT, MARCH 1, 2001 THROUGH MARCH 31, 2001, AND CONSIDERATION OF EXPENDITURES FOR MARCH 2001.

Turnbull reviewed the financial report for the period March 1, 2001 through March 31, 2001 that we had distributed. It was moved by Volkmer and seconded by Luebbe to approve the financial report for March 2001 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

There being no other business, we adjourned the meeting at 8:41 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 19, 2001, 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.

Earl Hultman, Secretary

:nds

**BOARD OF DIRECTORS MEETING
AND PUBLIC HEARING
GROUND WATER MANAGEMENT AREA RULE 5**

May 17, 2001

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, May 17, 2001, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, Rodney DeBuhr, Brian Zastrow, Dwight Johnsen, Bill Morgan, Delayne Eberspacher, Laurence Jensen, Anita Jensen, Vernon Jensen, Marilyn Eberspacher, Don Petersen, and Dean Harrison. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on May 10, 2001.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Austin and Houdersheldt arrived at 7:35 p.m. and Moore arrived at 7:43 p.m..

ITEM 3. *ADOPTION OF CONSENT AGENDA.

It was moved by Brown and seconded by Volkmer to adopt the consent agenda. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Houdersheldt, Moore

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Brown and seconded by Buller to approve the agenda for the May 17, 2001 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Houdersheldt, Moore

ITEM 5. *APPROVAL OF MINUTES OF THE APRIL 19, 2001 BOARD OF DIRECTORS MEETING.

It was moved by Brown and seconded by Volkmer to approve the minutes of the April 19, 2001 board of directors meeting. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Houdersheldt, Moore

ITEM 6. OPEN PUBLIC HEARING ON PROPOSED CHANGES TO GROUND WATER MANAGEMENT AREA RULE 5.

Hansen opened the public hearing on proposed changes to District Rule 5 - Regulations for Ground Water Management Areas at 7:35 p.m.. He advised those present that notice of this public hearing was published in the York News-Times on April 26 and May 3 and 10. He turned the hearing over to Rodney DeBuhr, NRD Water Department Manger, who reviewed the proposed changes with the board. The proposed changes are as follows. Text that would be deleted has been lined through and added text is underlined.

CHAPTER 1 - AUTHORITY FOR ISSUING THESE RULES AND REGULATIONS

06 The Upper Big Blue Natural Resources District, in accordance with the requirements of the Nebraska Ground Water Management and Protection Act, and after holding a public hearing on ~~October 21, 1999~~ May 17, 2001, hereby adopts the following revised rules and regulations governing the use of ground water in Ground Water Management Area #1 and activities related to the management of nonpoint source ground water contamination in Ground Water Management Area #2.

CHAPTER 3 - EFFECTIVE DATE OF THESE RULES AND REGULATIONS

01 These rules and regulations will become effective commencing on ~~January 1, 2000~~ July 1, 2001 and shall remain in full force and effect until revised, repealed, amended or superseded.

CHAPTER 4 - DEFINITIONS THAT APPLY TO THESE RULES AND REGULATIONS

31.01. ~~A series of Water wells developed and pumped as a single unit~~ that are commingled, combined, clustered, or joined shall be considered one (1) water well.

31.01a. Water wells with a capacity of less than one hundred (100) gallons per minute are considered to be commingled, combined, clustered, or joined with any other water well when the wells are to use a common pipeline or water storage facility or, are located on the same tract and are to be used for a similar or related purpose, and are within one-thousand (1000) feet of other well.

31.02 A water well with a capacity of less than one hundred (100) gallons per minute is not subject to these rules and regulations unless otherwise indicated.

CHAPTER 5 - WATER WELLS

03.01 Construction of a water well designed and constructed to pump fifty (50) gallons per minute or more.

DeBuhr suggested that paragraph 03.01 be changed to read "Construction of a water well designed to pump more than fifty (50) gallons per minute."

03.01a Construction of a water well designed to pump fifty (50) gallons per minute or less, only if such water well is to be commingled, combined, clustered, or joined with any other water well or wells in a manner that will cause the total capacity of said wells to be one hundred (100) gallons per minute or more.

03.01b Wells used solely to water range livestock are exempt from ¶03.01a.

10 A person shall apply for a permit before he or she commences the modification of a water well for which a permit was not required, into one for which a permit would otherwise be required.

11 No permit shall be required for test holes or dewatering wells with an intended use of ninety days or less, or for a single water well designed and constructed to pump fifty gallons per minute or less.

CHAPTER 11 - WATER WELL SPACING

05 When water wells that is commingled, combined, clustered, or joined and have a combined total capacity of 100 gallons per minute or more, each well shall comply with all provisions of this chapter.

~~05~~ 06 The chapter does not exempt a water well from any water well spacing provisions found in the laws of the State of Nebraska.

There were no public comments concerning the proposed changes to Rule 5.

ITEM 7. CLOSE PUBLIC HEARING ON PROPOSED CHANGES TO GROUND WATER MANAGEMENT AREA RULE 5.

Chairman Hansen officially closed the public hearing on proposed changes to District Rule 5 - Regulations for Ground Water Management Areas at 7:48 p.m..

ITEM 8. ADOPTION OF CHANGES TO GROUND WATER MANAGEMENT AREA RULE 5.

It was moved by Austin and seconded by Hultman to adopt the changes to Ground Water Management Area Rule 5 as presented in the public hearing.

It was moved by Buller and Seconded by Volkmer to amend the motion to amend Chapter 5, Paragraph 03.01 to read "Construction of a water well designed and constructed to pump *more than* fifty (50) gallons per minute." To delete Chapter 5, Paragraph 10 which reads "A person shall apply for a permit before he or she commences the modification of a water well for which a permit was not required, into one for which a permit would otherwise be required." And further to correct the typographical error in Chapter 11, Paragraph 05 by changing "is" to "are."
We approved the amendment.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

We approved the original motion, as amended.

AYE: Austin, Brown, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: Bruns, Dickinson, Regier

ITEM 9. ORDER OF ADOPTION.

ORDER OF ADOPTION
No. 2001-1

WHEREAS, the Upper Big Blue has reviewed the proposed changes to Rule 5 - Upper Big Blue Natural Resources District Ground Water Management Area Rules and Regulations, and

WHEREAS, a Public Hearing was held May 17, 2001 in accordance with the State Statutes and District Rules and Regulations, and

WHEREAS, the District deems it to be in the best interest of the District and its citizens.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Upper Big Blue Natural Resources District adopt the Revised Rule 5 as amended May 17, 2001.

It was moved by Brown and seconded by Teegerstrom to approve the Order of Adoption as presented. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: Regier

ITEM 10. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on May 8, 2001 and presented the committee's report. There were no action items.

ITEM 11. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on May 8, 2001 and presented the committee's recommendations.

ITEM 12. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Brown and seconded by Volkmer to make cost-share payments for 11 well abandonments totaling \$3,652.36. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Houdersheldt, Moore

ITEM 13. GROUND WATER MANAGEMENT AREA TWO FOR WATER QUALITY - WELLHEAD AREA DEMONSTRATION PROJECT PAYMENT.

The final payment to UNL for the District's contributions to the Wellhead Area Protection Project is due. The amount is \$26,499.

It was moved by Brown and seconded by Luebbe to pay the University of Nebraska South Central Research and Extension Center \$26,499 for the District's FY2001 contribution to the Wellhead

Area Protection Project. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 14. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Projects Committee met on May 10, 2001 and presented the committee's recommendations.

ITEM 15. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Jackson that payments of NRD Land Treatment funds be made in the amount of \$958.59 for five applications reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 16. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Hultman that payments of NSWCP Land Treatment funds be made in the amount of \$11,427.50 for six applications reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 17. JOHNSON CREEK SITE 10 PROJECT AGREEMENT.

An implementation plan for the Johnson Creek #10 project has been reviewed with landowner Dr. Jerry Burkey, and the NRCS. The proposed work will consist of channel improvements, grade control structures, diversions, pasture planting and range management. The land that was previously farmed will be planted to grass and the entire quarter section will be managed as grass land and pasture in accordance with a conservation easement. The landowner would like to proceed with the project plan and is willing to enter into an agreement which specifies the landowner's and District's responsibilities. The conversion of crop land to grass and pasture will be done as either an EQIP or NSWCP (NC-10 and NC-14) land treatment cost share application. The channel, diversions, and erosion control structures are estimated to cost \$150,000 and will be

constructed on a cost share basis between the landowner and the District. In accordance with the project agreement, the landowner will reimburse the District for 25% of this cost and the District will provide engineering and pay for 75% of the cost. The Nebraska Department of Environmental Quality has approved an \$80,410 grant to be used toward the District's share of cost. Based on a cost estimate of \$150,000, the landowner's share would be \$37,500, the grant would pay \$80,410 and the District's share would be \$32,090 plus engineering cost, which is estimated to be \$15,000.

In accordance with the project agreement, the landowner will continue to own the land and will be responsible for annual routine maintenance. The District will be responsible for design, construction, and major structural repair due to flooding or natural deterioration. The landowner will grant a conservation easement and easement for District to have ingress and egress rights on the entire SE¼ of Section 3, Township 8 North, Range 2 West for the purpose of construction, inspection, and maintenance.

Staff recommends that the Board of Directors enter into the project agreement with Dr. Jerry Burkey for the Johnson Creek Site 10 project.

It was moved by Houdersheldt and seconded by Luebbe that the District enter into the project agreement, which was reviewed by the Projects Committee, with Dr. Jerry Burkey, for the purpose of design, construction, operation, and maintenance of Johnson Creek Project # 10. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

**ITEM 18. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT
PROGRESS PAYMENT.**

Claim nine has been submitted for expenditures on the Big Blue River Flood Hazard Mitigation Project. The total amount of the claim is \$7,093.55. FEMA's share is \$4,500. The City of Seward's share is \$1,296.78 and the NRD's share is \$1,296.77.

It was moved by Houdersheldt and seconded by Jackson that payment of \$1,296.77 from NRD funds be made to the City of Seward, and that the District file a claim in the amount of \$4,500 for the FEMA share of claim nine of the Big Blue River Flood Hazard Mitigation Project, and that \$4,500 of the FEMA share be paid to the City when it is received by the District. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 19. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on May 10, 2001 and presented the committee's recommendations.

ITEM 20. INTERLOCAL AGREEMENTS FOR NRCS FIELD OFFICES.

The Central Platte, Little Blue and the Lower Big Blue NRDs have agreed to and signed Shared Personnel Services Interlocal Agreements with this District. The Lower Platte North agreement is pending.

The Lower Platte South NRD asked for a change to the Agreement. The change which is underlined below is an addition to paragraph A, which reads as follows; "That the Lower Platte South NRD and the Upper Big Blue NRD will be provided secretarial and technical assistance to each of the Natural Resources Conservation Service county offices within the boundaries of the respective DISTRICT as determined by the Board of Directors of those DISTRICTS. Hiring additional employees under the provisions of this agreement must receive prior approval of the General Manager of both DISTRICTS. The Upper Big Blue NRD shall have the staffing responsibility for Seward County."

It was moved by Houdersheldt and seconded by Hultman to approve the change to the Shared Personnel Services Interlocal Agreement with the Lower Platte South NRD. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None

ITEM 21. OPERATING POLICY #5: DIRECTORS' COMPENSATION, EXPENSES, AND SPOUSE TRAVEL.

The Legislature passed LB 134 and it has been signed by the Governor. The new law allows NRDs to pay up to \$70 per diem per day with an increased annual maximum of \$2,800. The law will become effective on September 1, 2001. The current rate is \$50 per day and \$2,000 per year. The per diem was \$15 per day from 1972 until the Board changed it in October of 1991 to \$50.

It was moved by Houdersheldt and seconded by Buller to amend Operating Policy # 5: Directors' Compensation, Expenses, and Spouse Travel in order to change the per diem payment to \$70 per day and to set the maximum per diem per year per director at \$2800, with an effective date of September 1, 2001 as authorized by statute.

Following some discussion about the increase it was moved by Hultman and seconded by Jackson

to amend the motion to strike \$70 per day and insert \$60 per day. The amendment failed.

AYE: Hultman, Jackson, Joseph, Moore

NAY: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Luebbe, Regier,
Teegerstrom, Volkmer

NOT VOTING: Hansen

It was moved by Dickinson and seconded by Jackson to strike \$70 and replace it with \$50. The amendment failed.

AYE: Brown, Bruns, Dickinson, Jackson, Moore, Volkmer

NAY: Austin, Buller, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe, Regier,
Teegerstrom, Hansen

The question was called on the main motion. We approved the original motion.

AYE: Buller, Dickinson, Eberle, Friesen, Houdersheldt, Joseph, Luebbe, Moore, Regier,
Teegerstrom, Hansen

NAY: Austin, Brown, Bruns, Hultman, Jackson

NOT VOTING: Volkmer

ITEM 22. FINANCIAL REPORT, APRIL 1, 2001 THROUGH APRIL 30, 2001, AND CONSIDERATION OF EXPENDITURES FOR APRIL 2001.

Turnbull reviewed the financial report for the period April 1, 2001 through April 30, 2001 that we had distributed. It was moved by Regier and seconded by Volkmer to approve the financial report for April 2001 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

There being no other business, we adjourned the meeting at 8:41 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 17, 2001, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
June 21, 2001

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 21, 2001, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, Rodney DeBuhr, Bill Gilliam of York NRCS and Kerry Heine of the York News-Times. Hansen called the meeting to order at 7:35 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on June 14, 2001.

ITEM 2. ROLL CALL OF DIRECTORS.

Thirteen directors were present for the calling of the roll. Dickinson arrived at 7:37 p.m.. Moore arrived at 7:42 p.m. and Regier at 8:24 p.m.

ITEM 3. *ADOPTION OF CONSENT AGENDA.

It was moved by Volkmer and seconded by Teegerstrom to adopt the consent agenda. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Moore, Regier

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Volkmer and seconded by Teegerstrom to approve the agenda for the June 21, 2001 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Moore, Regier

ITEM 5. *APPROVAL OF MINUTES OF THE MAY 17, 2001 BOARD OF

DIRECTORS MEETING AND PUBLIC HEARING.

It was moved by Volkmer and seconded by Teegerstrom to approve the minutes of the May 17, 2001 board of directors meeting and public hearing. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Moore, Regier

ITEM 6. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on June 12, 2001 and presented the committee's recommendations.

ITEM 7. AMENDMENT TO FILLMORE CENTRAL HIGH SCHOOL OUTDOOR CLASSROOM GRANT APPLICATION.

The District received an amendment to Fillmore Central High School's application for a grant under the Outdoor Classroom Grant Program. The school plans to move the classroom site to an undeveloped area between the high school and the Heritage Care Facility, south of the school. The land is owned by the school district.

The District's engineering staff designed a pond to be located on the western half of the site. The school has not finished the final design for the remainder of the site but plans to include a native prairie area, a butterfly garden, handicap accessible flower beds and other features. Heritage plans to contribute to paving some of the paths so its residents can use the classroom too. The students will be involved in designing some parts of the classroom.

It was moved by Bruns and seconded by Volkmer to accept the amendment to Fillmore Central High School's application for a grant under the district's Outdoor Classroom Grant Program. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Regier

ITEM 8. PAYMENT TO NEBRASKA STATE FORESTER FOR TREES.

The Upper Big Blue Natural Resources District purchased 30,525 trees and shrubs from Bessy

Nursery located at Halsey, Nebraska through the Nebraska Forest Service.

It was moved by Bruns and seconded by Jackson that the Upper Big Blue Natural Resources District make payment of \$14,000.09 to the Nebraska State Forester for the purchase of 30,525 trees and shrubs, woodchips, and packing of individual orders. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Regier

ITEM 9. COMMUNITY TREE RESOURCES PROGRAM II, CITY OF GENEVA.

On March 15, 2001, the Upper Big Blue Natural Resources District voted to fund the tree planting at the two parking lots adjacent to the Fillmore County Courthouse and also trees planted by the ball field located at the city park in an amount not to exceed \$1000. The trees were planted by the city of Geneva under the District's Community Tree Resources Program II which is a 50% matching grant. The total cost to the city of Geneva for the planting was \$2,049.72.

It was moved by Bruns and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment of \$1,000 to the city of Geneva for the trees and shrubs that were planted at the city's parking lots adjacent to the Fillmore County's Courthouse and the city park. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Teegerstrom

ITEM 10. PAYMENTS TO COOPERATORS IN THE CORNERS FOR WILDLIFE PROGRAM.

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 through the Pheasants Forever Chapters.

It was moved by Bruns and seconded by Volkmer that the Upper Big Blue Natural Resources District make payments of \$575 to the cooperators of the Corners for Wildlife program as reviewed. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: Dickinson

NOT PRESENT: Austin, Regier

ITEM 11. WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS FOR JUNE 2001.

The Education & Parks Committee reviewed the annual payments to cooperators participating in the Wildlife Habitat Improvement Program. The areas have been inspected and recommended for their annual payment. The payment is funded 75% by Nebraska Game & Parks Commission and 25% by the Upper Big Blue Natural Resources District.

It was moved by Bruns and seconded by Jackson that the Upper Big Blue Natural Resources District make payments totaling \$1,047.50 to the cooperators of the Wildlife Habitat Improvement Program for the month of June as reviewed. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: Dickinson

NOT PRESENT: Austin, Regier

ITEM 12. PLUM CREEK HIKING & BICYCLE TRAIL AGREEMENT WITH STATE OF NEBRASKA GAME & PARKS COMMISSION.

The Upper Big Blue Natural Resources District is the grant sponsor for the Plum Creek Hiking and Bicycle Trail. The Upper Big Blue Natural Resources District will enter into an Agreement with the State of Nebraska Game & Parks Commission to construct a concrete hiking and bicycle trail with funds made available through the Trails Development Assistance Fund located along Plum Creek on the east edge of Seward beginning at the City's North Park on Karol Kay Boulevard and ending south of State Highway 34 on Columbia Avenue. Four pedestrian foot bridges will also be constructed along the trail where it crosses Plum Creek. The total project cost is \$850,186.

The Upper Big Blue Natural Resources District was successful in receiving a federal grant through the Transportation Enhancement Program sponsored by the Nebraska Department of Roads which will pay a maximum of 59% of the eligible cost, up to a maximum payment of \$500,000 of federal funds. The Agreement between the Upper Big Blue NRD, grant sponsor, and the Nebraska Department of Roads has been signed by both parties.

The Upper Big Blue Natural Resources District has also received a \$100,000 grant through the Trails Development Assistance Fund sponsored by the Nebraska Game & Parks Commission for a matched share of 12% of project costs. The City of Seward will be funding the project in the amount of \$176,186 or 20% of the project cost.

The Upper Big Blue Natural Resources District has agreed to pay half of the engineering costs not to exceed \$37,000 and also contribute \$37,000 to the construction of the project for a total of \$74,000.

The Upper Big Blue Natural Resources District will need to budget the engineering cost and a portion of the construction cost in the FY2002 budget with the remaining construction cost to be budgeted in FY2003.

It was moved by Bruns and seconded by Hultman that the Upper Big Blue Natural Resources District enter into an agreement with the State of Nebraska Game & Parks Commission for the construction of the Plum Creek Hiking and Bicycle Trail (Project #TDA 2001 (001)) along Plum Creek located on the east side of the City of Seward beginning at the city's North Park on Karol Kay Boulevard and ending south of State Highway 34 at Columbia Avenue; and this project be designed and constructed in accordance with the terms and conditions of the Agreement with the State of Nebraska Game & Parks Commission as signed by John Turnbull dated June 4, 2001.
We approved the motion.

AYE: Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: Buller

NOT PRESENT: Austin, Regier

ITEM 13. RATIFICATION OF AGREEMENT WITH STATE OF NEBRASKA GAME & PARK'S COMMISSION FOR THE PLUM CREEK HIKING & BICYCLE TRAIL.

The Nebraska Game & Parks Commission needed to show that their allocation of monies for trail projects had been allocated by June 1, 2001. Therefore, it was imperative that they have the signed Trails Development Assistance Fund Project Agreement in hand. Due to the time frame, the Committee and Board of Directors would not have been able to meet and review the agreement prior to the deadline.

John Turnbull contacted Board Chairman Wayne Hansen to discuss the matter. It was decided that John Turnbull, General Manager for the Upper Big Blue NRD, should sign the Trails Development Assistance Fund Project Agreement to prevent the loss of the \$100,000 grant from Game & Parks and have the Committee and Board review the Agreement later.

The \$100,000 grant from Nebraska Game & Parks Commission was received by the District on June 14, 2001.

It was moved by Bruns and seconded by Hultman that the Upper Big Blue Natural Resources District ratify John Turnbull's signature on the Trails Development Assistance Fund Project Agreement pertaining to the Plum Creek Hiking and Bicycle Trail with the State of Nebraska

Game & Parks Commission dated June 4, 2001. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Regier

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

Brown reported that the Water Committee met on June 12, 2001 and presented the committee's recommendations.

ITEM 15. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Volkmer and seconded by Teegerstrom to make cost-share payments for 13 well abandonments totaling \$3,001.70. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe,
Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Moore, Regier

ITEM 16. PAYMENT TO THE UNIVERSITY OF NEBRASKA FOR WEATHER STATION MAINTENANCE.

The District owes the University of Nebraska High Plains Climate Center \$1,000 for the FY2001 maintenance of the automated weather station at York. The weather station provides daily weather data for crop water use.

It was moved by Brown and seconded by Bruns to pay the University of Nebraska High Plains Climate Center \$1,000 for the District's contribution to the FY2001 maintenance of the York automated weather station. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Regier

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

Jackson reported that the Projects Committee met on June 14, 2001 and presented the committee's recommendations.

ITEM 18. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Jackson and seconded by Hultman that payments of NSWCP land treatment funds be made in the amount of \$18,992.88 for six applications reviewed by the Committee. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 19. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Jackson and seconded by Volkmer that payments of NRD Land Treatment funds be made in the amount of \$55,601.64 for 29 applications reviewed by the Committee. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 20. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT PROGRESS PAYMENT.

Claim 10 has been submitted for expenditures on the Big Blue River Flood Hazard Mitigation Project. The total amount of the claim is \$1,625.58. The City and NRD shares will each be \$812.79. The expenditure is for interest paid on warrants and is not eligible for reimbursement under the FEMA grant.

It was moved by Jackson and seconded by Friesen that payment of \$812.79 from NRD funds be made to the City of Seward for the District's share of claim 10 of the Big Blue River Flood Hazard Mitigation Project. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 21. *NEBRASKA BUFFER STRIP PROGRAM FOURTH QUARTER PAYMENTS.

Currently there are 66 contracts on 559 acres, and the total of annual payments on these contracts is \$40,996.38.

It was moved by Volkmer and seconded by Teegerstrom that payments of Nebraska Buffer Strip Program funds be made in the amount of \$10,676.65 for 22 fourth quarter contracts reviewed by the Committee. We approved the motion as a part of the consent agenda.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Moore, Regier

ITEM 22. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on June 14, 2001 and presented the committee's recommendations.

ITEM 23. COOPERATIVE HYDROLOGY STUDY.

A grant from the Environmental Trust has been received for continuation of the Cooperative Hydrology Study in the Platte Basin (COHYST). A draft agreement was reviewed by the Committee that extends the District's obligation for participation and funds. The agreement calls for this District to contribute \$47,000 in cash over the next three fiscal years, as well as contributing staff time. The agreement is much the same as the original inter-local agreement for COHYST.

It was moved by Moore and seconded by Regier to approve the Inter Local Agreement between the South Platte Natural Resources District, Twin Platte Natural Resources District, North Platte Natural Resources District, Tri-Basin Natural Resources District, Central Platte Natural Resources District, Upper Big Blue Natural Resources District, Little Blue Natural Resources District, Nebraska Public Power District, The Central Nebraska Public Power & Irrigation District, Nebraska Department of Natural Resources, and the Nebraska Game and Parks Commission; in order to complete the work funded by a Nebraska Environmental Trust grant entitled "Cooperative Hydrology-Platte River and Basin (Nebraska)" and to carry out the work funded by a separate Nebraska Environmental Trust grant entitled "Cooperative Hydrologic

Modeling & Assessment of Activities Impacting Threatened and Endangered Species Target Flows.” We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

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

Buller reported that the Executive Committee met on June 14, 2001 and presented the committee's recommendations.

ITEM 25. FISCAL YEAR 2002 SALARIES.

Turnbull reviewed his findings about comparable wages with the Executive Committee. The data came from the Nebraska State Government Salary Survey and the Central Platte, Lower Platte North and Papio NRDs. Based on this information, Turnbull recommends that most Upper Big Blue job classifications increase from 1% to 8% depending on the job market. The salary schedules set the minimum, midpoint, and maximum for each position. Individual salaries and wages then need to be within those limits.

It was moved by Buller and seconded by Hultman to approve the changes in the midpoints of the salary schedules to stay in line with the job market, and that such changes and adjusted salary schedules become effective on July 1, 2001. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Regier, Teegerstrom, Hansen

NAY: Luebbe, Volkmer

NOT VOTING: Moore

NOT PRESENT: Austin

Turnbull reviewed the individual staff salaries with the Committee. He proposes that the Board authorize \$22,102 for salary increases for the staff, which is an overall change of 4.5 %. The change for last year was 4.35 % or \$20,476.

It was moved by Buller and seconded by Houdersheldt to adjust the annual salaries of the district staff, with the exception of the General Manager, by an amount not to exceed \$22,102; and to authorize the General Manager to determine and make the salary and wage adjustments. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Joseph,

Regier, Teegerstrom, Hansen
NAY: Friesen, Luebbe, Volkmer
NOT VOTING: Moore
NOT PRESENT: Austin

It was moved by Buller and seconded by Hultman to increase the General Manager's salary from \$69,740 to \$73,000, effective July 1, 2001. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Regier, Teegerstrom, Hansen
NAY: Volkmer
NOT VOTING: Luebbe, Moore
NOT PRESENT: Austin

ITEM 26. QUOTE FOR PARKING LOT PAVING.

The NRD parking lot is broken in many places and should be replaced. Turnbull obtained a quote from Tom's Construction of York for \$16,452.60 to replace the south two-thirds of the office parking lot. Turnbull recommends that the quote be accepted.

It was moved by Buller and seconded by Hultman to approve the replacement of the office parking lot for \$16,452.60 by Tom's Construction of York. We approved the motion.

AYE: Brown, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer
NAY: Bruns, Hansen
NOT PRESENT: Austin

ITEM 27. RENEWAL OF 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 quote for the new policy is \$35,205. The existing policy expires on July 1, 2000. Quotes from other carriers are difficult to get because of the liability coverage on the dams.

It was moved by Buller and seconded by Jackson to approve the renewal of the liability, fire, and casualty insurance for FY 2001 for \$35,205 provided by York Insurance and Inspro. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: Houdersheldt

NOT PRESENT: Austin

ITEM 28. FINANCIAL REPORT, MAY 1, 2001 THROUGH MAY 31, 2001, AND CONSIDERATION OF EXPENDITURES FOR MAY 2001.

Turnbull reviewed the financial report for the period May 1, 2001 through May 31, 2001 that we had distributed. It was moved by Regier and seconded by Volkmer to approve the financial report for May 2001 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

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 June 21, 2001, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
July 19, 2001

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 19, 2001, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier and Vance Teegerstrom.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, Rodney DeBuhr, Bill Morgan, Marilyn Eberspacher, Delayne Eberspacher, Wes Eberspacher, Don L. Due, Anita Jensen, Laurence Jensen, George Krause, Fred Nickel, Cynthia Thomsen and Kerri Heine of York News-Times . Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on July 12, 2001.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll. Austin arrived at 7:37 p.m..

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

Volkmer requested that he be excused from the July 19, 2001 board of directors meeting.

It was moved by Moore and seconded by Luebbe that Merlin Volkmer be excused from the July 19, 2001 board of directors meeting, as requested. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe,
Moore, Regier, Teegerstrom, Hansen

NAY: Dickinson

NOT PRESENT: Austin, Volkmer

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Regier and seconded by Teegerstrom to adopt the consent agenda. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Regier and seconded by Teegerstrom to approve the agenda for the July 19, 2001 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 6. *APPROVAL OF MINUTES OF THE JUNE 21, 2001 BOARD OF DIRECTORS MEETING.

It was moved by Regier and seconded by Teegerstrom to approve the minutes of the June 21, 2001 board of directors meeting. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 7. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on July 10, 2001 and presented the committee's recommendations.

ITEM 8. PAYMENT TO FILLMORE COUNTY FOR COMMUNITY FORESTRY PROGRAM II.

On February 15, 2001, the Upper Big Blue Natural Resources District Board of Directors voted to fund the tree and shrub planting around the Fillmore County Courthouse and streets adjacent to the courthouse property in the amount not to exceed \$500. The trees were planted by the county under the District's Community Tree Resources Program II, which is a 50 percent matching grant. The total cost of the trees and materials is \$858.76.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District make payment of \$429.38 to Fillmore County for the trees and shrubs planted around the Fillmore County Courthouse and adjacent to the streets on the courthouse property. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Austin, Volkmer

**ITEM 9. COMMUNITY FORESTRY PROGRAM I FOR CITY OF SEWARD
NORTH PARK.**

Calvin Nordmeyer from the City of Seward presented a tree and shrub planting for North Park located on the north edge of Seward to the Education & Parks Committee. The total plan consists of planting 500-600 trees and shrubs over a seven-year period. The city has budgeted \$5,000 for the planting of trees and shrubs in the fall of 2001. The planting of trees and shrubs will be along Karol Kay Boulevard on the east side of North Park recreation area and along Waverly Road which is on the north side of North Park recreation area. This is a new area and the tree and shrub planting would qualify under the Community Forestry Program I, which is a 50% matching grant based on \$1.00 per capita not to exceed \$5,000.

It was moved by Bruns and seconded by Brown that the Upper Big Blue Natural Resources District fund the North Park tree and shrub planting in the amount not to exceed \$2500 in FY2002. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 10. FISCAL YEAR 2002 COST-SHARE FUNDS FOR TREES.

All of the NRD cost-share money is being committed by the first of November. The District's tree program is just getting underway in November and there are no funds remaining to cost-share on windbreaks and tree plantings or windbreak renovations.

It was moved by Bruns and seconded by Regier that the Upper Big Blue Natural Resources District recommends the Projects Committee set aside \$10,000 for cost-sharing on windbreak plantings, field windbreaks and windbreak renovations. If the monies are not used up by March 30, 2002 they will be available for other cost-share practices. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 11. REPORT OF WATER COMMITTEE AND CONSIDERATION OF

RECOMMENDATIONS.

Brown reported that the Water Committee met on July 10, 2001 and presented the committee's recommendations.

ITEM 12. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Regier and seconded by Teegerstrom to make cost-share payments for four well abandonments totaling \$1,451.54. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Austin, Volkmer

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

Houdersheldt reported that the Projects Committee met on July 12, 2001 and presented the committee's recommendations.

ITEM 14. PAYMENT OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Luebbe that payment of NSWCP Land Treatment funds be made in the amount of \$2,801.18 for one application reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 15. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Austin that payments of NRD Land Treatment funds be made in the amount of \$6,049.76 for four applications reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 16. INDIAN CREEK PROJECT SITES ACCESS FOR DRILLING AND TESTING.

The board of directors previously authorized staff to study the feasibility of two reservoir sites near Cordova. In order to determine foundation suitability, soil characteristics, and reservoir seepage rates, it is necessary that drilling and testing be conducted at each site. Staff reviewed the scope of work required for drilling and testing at the proposed upstream and downstream dam sites. Two geotechnical engineering firms have been asked to submit proposals for doing the testing. Proposals will be considered in August.

Staff has obtained adequate permission from landowners at the downstream site to allow drilling and testing, but have not been granted adequate permission at the upstream site. Staff requested that the board of directors decide whether or not to seek legal action to obtain access at the upstream site.

It was moved by Houdersheldt and seconded by Hultman that staff be authorized to proceed with feasibility study drilling and testing at the Indian Creek downstream site.

Following a short discussion it was moved by Houdersheldt and seconded by Moore to amend the motion to read that staff be authorized to proceed with feasibility study drilling and testing at the Indian Creek upstream and downstream sites. We approved the amendment.

AYE: Austin, Brown, Dickinson, Houdersheldt, Hultman, Joseph, Moore, Regier, Teegerstrom, Hansen

NAY: Bruns, Buller, Eberle, Friesen, Jackson, Luebbe

NOT PRESENT: Volkmer

We approved the original motion as amended.

AYE: Austin, Brown, Bruns, Dickinson, Houdersheldt, Hultman, Joseph, Moore, Regier, Teegerstrom, Hansen

NAY: Buller, Eberle, Friesen, Jackson, Luebbe

NOT PRESENT: Volkmer

ITEM 17. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Executive Committee met on July 12, 2001 and presented the committee's recommendations.

ITEM 18. PAYMENT TO YORK INSURANCE FOR FISCAL YEAR 2002 LIABILITY

INSURANCE.

An invoice for \$35,205 was received from York Insurance for the district's liability, fire, and auto insurance package for FY2002. The insurance quote was approved by the board at last months meeting.

It was moved by Buller and seconded by Hultman to approve payment of \$35,202 to York Insurance Agency for the liability, fire, and auto policy renewal. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 19. *SECOND QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Regier and seconded by Teegerstrom to approve payment of second quarter directors' per diem of \$6,850 and expenses of \$2,023.22. We approved the motion as a part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 20. UPPER BIG BLUE NRD BOARD SIZE AND ELECTION SUBDISTRICTS.

Turnbull presented the 2000 Census data to the Executive Committee and reviewed the population growth and shifts that have occurred in the Upper Big Blue NRD since 1970. The committee discussed the changes in subdistrict populations and the possible options. The committee plans to forward a recommendation to the board in August dealing with the issue of election subdistricts.

The Executive Committee discussed the pros and cons of decreasing or increasing the number of board members and concluded that a 17-member board works well for this NRD.

It was moved by Buller and seconded by Hultman that the Board of Directors membership remain at 17 in order to adequately represent the citizens and area in the Upper Big Blue NRD. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

It was moved by Eberle and seconded by Moore to direct the manager to redraw subdistrict boundaries to achieve a 1:1 ratio and present his recommendations to the Executive Committee.
We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

**ITEM 21. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE
AND CONSIDERATION OF RECOMMENDATIONS.**

Moore reported that the Budget, Planning & Legislative Committee met on July 17, 2001 and presented the committee's recommendations.

**ITEM 22. FISCAL YEAR 2002 BUDGET AND SPECIAL TAX REQUEST
HEARINGS.**

Turnbull recommended that the FY 2002 Budget Hearing be held in conjunction with the regular August Board of Directors meeting. He also recommended that the Special Tax Request Hearing be held at the regular September Board of Directors meeting.

It was moved by Moore and seconded by Regier to schedule the FY2002 Budget Hearing for 7:30 p.m., Thursday, August 16, 2001; and further to schedule a Special Hearing for the FY2002 Tax Request for 7:30 p.m., Thursday, September 20, 2001. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 23. FISCAL YEAR 2002 BUDGET.

The Budget Committee had a long discussion on the funding of Indian Creek. The proposed budget had \$100,000 set up as a transfer from the general fund to sinking fund to be added to the funds for Indian Creek. It was the committee's decision to designate the \$100,000 sinking fund transfer as an addition to the funds set aside for future dams, instead of the Indian Creek project.

Turnbull reviewed the FY 2002 draft budget which takes into account the cash balances on June 30 and the \$100,000 transfer to sinking fund for future dam projects.

It was moved by Moore and seconded by Dickinson to adopt the FY2002 Budget as changed for the purpose of public hearing.

It was moved by Eberle and seconded by Luebbe to amend the motion to change the \$100,00 transfer from general fund to sinking fund for future dam development to \$50,000 and add \$50,000 to the land treatment line item. We approved the amendment.

AYE: Brown, Bruns, Eberle, Friesen, Jackson, Joseph, Luebbe, Moore, Hansen

NAY: Austin, Buller, Dickinson, Houdersheldt, Hultman, Teegerstrom

NOT VOTING: Regier

NOT PRESENT: Volkmer

We approved the original motion as amended.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Moore, Hansen

NAY: Austin, Jackson, Luebbe, Regier, Teegerstrom

NOT PRESENT: Volkmer

ITEM 24. FINANCIAL REPORT, JUNE 1, 2001 THROUGH JUNE 30, 2001, AND CONSIDERATION OF EXPENDITURES FOR JUNE 2001.

Turnbull reviewed the financial report for the period June 1, 2001 through June 30, 2001 that we had distributed. It was moved by Regier and seconded by Austin to approve the financial report for June 2001 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

There being no other business, we adjourned the meeting at 8:50 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 July 19, 2001, 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.

Earl Hultman, Secretary

:nds

**BOARD OF DIRECTORS MEETING
and
FY 2002 BUDGET HEARING
August 16, 2001**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 16, 2001, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Ken Feather, Prudence Sadler, Rodney DeBuhr, Nancy Chitwood, Michael Chitwood, Kyle Spence, Nathaniel Chitwood, Wes Eberspacher, Marilyn Eberspacher, Richard Jiskra of NDNR, Kent Norquest, NRCS, and Kerry Heine of York News-Times. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times on August 9, 2001.

ITEM 2. ROLL CALL OF DIRECTORS.

Seventeen directors were present for the calling of the roll.

ITEM 3. *ADOPTION OF CONSENT AGENDA.

It was moved by Austin and seconded by Brown to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Austin and seconded by Brown to approve the agenda for the August 16, 2001 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 5. *APPROVAL OF MINUTES OF THE JULY 19, 2001 BOARD OF

DIRECTORS MEETING.

It was moved by Austin and seconded by Brown to approve the minutes of the July 19, 2001 board of directors meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 6. FY 2002 BUDGET HEARING.

Chairman Hansen opened the FY 2002 Budget Hearing at 7:35 p.m.. He advised those in attendance that the purpose of this Public Hearing is to hear support, opposition, criticism, suggestions or observations from tax payers relating to the District's FY 2002 Budget. He stated that the Public Notice of this Hearing appeared once in the York News-Times on August 6, 2001. Hansen asked John Turnbull, General Manager of the District, to be the Hearing Officer and to review the proposed FY 2002 Budget.

Turnbull explained that the tax levy will change after the final valuations have been received from the county assessors. The assessors have until August 20, 2001 to submit the valuation figures. The tax levy will be set next month at a Special Tax Request Hearing to be held September 20, 2001 at 7:30 p.m.. The total budget for general fund expenditures is \$2,694,322.79, of which \$1,294,088 are capital expenditures. It includes a \$50,000 transfer from the general fund to sinking fund for future dam development, \$78,000 in construction costs for the Johnson Creek site, building improvements of \$18,000 to replace part of the parking lot, \$195,000 for land treatment cost sharing, inter-government cost share of \$822,600, the bulk of which is the Plum Creek Trail system in Seward that is funded mostly by federal and state grants. We have budgeted \$41,588 for buffer strips, \$25,000 for abandoned well cost-share, \$34,100 for wildlife habitat. The major equipment purchase that we have budgeted is a new copier for approximately \$20,000. He reviewed the sinking fund deferred expenditures by project, which total \$766,342.05.

Hansen asked for comments or questions from the board or members of the public. No comments were made and the hearing was officially closed at 8:12 p.m.

ITEM 7. NRCS REPORT.

Kent Norquest, District Conservationist at Geneva, discussed current NRCS activities within the Upper Big Blue NRD.

ITEM 8. NDNR REPORT.

Richard Jiskra reported on the last meeting held in Gering, Nebraska. He reported on the tour of the Pathfinder and Gering Irrigation Districts. He also told the board about the adoption of new

rules for the Resources Development Fund, Small Watershed Control Fund, Water Well Decommissioning Fund, and the administration of the Nebraska Soil and Water Conservation Program and the Natural Resources Enhancement Fund. It was necessary to change reference from the Nebraska Natural Resources Commission to Nebraska Department of Natural Resources. The rule changes were basically housekeeping measures.

ITEM 9. EMPLOYEE RECOGNITIONS.

Nancy Chitwood, who is the NRD Field Office Clerk at both the Aurora and Osceola NRCS offices, was presented with an engraved paper weight in appreciation for five years of service to the District. Nancy Schneider, Office Manager, was recognized with a laser engraved letter opener for her 20 years with the NRD.

ITEM 10. ADOPTION OF FY 2002 BUDGET.

It was moved by Moore and seconded by Eberle to adopt the FY 2002 Budget. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen
NAY: Volkmer

ITEM 11. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on August 7, 2001 and presented the committee's recommendations.

ITEM 12. UPPER BIG BLUE NATURAL RESOURCES DISTRICT CONSERVATION AWARD.

Traditionally, the District sends its conservation award winners on as nominees for the *Omaha World-Herald's* Master Conservationist. This year, we reversed the order and sent the Master Conservationist nominations in first.

The District's nomination for the Master Conservationist Production Agriculture award is Lloyd Smith (great uncle) and Jeff (great nephew) and Melissa Scow of Shelby. Lloyd Smith died at home earlier this month at the age of 91. Jeff and Melissa Scow continue the family tradition of conservation started by Lloyd's grandfather on the farm in Polk County.

It was moved by Bruns and seconded by Houdersheldt to present the 2001 Upper Big Blue Natural Resources District's Conservation Award for Production Agriculture to Jeff and Melissa Scow. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 13. LITTLE BLESSINGS PRESCHOOL OUTDOOR CLASSROOM GRANT APPLICATION.

Faith Lutheran Church operates a 60-child preschool, Little Blessings Preschool, in York. The preschool wants to develop an outdoor classroom and has applied for a matching grant under the District's Outdoor Classrooms for School Grant Program. Prudence has been helping them with design options.

It was moved by Bruns and seconded by Volkmer to approve the Little Blessings Preschool's application for outdoor classroom cost-share assistance under the Upper Big Blue NRD's Outdoor Classrooms for Schools Grant Program for 50 percent of the local cost of vegetative materials and other related items with the amount paid not to exceed \$800. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Houdersheldt

ITEM 14. PAYMENT TO YORK COLLEGE FOR TREE AND SHRUB PLANTING AT THE STUDENT PLAZA.

On April 19, 2001, the Upper Big Blue Natural Resources District Board of Directors voted to fund the tree, shrub and native grass planting, as designed by Todd Faller of Faller Landscaping and Nursery, at a cost not to exceed \$1,660. The area will be used as a study area for science classes and a gathering area for students. The total cost of the project was \$6,960.41. The estimated cost was \$6,606.50. Twenty-five percent of the total project cost is \$1740.10.

It was moved by Bruns and seconded by Austin that the Upper Big Blue Natural Resources District make payment of \$1,660 for the trees, shrubs and native grasses planted for the York College Student Plaza located north of the Mackey Center Student Union. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 15. PROPOSAL TO CONSTRUCT A SHELTER AT THE OXBOW TRAIL RESERVOIR.

Tom Kadavy representing the Recreation Center for the Village of Ulysses presented the idea of

constructing a shelter at Oxbow Trail Reservoir located east of Ulysses. According to Tom, there is a lot of interest in Ulysses and the surrounding area that a shelter would be beneficial and would get a considerable amount of use. Tom stated that he thought he would get enough help to construct the shelter if the Upper Big Blue Natural Resources District would purchase the materials. Once the plan and cost estimates are put together, the project would be brought to the NRD Board for approval.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District staff work with Tom Kadavy in planning cost estimates for a shelter at Oxbow Trail Reservoir located east of Ulysses. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 16. PLUM CREEK TRAIL GEOTECHNICAL ENGINEERING, PEDESTRIAN BRIDGE FOUNDATIONS.

Proposals for geotechnical engineering were requested from Terracon, Inc. and Geotechnical Services, Inc. Each firm was provided a scope of work as the basis for their proposal. The following is a summary of proposals submitted:

Item of Work	Geotechnical Services	Terracon
Mobilization	\$250	\$1800
Drilling and Sampling	\$1520	\$4300
Laboratory testing	\$490	\$1887
Engineering Analysis	\$630	\$1600
Total	\$2890	\$9587

Terracon's rates per foot of drilling and testing are higher than those of Geotechnical Services (\$15.36/ft. Vs \$9.50/ft) and Terracon's mobilization rate is also higher. Terracon proposed about double the amount of laboratory testing and engineering analysis. The actual number of feet of drilling might be greater than shown in the proposals, since the depth of drilling will depend on materials encountered in the field.

It was moved by Bruns and seconded by Dickinson that Geotechnical Services, Incorporated be awarded the contract for geotechnical engineering on the Plum Creek Trail pedestrian bridges at Seward, and that the District Engineer be authorized to approve additional drilling if necessary. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

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

Brown reported that the Water Committee met on August 7, 2001 and presented the committee's recommendations.

ITEM 18. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Austin and seconded by Brown to make cost-share payments for seven well abandonments totaling \$2,589.88. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Buller

ITEM 19. PROPOSED CHANGES TO THE AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

LB 667, became law at the end of the legislative session. It includes language that restricts who can decommission a well. The law now requires a licensed water well contractor or pump installer to do this work except for driven sandpoint wells. Because of this change the staff recommends the District require a licensed water well contractor or pump installation contractor be used to qualify for cost-share under the AQWACAP program.

It was moved by Brown and seconded by Regier to approve changes to the Aquifer Quality Well Abandonment Cost-share Assistance Program requiring that all activities, related to the proper decommissioning of a well, must be conducted by a licensed water well contractor or licensed pump installation contractor. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Hultman, Jackson, Joseph, Luebbe,
Moore, Regier, Teegerstrom

NAY: Friesen, Houdersheldt, Volkmer, Hansen

ITEM 20. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Projects Committee met on August 9, 2001 and presented the committee's recommendations.

ITEM 21. LAND TREATMENT PROGRAM POLICY REVISION.

During the past three years of Land Treatment Program operation, 65.8% of cost-share funds have been expended on soil conservation practices, such as terraces, dams, and waterways. Irrigation water conservation and management practices have used 32.7% of the funds, and windbreak renovation and tree planting practices have used 1.5% of the funds.

Our current policy does not allow NRD funds to be used for irrigation water conservation and management practices (NC-17); only state funds (NSWCP) can be used for these practices. Staff recommends that this restriction be removed, and that NC-17 practices be eligible for either NRD or NSWCP funds. This change in policy will allow more flexibility in allocating cost-share funds. If the policy is changed as recommended, the staff will continue to allocate all NSWCP funds before using NRD funds.

It was moved by Houdersheldt and seconded by Friesen that the Land Treatment Program policy be amended to allow both NSWCP and NRD funds to be used for NC-17, irrigation water conservation and management, practices. We approved the motion.

A YE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: Austin, Volkmer

ITEM 22. NEW LAND TREATMENT PROGRAM PRACTICES.

The Nebraska State Legislature has appropriated \$500,000 for cost-share on water meters in FY2002, and an additional \$500,000 for FY2003. The cost-share is to be used for measurement of groundwater pumped for industrial, commercial, and agricultural uses in groundwater management areas located outside the Republican River Basin. The cost-share is not available for meters to measure ground water use from government or domestic wells. The Natural Resources Commission appropriated the \$500,000 to the NSWCP cost-share program for each NRD with a groundwater management area, based on the number of registered irrigation wells in the management area. The Upper Big Blue NRD's appropriation from this fund for FY2002 is \$99,430.07 based on 12,596 registered wells. The Commission has not yet decided how unobligated funds will be reallocated at the end of this fiscal year.

Staff recommends that a cost-share practice be added to the Land Treatment Program for water meters. The following is a summary of the recommended water meter practice:

- Each landowner is eligible for cost-share on up to eight meters per year to measure groundwater pumping from commercial, industrial, and agricultural wells

- The pumping rate from each well must be at least 50 gallons per minute
- The cost-share rate is 50% of county average cost, or 50% of actual cost, whichever is least
- Maximum cost-share per meter is \$600
- Minimum cost-share per application is \$100
- Only NSWCP funds will be used for this practice
- Landowners receiving NSWCP cost-share on water meters will continue to be eligible for an additional \$5,000 maximum cost-share per year for other practices paid with NRD and NSWCP funds
- Landowners receiving cost-share for water meters will be responsible for reporting total water used each calendar year for a period of ten years. If the use is agricultural, the landowner will also be required to report acres irrigated and crop type

- Flow meters must meet the NRD's groundwater management area specifications, and must be installed in accordance with NRCS technical guidelines

It was moved by Houdersheldt and seconded by Eberle that the District adopt an NSWCP Land Treatment Program cost-share practice for water meters. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore, Regier, Hansen

NAY: Austin, Dickinson, Hultman, Teegerstrom, Volkmer

It was moved by Houdersheldt and seconded by Regier that the NSWCP practice description for cost-share on water meters, developed by the Projects Committee be adopted. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom

NAY: Austin, Dickinson, Hultman, Volkmer, Hansen

ITEM 23. LAND TREATMENT PROGRAM NC-17 IRRIGATION REPORTING.

Staff requested that the Board of Directors establish a policy for recovering cost-share funds from NSWCP NC-17 cost-share applicants who refuse to report their irrigation water use, and who do not respond to requests for repayment of cost-share funds.

It was moved by Houdersheldt and seconded by Moore that the Nebraska Department of Natural Resources be requested to take action to recover NSWCP cost-share funds from NSWCP NC-17 cost-share applicants who do not report their irrigation water use, and who do not respond to requests for repayment of cost-share funds. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 24. INDIAN CREEK PROJECT PROPOSALS FOR DRILLING AND TESTING.

Proposals for geotechnical engineering at two possible dam and reservoir sites were requested from Terracon, Inc. and Geotechnical Services, Inc. Each firm was provided a scope of work as the basis for their proposal. The following is a summary of proposals submitted:

Item of Work	Geotechnical Services	Terracon
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Mobilization	\$500	\$1,700
Drilling and Sampling	\$3,420	\$7,100
Laboratory Testing	\$1,220	\$4,758
Engineering Analysis	\$1,260	\$4,780
Collect Infiltration Data	\$5,200	\$7,775
Total	\$11,600	\$26,113

Terracon proposed to do 670 feet of drilling and Dutch Cone testing, and Geotechnical Services proposed 360 feet of drilling with no Dutch Cone testing. Terracon proposed 94 laboratory tests, and Geotechnical Services proposed 40 laboratory tests. The actual number of feet of drilling might be greater than shown in the proposals, since the depth of drilling will depend on materials encountered in the field.

Staff recommends that Geotechnical Services, Inc. be awarded the contract for preliminary feasibility geotechnical engineering on the Indian Creek Dam and Reservoir, and that the District Engineer be authorized to approve additional drilling if necessary.

It was moved by Houdersheldt and seconded by Hultman that Geotechnical Services, Inc. be awarded a contract, in accordance with their proposal dated July 26, 2001, for preliminary feasibility geotechnical engineering and collection of infiltration data at two proposed dam sites located on Indian Creek, and that the District Engineer be authorized to approve additional drilling if needed. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Jackson, Luebbe

Austin expressed concern that the motion didn't include a dollar limit, in the event additional drilling was needed. It was moved by Austin and seconded by Buller that if additional drilling is needed the total cost is not to exceed \$16,600 for the contract. The motion failed.

AYE: Austin, Buller, Dickinson, Volkmer, Hansen

NAY: Brown, Bruns, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier

NOT VOTING: Teegerstrom

ITEM 25. INDIAN CREEK PROJECT SITE ACCESS FOR DRILLING AND TESTING.

The Board of Directors previously authorized staff to study the feasibility of two reservoir sites near Cordova. In order to determine foundation suitability, soil characteristics, and reservoir seepage rates, it is necessary for drilling and testing be conducted at each site. Staff reviewed the scope of work required for drilling and testing at the proposed upstream and downstream dam sites.

Although staff has obtained permission from some landowners to allow drilling and testing, permission is still needed on some lands. Staff requested that the Board of Directors decide whether or not to seek legal action, if necessary, to obtain access on lands where permission has been denied.

It was moved by Houdersheldt and seconded by Volkmer that staff be authorized to proceed with legal action to obtain access for drilling and testing on the Indian Creek Project where voluntary access has not been granted. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Moore, Regier, Teegerstrom, Volkmer

NAY: Jackson, Joseph, Luebbe

NOT VOTING: Hansen

ITEM 26. LINCOLN CREEK PARKWAY PEDESTRIAN BRIDGE.

The foundation work is completed and all components for the bridge superstructure have been fabricated and shipped to the bridge site. The Leadership Center has agreed to fund the bridge railings, and Kansas Structural Composites will ship and install the bridge decking. Work remaining includes assembling the bridge components, lifting the bridge into place, and painting the superstructure with primer and finish coat.

Work completed to date was done with some grant money and some donated services. The City of Aurora is requesting that the NRD work with the City to fund and manage a construction contract to assemble, place, and paint the bridge superstructure.

A draft Interlocal Agreement was reviewed by the Projects Committee. It is proposed that the District provide staff to solicit bids from contractors, act as the contracting agency, provide construction surveys, provide quality control review during construction, and pay for 20% of the construction cost for assembling, painting, and placing the bridge superstructure. The City would pay for 80% of the construction cost for assembling, painting, and placing the bridge superstructure.

It was moved by Houdersheldt and seconded by Austin that the District offer to assist the City of Aurora with completion of the Lincoln Creek Parkway pedestrian bridge across Lincoln Creek in accordance with the terms and conditions of the draft Interlocal Agreement reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Houdersheldt

ITEM 27. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Executive Committee met on August 9, 2001 and presented the committee's recommendations.

ITEM 28. SALARY REIMBURSEMENTS FOR NRCS FIELD OFFICE PERSONNEL.

An invoice for \$7,097.50 has been received from the Little Blue NRD for salaries for the Adams and Clay County NRCS clerks for the past 12 months ending on June 30. We have also been invoiced \$4,095.20 by the Lower Big Blue NRD for salaries for the Saline County NRCS clerk and some part-time technician work for the past 12 months ending June 30. The Lower Platte North NRD has submitted a bill for \$5,653.78 for salaries for the Butler County NRCS clerk and some part-time technician work for the past six months.

It was moved by Buller and seconded by Hultman to approve payments of \$7,907.50 to the Little Blue NRD for NRCS office salaries for FY2001 (July 1, 2000 - June 30, 2001); \$4,095.20 to the Lower Big Blue NRD for NRCS office salaries for FY 2001 (July 1, 2000 - June 30, 2001); and \$5,653.78 to the Lower Platte North NRD for NRCS office salaries for half of FY2001 (January 1 - June 30, 2001.) We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: Houdersheldt, Volkmer

ITEM 29. FISCAL YEAR 2002 NARD DUES AND SPECIAL ASSESSMENT.

The NARD dues have been set for FY2002. The NARD budget was adopted at the June Association meeting. The amount payable is \$15,730, \$2,244 of which is the special assessment to make up for the shortfall in NRCS staff position funding.

It was moved by Buller and seconded by Houdersheldt to approve payment of \$15,730 to the Nebraska Association of Resources Districts for FY2002 dues and special assessment. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: Volkmer

ITEM 30. FINANCIAL REPORT, JULY 1, 2001 THROUGH JULY 31, 2001, AND CONSIDERATION OF EXPENDITURES FOR JULY 2001.

Turnbull reviewed the financial report for the period July 1, 2001 through July 31, 2001 that we had distributed. It was moved by Regier and seconded by Volkmer to approve the financial report for July 2001 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

There being no other business, we adjourned the meeting at 9:44 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 August 16, 2001, 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.

Earl Hultman, Secretary

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**BOARD OF DIRECTORS MEETING
and
FY 2002 SPECIAL TAX REQUEST HEARING
September 20, 2001**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 20, 2001, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Ken Feather, Prudence Sadler, Rodney DeBuhr, Wes Eberspacher, Marilyn Eberspacher, Bill Gilliam of NRCS, Randy Mierau of Mierau & Co. P.C., and Kerry Heine of York News-Times. Hansen called the meeting to order at 7:40 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll.

ITEM 3. *ADOPTION OF CONSENT AGENDA.

It was moved by Luebbe and seconded by Austin to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Luebbe and seconded by Austin to approve the agenda for the September 20, 2001 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 5. *APPROVAL OF MINUTES OF THE AUGUST 16, 2001 BOARD OF DIRECTORS MEETING AND FY 2002 BUDGET HEARING.

It was moved by Luebbe and seconded by Austin to approve the minutes of the August 16, 2001 board of directors meeting and FY 2002 budget hearing. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 6. FY 2002 SPECIAL TAX REQUEST HEARING.

Chairman Hansen opened the hearing at 8:43 p.m. to set the final property tax request for fiscal year 2002. Turnbull presented a proposed resolution to set the property tax request at 0.027872. Hansen asked for comments from the public. No comments were received. Hansen closed the hearing at 8:47 p.m.

ITEM 7. ADOPTION OF RESOLUTION SETTING FINAL PROPERTY TAX REQUEST.

It was moved by Moore and seconded by Hultman to adopt the resolution to set the FY 2002 property tax request at 0.027872. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 8. PRESENTATION OF FY 2001 AUDIT.

Each director received a copy of the FY 2001 audit. The NRD's accountant, Randy Mierau, briefly reviewed the audit and compared it with the prior year's data. The auditor informed the board that there were no reportable conditions or findings relating to the audit.

It was moved by Moore and seconded by Regier to accept the FY 2001 Audit as presented by Randy Mierau of Mierau & Co., P.C.. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 9. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on September 11, 2001 and presented the committee's recommendations.

ITEM 10. TREE PLANTING AT THE VILLAGE PARK AT UTICA.

Monica Daake presented her plan to plant 19 trees at a cost of \$1000 at the Village Park at Utica as her Girl Scout Project. The project has been approved by the Village Board. The District's policy is to fund these types of projects at 25% of the actual or estimated cost whichever is less, not to exceed \$10,000.

It was moved by Bruns and seconded by Austin that the Upper Big Blue Natural Resources District fund the tree planting at the Village of Utica Park, not to exceed \$250. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 11. INTERLOCAL AGREEMENT BETWEEN NATURAL RESOURCES DISTRICTS AND NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS FOR THE PURCHASE OF TREES.

The Nebraska Forest Services is no longer involved with the Nebraska Conservation Tree program. The NARD will be responsible for ordering trees from the U.S. Forest Service and the NRD will purchase their trees through the NARD.

The Education & Parks Committee reviewed the draft Interlocal Agreement between the NARD and NRD. The Interlocal Agreement will not be finalized until after the NARD Conference in late September. The Committee is asking the Board of Directors to authorize the Chairman of the Board to sign the agreement once it has been finalized, provided there are no major changes in the Agreement.

It was moved by Bruns and second by Regier that the Upper Big Blue Natural Resources District enter into an Agreement with the NARD to purchase seedling trees and shrubs and have the Chairman of the Board of Directors sign the Agreement. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

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

Brown reported that the Water Committee met on September 11, 2001 and presented the committee's recommendations.

ITEM 13. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Luebbe and seconded by Austin to make cost-share payments for eight well abandonments totaling \$2,548.41. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 14. 2001 MONITORING WELL NETWORK RESULTS.

The Committee reviewed a graph showing the median nitrate level in the 12 management zones. The zones sampled in 2001 were 2, 4, 5, 9, 10, 11, 12. Zones 2 and 5 both have a median nitrate level of 8.3 parts per million. This is slightly lower than last year for Zone 5 but is an increase of 0.5 p.p.m. for Zone 2. The median nitrate in Zone 2 has risen from 5.8 to 8.3 in just 4 years. This rapid increase prompted the staff to look at what could be done to make residents in Zone 2 more aware of this and what they could do about it.

ITEM 15. PROPOSED 319 GRANT TO ADDRESS ZONE 2 NITRATE LEVELS.

In this project the NRD with cooperation from Cooperative Extension and NRCS would sample all of the domestic wells in Zone 2 over a two-year period. There are approximately 500 farmsteads in this area. Each participant would be provided with information and offered technical assistance on how they could address the nitrate contamination problem. The estimated cost of the three-year project is \$118,099. The 319 grant would cover \$70,858 of the cost. No new staffing is proposed. The application needed to be submitted by September 17, 2001. Therefore, the Committee directed the staff to proceed and asked the board to approve the submittal after the fact, or direct the staff to withdraw the application.

It was moved by Brown and seconded by Bruns to approve the submittal of the Rural Ground Water Quality Awareness Grant Application to the Nebraska Department of Environmental Quality. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 16. USGS CONTRACT FOR FY 2002 RECORDER WELL OPERATIONS.

It is time to renew the joint funding agreement with the USGS for operation of the Aurora, Burress, Rising City and Seward recorder wells. The total cost is \$3,050 which is divided 50/50 with USGS, making the NRD's share \$1,525. This is a 5% increase from FY2001.

It was moved by Brown and seconded by Jackson to approve the Fiscal Year 2002 Joint Funding Agreement with USGS for operations of the Aurora, Burress, Rising City and Seward recorder wells for an amount of \$1,525. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

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

Houdersheldt reported that the Projects Committee met on September 13, 2001 and presented the committee's recommendations.

ITEM 18. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Buller that payments of NSWCP Land Treatment funds be made in the amount of \$11,593.33 for four applications reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 19. PAYMENTS OF NEBRASKA BUFFER STRIP PROGRAM FUNDS.

A total of 553.3 acres is currently under contract. The total annual payments on these acres are \$44,279.38. The majority of contracts are for 10 years. Payments of \$18,371.49 are now due on 16 contracts for the first quarter of FY2002.

It was moved by Houdersheldt and seconded by Moore that payments of Nebraska Buffer Strip Program funds be made in the amount of \$18,371.49 for 16 contracts reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Hultman, Joseph, Luebbe, Moore, Regier,
Teegerstrom, Volkmer, Hansen

NAY: Jackson

NOT VOTING: Houdersheldt

NOT PRESENT: Dickinson, Eberle

ITEM 20. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT.

Claim eleven has been submitted for expenditures on the Big Blue River Flood Hazard Mitigation Project. The total amount of the claim is \$1,900. FEMA's share is \$1,425, the City's share is \$237.50, and the NRD's share is \$237.50.

It was moved by Houdersheldt and seconded by Luebbe that payment of \$237.50 from NRD funds be made to the City of Seward, and that the District file a claim in the amount of \$1,425 for the FEMA share of claim eleven of the Big Blue River Flood Hazard Mitigation Project, and that \$1,425 of the FEMA share be paid to the City when it is received by the District. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 21. LINCOLN CREEK PARKWAY PEDESTRIAN BRIDGE.

At the August meeting the Board agreed to offer the City of Aurora financial and staff assistance to complete the pedestrian bridge over Lincoln Creek. The Aurora City Council reviewed the offer and approved the Interlocal Agreement with no modifications.

Staff recommends that the Board authorize the Chairman to sign the Interlocal Agreement, and authorize staff to obtain bids for completing the pedestrian bridge project.

It was moved by Houdersheldt and seconded by Luebbe that the Board Chairman is authorized to execute the Interlocal Agreement between the Upper Big Blue NRD and City of Aurora, which was reviewed by the Board of Directors in August 2001, for the purpose of completing

construction of the Lincoln Creek pedestrian bridge. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

It was moved by Houdersheldt and seconded by Moore that the District staff is authorized to advertise for bids from contractors to complete construction of the Lincoln Creek pedestrian bridge at Aurora. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

**ITEM 22. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE
AND CONSIDERATION OF RECOMMENDATIONS.**

Moore reported that the Budget, Planning & Legislative Committee met on September 13, 2001 and presented the committee's recommendations.

**ITEM 23. PAYMENT FOR COOPERATIVE HYDROLOGY STUDY #2 OF THE
PLATTE RIVER.**

We received an invoice from the Central Platte NRD for the first annual payment for COHYST #2 (Cooperative Hydrology Study on the Platte River). The amount of the invoice is \$15,666.67 which is one-third of the \$47,000 that the Upper Big Blue NRD agreed to pay over a three-year period.

It was moved by Moore and seconded by Regier to approve payment of \$15,666.67 to the Central Platte NRD for COHYST #2. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 24. NARD RESOLUTIONS.

The Budget, Planning & Legislative Committee reviewed the proposed resolutions and took the following action.

Resolution	Submitted By	Position
2000-1 NSWCP COST-SHARE FOR NON-AGRICULTURAL BEST MANAGEMENT PRACTICES	LPSNRD	Oppose as written
2000 - 2 BUFFER STRIP PROGRAM FUNDING	LPSNRD	None
2000 - 3 REPUBLICAN BASIN FLOWMETER COST-SHARE FUNDS	TBNRD	Support
2000 - 4 REPRESENTATION OF NRDs ON THE NEBRASKA WATER WELL STANDARDS AND CONTRACTS LICENSING BOARD	TBNRD	Oppose
* RESOLUTION ON WELL REGISTRATION FEES.	SPNRD	Support
*NSWCP INCENTIVE PAYMENTS FOR MANAGEMENT PRACTICES	LENRD	None

* Resolutions will require a 2/3 floor vote for introduction at the Conference.

It was moved by Moore and seconded by Regier to oppose Resolution 2000-1 as written.

It was moved by Houdersheldt and seconded by Bruns to amend the motion to read that the Board of Directors take the Budget Committee's recommended positions on the NARD Resolutions to be presented at the 2001 NARD Annual Conference. We approved the amendment.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

We approved the original motion as amended.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 25. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Executive Committee met on September 13, 2001 and presented the committee's recommendations.

ITEM 26. NARD VOTING DELEGATE FOR 2001 CONFERENCE.

It was moved by Buller and seconded by Houdersheldt to appoint Doug Dickinson as the Delegate and Yvonne Austin as the Alternate for the 2001 NARD Annual Conference. We approved the motion.

A YE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 27. AUTHORIZATION TO PURCHASE OFFICE COPIER.

Quotes have been received for a replacement office copier. The dealers were asked to demonstrate digital copiers that are to be connected into the computer network system. The Savin copier worked very well as a stand-alone copier and in the network system. Eakes Office Products was never able to establish the computer network hookup. Pitney Bowes also was unable to hook to the network without a dedicated computer server at additional expense.

DEALER	Eakes Office Products	Pitney Bowes	Advanced Office Automation
MODEL	Hitachi DDC62N	Pitney Bowes DL-550	Savin 2070 DP
Copies @ min.	62	55	70
COPY COST	.0099	.010	.010
PRICE	\$18,450	\$17,032	\$21,001
TRADE IN	500	included	2,000
Dedicated Server	Gateway 7400 Server, 933 MHz, 128 RAM, 9GB HD, Microsoft NT Operating System. *		\$2,398
PURCHASE PRICE	\$17,950	\$19,430	\$19,001

* Gateway price from Website 9-17-2001

Turnbull recommends the purchase of the Savin 2070 DP.

It was moved by Buller and seconded by Hultman to approve the purchase of the Savin 2070 DP

digital copier from Advanced Office Automation of Lincoln for \$19,001. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 28. FISCAL YEAR 2001 AUDIT FEES.

The FY 2001 Audit, including a federal audit, has been completed and a bill has been received from Mierau & Co. for \$2,200. Staff recommends payment.

It was moved by Buller and seconded by Hultman to approve payment of \$2,200 to Mierau & Co. P.C. for the FY2001 audit. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 29. UPPER BIG BLUE NRD ELECTION SUBDISTRICTS.

Turnbull presented three plans for redistricting the NRD for election purposes, each of which included eight election subdistricts. The Board has already decided that the Board membership will remain at 17. After a review, the Executive Committee settled on Subdistrict Idea #4. The Committee's recommended plan does not require any existing board member to run against another existing board member, although two directors will be in different subdistricts.

The existing subdistricts were established in 1974 and have not been changed since that time.

Subdistrict	Existing Subdistricts		Recommended Plan
	1970 Census	2000 Census	2000 Census
1	6,382	5,631	7,059
2	7,293	8,376	7,109
3	6,112	5,968	7,034
4	7,371	6,384	7,085
5	7,771	7,615	6,998
6	7,110	7,785	7,098

7	6,530	5,519	7,106
8	8,142	9,416	6,845
	56,711	56,334	56,334
Ratio High to low population	1.33 : 1	1.83 : 1	1.04 : 1

It was moved by Buller and seconded by Houdersheldt that the District continue to have eight election subdistricts and to continue to nominate candidates from subdistricts and from the district at large who shall be elected by the registered voters of the entire district; and to immediately realign the Upper Big Blue NRD election subdistrict boundaries as shown in Subdistrict Idea #4.

Following a short discussion Friesen requested that the matter be held over until the October 18, 2001 board meeting.

ITEM 30. FINANCIAL REPORT, AUGUST 1, 2001 THROUGH AUGUST 31, 2001, AND CONSIDERATION OF EXPENDITURES FOR AUGUST 2001.

Turnbull reviewed the financial report for the period August 1, 2001 through August 31, 2001 that we had distributed. It was moved by Volkmer and seconded by Brown to approve the financial report for August 2001 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Eberle

There being no other business, we adjourned the meeting at 9:18 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 20, 2001, 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.

Upper Big Blue NRD
Board of Directors Meeting & FY 2002 Special Tax Request Hearing
September 20, 2001
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Earl Hultman, Secretary

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BOARD OF DIRECTORS MEETING
October 18, 2001

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 18, 2001, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Ken Feather, Prudence Sadler, Rodney DeBuhr, Ray Naber, Seward County and Kerry Heine of York News-Times. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting October 11, 2001 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Thirteen directors were present for the calling of the roll. Moore arrived at 7:35 p.m., Regier arrived at 7:42 p.m. and Austin arrived at 7:49 p.m..

ITEM 3. APPROVAL OF DIRECTORS' REQUEST FOR EXCUSED ABSENCE.

It was moved by Volkmer and seconded by Brown to excuse the absence of Doug Dickinson from the October 18, 2001 board of directors meeting as requested. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Volkmer,
Hansen

NAY: Friesen, Houdersheldt

NOT PRESENT: Austin, Dickinson, Moore, Regier

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Brown and seconded by Hultman to adopt the consent agenda. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe,
Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Regier

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Brown and seconded by Hultman to approve the agenda for the October 18,

2001 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Regier

ITEM 6. *APPROVAL OF MINUTES OF THE SEPTEMBER 20, 2001 BOARD OF DIRECTORS MEETING AND FY 2002 SPECIAL TAX REQUEST HEARING.

It was moved by Brown and seconded by Hultman to approve the minutes of the September 20, 2001 Board of Directors Meeting and FY 2002 Special Tax Request Hearing. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Regier

ITEM 7. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on October 9, 2001 and presented the committee's recommendations.

ITEM 8. FISCAL YEAR 2002 TREE PROGRAM.

The NARD hasn't received final tree prices from the U.S. Forest Service for the fiscal year 2002 tree program. The number of trees available from the U.S. Forest Service will be less than in past years. Last year's price for planting trees was 35¢ each and the cost for trees and shrubs was 55¢ apiece.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District set the new planting cost at 35¢ a tree and the tree and shrub costs be set at a cost no less than 55¢ a tree, but if the tree and shrub cost comes in higher, the NRD staff will be allowed to adjust the tree and shrub cost accordingly. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson

NOT VOTING: Regier

ITEM 9. FILLMORE COUNTY CENTRAL HIGH SCHOOL OUTDOOR CLASSROOM INTERLOCAL AGREEMENT.

District staff recommends that we sign an Interlocal Agreement with Fillmore County Central High School in Geneva because the amount of design and inspection work on the outdoor classroom has increased to a level that would call for an agreement on similar projects. The pond at the Geneva outdoor classroom makes it more complex than most of the outdoor classrooms that we cooperate on.

It was moved by Bruns and seconded by Jackson that the Upper Big Blue Natural Resources District enter into an Interlocal Agreement with Fillmore County Central High School for the purpose of constructing an outdoor classroom at the school.

Buller asked whether labor was eligible for reimbursement under the interlocal agreement. Sadler explained that it was not. It was moved by Volkmer and seconded by Buller to amend the motion to change item four under NRD responsibilities to read "The NRD will pay 50% of the local share of the costs of grass seed, materials, and related materials, *excluding labor*, not to exceed \$800." We approved the amendment.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson

We approved the original motion as amended.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson

ITEM 10. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on October 9, 2001 and presented the committee's recommendations.

ITEM 11. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Brown and seconded by Hultman to make cost-share payments for two well abandonments totaling \$424.14. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Regier

ITEM 12. PAYMENT TO USGS FOR FISCAL YEAR 2001 RECORDER WELL OPERATIONS.

Payment is due the USGS under the joint funding agreement for operation of the Aurora, Burress, Rising City and Seward recorder wells. The total cost was \$2,900 which is divided 50/50 with USGS, making the NRD's share \$1,450.

It was moved by Brown and seconded by Austin to approve payment of \$1,450 to the US Geological Survey for the District's share of the Fiscal Year 2001 Joint Funding Agreement for operation of the Aurora, Burress, Rising City and Seward recorder wells. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson

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

Houdersheldt reported that the Projects Committee met on October 11, 2001 and presented the committee's recommendations.

ITEM 14. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Austin that payments of NSWCP Land Treatment funds be made in the amount of \$12,773.69 for five applications reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson

ITEM 15. LETTER OF SUPPORT FOR LOWER BIG BLUE NRD EQIP APPLICATION.

The Lower Big Blue NRD has requested that the Upper Big Blue NRD provide a letter of support for their Crete, Wilber, DeWitt Tribes Priority Area EQIP application. Their EQIP application includes conservation work in Saline, Gage, Lancaster, and Seward Counties. The conservation practices to be constructed in the Priority Area include soil erosion control, crop rotation, livestock grazing systems, irrigation water management, and buffer strips.

It was moved by Houdersheldt and seconded by Hultman that the Upper Big Blue NRD Board of Directors forward a letter of support for the Lower Big Blue NRD's proposed Crete, Wilber, DeWitt Tribes Priority Area EQIP application. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: Friesen

NOT VOTING: Volkmer

ITEM 16. *NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Brown and seconded by Hultman that payment of Nebraska Buffer Strip Program funds be made in the amount of \$261.74 for one contract reviewed by the Committee. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Regier

ITEM 17. EXECUTIVE SESSION TO DISCUSS IMMINENT LITIGATION FOR ENTRY ON PROPERTIES INVOLVED IN THE INDIAN CREEK PROJECT.

It was moved by Houdersheldt and seconded by Austin that the Upper Big Blue NRD Board of Directors go into executive session at 7:56 p.m. for the purpose of discussing imminent litigation on the Indian Creek Project to gain entry on lands for investigations and studies. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson

It was moved by Volkmer and seconded by Regier to go back into regular session at 8:22 p.m.
We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson

ITEM 18. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Executive Committee met on October 11, 2001 and presented the committee's recommendations.

ITEM 19. * THIRD QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Brown and seconded by Hultman to approve payment of third quarter directors' per diem of \$8,850.00 and expenses of \$2,276.54. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe,
Moore, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Dickinson, Regier

ITEM 20. PAYMENT TO CROSBY GUENZEL LLP FOR ATTORNEY FEES.

The attorney fees for the month are \$1,752, of which \$246.50 is for the drafting of a conservation easement for Johnson Creek Site #10 and \$1,505.50 for legal matters relating to gaining entry on land for the Indian Creek Project.

It was moved by Buller and seconded by Hultman to approve payment of \$1,752 to Crosby Guenzel LLP, for Steve Seglin's work through September 19, 2001. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson

ITEM 21. APPROVE PAYMENT TO ADVANCED OFFICE AUTOMATION FOR COPIER.

Advanced Office Automation delivered and set up the copier October 4. We have been invoiced for the purchase price of \$19,001. Staff recommends payment.

It was moved by Buller and seconded by Houdersheldt to approve payment of \$19,001 to Advanced Office Automation Inc. of Lincoln, Nebraska for the Savin 2070DP copier. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson

ITEM 22. PAYMENT TO YORK INSURANCE AGENCY FOR ADDITIONAL INSURANCE PREMIUM.

York Insurance Agency informed the District on October 11 of a change in the premium on the liability, fire and auto insurance. The initial premium was \$35,205. An additional premium of \$1,934 is due for umbrella coverage over the linebacker liability policy. The umbrella coverage provided \$2,000,000 over all of the auto, fire, and liability policy's limits except for the linebacker policy. Its limit is \$1,000,000. Employers Mutual placed the umbrella coverage over the linebacker policy on July 1, so the total coverage for the linebacker policy is \$3,000,000. The linebacker policy covers directors and employees of the District and insures for wrongful acts, actual or alleged errors, misstatement or misleading statements, acts or omissions or neglect or breach of duty by district, directors or employees.

Turnbull and Schneider met with Scott Nelson of York Insurance on Friday, October 12. Scott said that his firm did not order the additional coverage. Mr. Nelson explained that the umbrella policy did not cover the linebacker policy in past years. It is up to the District whether to keep the additional coverage as written by Employers Mutual. However, our agent feels it might be prudent to have the higher limit of coverage. If the Board decides to keep the additional coverage the premium of \$1,934 needs to be paid. Turnbull recommends that the District pay the \$1,934 for the additional coverage.

It was moved by Buller and seconded by Houdersheldt that the District approve the payment of \$1,934 to York Insurance Agency for the additional umbrella insurance premium. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson

ITEM 23. APPROVAL OF ELECTION SUBDISTRICTS.

Last month Turnbull presented three plans for redistricting the NRD for election purposes, each of which included eight election subdistricts. The Executive Committee recommended adoption of Subdistrict Idea #4. The Executive Committee's recommended plan does not require any existing board member to run against another existing board member, although two directors will be in different subdistricts. After some discussion Curt Friesen asked that the matter be held over until the October 18 board meeting, as provided in Operating Policy 9.

It was moved by Hultman and seconded by Moore that the district continue to have eight election subdistricts; to continue to nominate candidates from subdistricts and from the district at large who shall be elected by the registered voters of the entire district; and to immediately realign the Upper Big Blue NRD election subdistrict boundaries as shown in Subdistrict Idea #4. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Friesen, Volkmer

NOT PRESENT: Dickinson

ITEM 24. FINANCIAL REPORT, SEPTEMBER 1, 2001 THROUGH SEPTEMBER 30, 2001, AND CONSIDERATION OF EXPENDITURES FOR SEPTEMBER 2001.

Turnbull reviewed the financial report for the period September 1, 2001 through September 30, 2001 that we had distributed. It was moved by Volkmer and seconded by Austin to approve the financial report for September 2001 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson

There being no other business, we adjourned the meeting at 9:02 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 18, 2001, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
November 15, 2001

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 15, 2001, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Ken Feather, Prudence Sadler, Rodney DeBuhr, William Gilliam of York NRCS, Missi Scow, Jeff Scow, Diana Scow, Gene Scow, Wes Eberspacher, Kerry Heine of York News-Times and Sue Beach of Aurora News Register. Hansen called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting November 8, 2001 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll. Luebbe arrived at 1:35 p.m..

ITEM 3. APPROVAL OF DIRECTORS' REQUEST FOR EXCUSED ABSENCE.

It was moved by Teegerstrom and seconded by Volkmer to excuse the absence of Steve Buller from the November 15, 2001 board of directors meeting as requested. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Houdersheldt

NOT PRESENT: Buller, Luebbe

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Moore and seconded by Brown to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Moore and seconded by Brown to approve the agenda for the November 15, 2001 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 6. *APPROVAL OF MINUTES OF THE OCTOBER 18, 2001 BOARD OF DIRECTORS MEETING.

It was moved by Moore and seconded by Brown to approve the minutes of the October 18, 2001 Board of Directors Meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 7. UPPER BIG BLUE NRD CONSERVATION AWARD FOR PRODUCTION AGRICULTURE & HONORABLE MENTION MASTER CONSERVATIONIST AWARD.

Chairman Hansen presented Jeff and Melissa Scow with the Upper Big Blue NRD award for production agriculture and the Omaha World Herald's Master Conservationist Honorable Mention award.

Lloyd Smith was the original nominee for these awards, but Lloyd passed away last August at the age of 91. Lloyd had sold his land to his great nephew Jeff Scow and his wife Melissa, who have continued to farm following the family's devotion to conservation.

ITEM 8. EMPLOYEE RECOGNITION.

Prudence Sadler was recognized for her 15 years for service to the district with a set of laser engraved bookends.

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

Brown reported that the Water Committee met on November 6, 2001 and presented the

committee's recommendations.

ITEM 10. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Moore and seconded by Brown to make cost-share payments for seven well abandonments totaling \$1,747.62. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 11. APPROVAL OF LATE WELL PERMIT FOR DELORIS REMPEL.

The Committee reviewed an application for a late permit for a well owned by Deloris Rempel. The well is located in the NE 1/4 of Section 29-T11N-R5W and was drilled in May 1979, just five months after permits were required. The well was not registered until this year. Except for the failure to obtain a permit, no other NRD regulations were violated. Staff recommends approval of this application.

It was moved by Brown and seconded by Teegerstrom to approve a late well permit for well G-110688 located in the NE 1/4 Section 29-T11N-R5W, Hamilton County. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 12. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on November 6, 2001 and presented the committee's recommendations.

ITEM 13. NEBRASKA WATER CONSERVATION COOPERATIVE AND THE PIPING PLOVER CRITICAL HABITAT.

Stan Staab, General Manager of the Lower Elkhorn NRD, made a presentation to the Committee about the Nebraska Water Conservation Cooperative (Coalition). The Coalition was formed in 1993 to challenge the Nebraska Game and Parks Commission on instream flow water rights the

Commission had filed for. The Coalition membership consists of several NRDs, including the Central Platte and Lower Elkhorn NRDs, as well as power and irrigation districts and Nebraska Water Users.

The Coalition has decided to be active in the Piping Plover critical habitat issue in Nebraska. The US Fish and Wildlife Service has announced their intent to designate an area from Lexington to the mouth of the Platte as critical habitat for the Plover. Other areas of the state along the Niobrara and Missouri are also being considered. If the designation is successful much of the Platte Basin will be impacted.

The draft environmental assessment by US Fish and Wildlife Service lists groundwater withdrawal as an activity adversely affecting the critical habitat of the Piping Plover. It was pointed out that this looks like an end run on the Cooperative Agreement between Colorado, Wyoming, Nebraska and the Department of Interior.

The Coalition is recruiting other NRDs to join. The Coalition needs member districts for political and financial strength. Each partner has an equal vote and will share the expense to ensure that the US Fish and Wildlife Service proves all aspects of the critical habitat designation or ends their effort to make such designation. Stan Staab asked the Upper Big Blue NRD to join the Coalition through an Interlocal Agreement.

It was moved by Moore and seconded by Houdersheldt that the Upper Big Blue NRD join the Nebraska Water Conservation Cooperative (Coalition). We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 14. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Projects Committee met on November 8, 2001 and presented the committee's recommendations.

ITEM 15. PAYMENT OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Jackson that payment of NSWCP land treatment funds be made in the amount of \$2,976.98 for one application reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller, Moore

ITEM 16. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on November 8, 2001 and presented the committee's recommendations.

ITEM 17. WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS.

The Committee reviewed the list of cooperators in the Wildlife Habitat Improvement Program whose annual payments are due. The areas have been inspected and staff recommends payment.

It was moved by Bruns and seconded by Volkmer that the Upper Big Blue Natural Resources District make payments totaling \$4,121.25 to the cooperators of the Wildlife Habitat Improvement Program for the months of October and November. We approved the motion.

AYE: Austin, Brown, Bruns, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Dickinson

NOT PRESENT: Buller

ITEM 18. PAYMENT FOR ENGINEERING SERVICES ON PLUM CREEK TRAIL PEDESTRIAN BRIDGE.

The drilling and testing for the pedestrian bridge foundation on the Plum Creek Trail has been completed. The proposed cost for Geotechnical Services, Inc. to do the drilling was \$2,890. Due to the soil condition extra drilling was needed and the final cost was \$3,317.50.

It was moved by Bruns and seconded by Regier that the Upper Big Blue NRD make payment of \$3,317.50 for the geotechnical engineering on the Plum Creek Trail pedestrian bridge at Seward. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 19. COMMUNITY FORESTRY PROGRAM FOR CITY OF SEWARD NORTH PARK.

The City of Seward has completed the tree and shrub plantings along Karol Kay Boulevard and

Waverly Road which border Seward North Park on the east and north side. This portion of the tree and shrub planting qualified under the Community Forestry Program I, which is a 50% matching grant on a \$1.00 per capita basis, not to exceed \$5,000. The City of Seward's cost is \$7,700 to plant trees and shrubs in this area. Under the Agreement signed between the City and the District we agreed to fund the project up to \$2,500.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District make payment of \$2,500 to the City of Seward for the planting of trees and shrubs along Karol Kay Boulevard and Waverly Road in the North Park Recreation Area. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 20. VILLAGE OF UTICA PARKS AND RECREATION PROGRAM.

Monica Daake and the Girl Scouts from Utica planted trees in the North Park of the Village of Utica. The Village spent \$1,043.84 for the trees. The District agreed to fund up to \$250 of the project.

It was moved by Bruns and seconded by Austin that the Upper Big Blue Natural Resources District make payment of \$250 to the Village of Utica for the planting of trees at the North Park in the Village of Utica. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 21. CONSERVATION EASEMENT BETWEEN JERRY B. AND SUSAN K. BURKEY AND THE UPPER BIG BLUE NRD FOR JOHNSON CREEK SITE 10.

The board reviewed the Conservation Easement between Jerry B. Burkey and Susan K. Burkey and the Upper Big Blue Natural Resources District.

It was moved by Bruns and seconded by Dickinson that the Upper Big Blue Natural Resources District enter into the Conservation Easement with Jerry B. Burkey and Susan K. Burkey and authorize the chairman of the Board of Directors to sign said easement. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,

Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

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

Houdersheldt reported that the Executive Committee met on November 8, 2001 and presented the committee's recommendations.

ITEM 23. PAYMENT TO CROSBY GUENZEL LLP FOR LEGAL SERVICES.

The attorney's fees for the month were \$1,176.50. Four hundred sixty four dollars were for the Indian Creek Project and the remaining \$712.50 was for revisions to the deferred compensation plan.

It was moved by Houdersheldt and seconded by Hultman to approve payment of \$1,786.50 to Crosby Guenzel LLP for Steve Seglin's work through October 20, 2001. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 24. FINANCIAL REPORT, OCTOBER 1, 2001 THROUGH OCTOBER 31, 2001, AND CONSIDERATION OF EXPENDITURES FOR OCTOBER 2001.

Turnbull reviewed the financial report for the period October 1, 2001 through October 31, 2001 that we had distributed. It was moved by Regier and seconded by Volkmer to approve the financial report for October 2001 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

There being no other business, we adjourned the meeting at 2:55 p.m..

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on November 15, 2001, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
December 20, 2001

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, December 20, 2001, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Ken Feather, Prudence Sadler, Rodney DeBuhr, William Gilliam of York NRCS, and Kerry Heine of York News-Times. Hansen called the meeting to order at 1:35 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting December 13, 2001 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Seventeen directors were present for the calling of the roll.

ITEM 3. *ADOPTION OF CONSENT AGENDA.

It was moved by Brown and seconded by Austin to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Brown and seconded by Austin to approve the agenda for the December 20, 2001 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 5. *APPROVAL OF MINUTES OF THE NOVEMBER 15, 2001 BOARD OF DIRECTORS MEETING.

It was moved by Brown and seconded by Austin to approve the minutes of the November 15, 2001 Board of Directors Meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 6. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on December 11, 2001 and presented the committee's recommendations.

ITEM 7. PAYMENT TO VILLAGE OF SHELBY FOR CONSTRUCTION OF TRAIL.

The Upper Big Blue NRD agreed to cost-share with the Village of Shelby on a trail 10 foot wide and 1200 feet long from the Shelby Public School to the village library. The engineering of the trail was done by Kirkham & Michael. The total estimated cost including engineering was \$77,561. The Village of Shelby applied for an ISTE A Grant which would pay 74% of the total project cost leaving 26% for the local share, or \$20,165.86. The NRD Board agreed to fund 25% of the local share not to exceed \$5,041.47.

The final project cost was \$44,151.87. The Village of Shelby received the 74% grant through the Nebraska Game & Parks Commission for \$32,672.38. This left a local share of \$11,479.49 for the Village of Shelby. The NRDs 25% of the local share is \$2,869.87. The project sign at the beginning of the trail has not been installed, but will be required by the Nebraska Game and Parks Commission.

It was moved by Bruns and seconded by Houdersheldt that the Upper Big Blue Natural Resources District make payment of \$2,869.87 to the Village of Shelby for the construction of a ten-foot wide concrete trail from the Shelby Public School to the village library located in the Village of Shelby. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 8. PAYMENT TO BETTGER BROTHERS FOR WILD NEBRASKA CONTRACT.

In November 2000 the NRD Board of Directors voted to accept the agreement with Bettger Brothers of Fairmont for the *WILD* Nebraska Habitat Program. The 40-acre tract is located in the

NE ¼ of Section 25, T8N, R3W of the 6th P.M., Fillmore County, Nebraska. During this past year, 19 acres have been reseeded to a warm season grass mix. The Bettger Brothers are also eligible to receive \$3/acre on 27 acres for public access and \$15/acre for ground preparation on the 19 acres that were seeded to a warm season grass mix. It is policy under the *WILD* Nebraska program not to pay more than \$80/acre for grass seed. In this case the grass seed was purchased at two different times, at two different prices. The first purchase for six acres of grass seed came to \$91.25/acre. The second purchase of the same mix for the remaining acres came to \$65.58/acre.

The Bettger Brothers will be receiving \$120/year for public access on the entire 40 acres for the remaining nine years of the contract. They also have the option of planting trees and shrubs around the area, in which case they would be eligible to receive a payment for the trees and planting cost. The NRD share is \$424.62.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District make payment of \$1698.50 to the Bettger Brothers for the planting of warm season grasses and public access on their lands located in the NE¼ of SE 25, T8N, R3W of the 6th P.M., Fillmore County, Nebraska under the *WILD* Nebraska program. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

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

Brown reported that the Water Committee met on December 11, 2001 and presented the committee's recommendations.

ITEM 10. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Brown and seconded by Austin to make cost-share payments for twenty-four well abandonments totaling \$8,182.94. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Buller

ITEM 11. PAYMENT TO GRAND ISLAND-HALL COUNTY HEALTH DEPARTMENT.

The District owes the Grand Island-Hall County Health Department \$784 for 196 nitrate analyses for ground water samples collected in 2001.

It was moved by Brown and seconded by Austin to pay the Grand Island-Hall County Health Department \$784 for 196 nitrate analyses of ground water samples collected in 2001. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 12. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on December 12 and 20, 2001 and presented the committee's recommendations.

ITEM 13. NEBRASKA WATER CONSERVATION COOPERATIVE (COALITION) MEMBERSHIP.

An interlocal agreement was received from the Central Platte NRD for the Board's consideration. The purpose of the agreement is to provide for the representation of the interests of the parties in proceedings concerning the designation of critical habitat for the Piping Plover in Nebraska by the US Fish and Wildlife Service. Other main points are

- a. Names the group the "Nebraska Habitat Conservation Coalition"
- b. Establishes a board, one appointed representative from each party
- c. Establishes a chairman, vice chairman, and secretary/treasurer
- d. Allows contracts for services
- e. Allows the employing of persons to carry out the purposes of the agreement
- f. Lasts until completion of all proceedings or when 2/3 vote of its board says quit
- g. Is funded by agreed on payments by the parties which vary
- h. Allows parties to withdraw on proper notice and payment of funds owed
- i. Allows for the addition of new parties on a 2/3 vote of its board

The Upper Big Blue's contribution listed in the agreement is \$5,000 per year, with a 3 year maximum contribution of \$15,000.

It was moved by Moore and seconded by Regier to approve the interlocal agreement for the Nebraska Habitat Conservation Coalition; to authorize the Chairman to sign the agreement; and further to appoint John Turnbull as the Upper Big Blue NRD representative, and Rod DeBuhr as the alternate to the Nebraska Habitat Conservation Coalition board. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 14. OPTIONS UNDER THE ENDANGERED SPECIES ACT.

After the discussion with the Central Platte NRD Water Resources Committee about the Endangered Species Act, questions were raised about the options under the act. The Central Platte has proposed that they hire an attorney and that we share in the cost of legal advice. The estimated cost of the work is \$2,000 to \$ 5,000. The firm proposed is Budd-Falen Law Offices of Cheyenne Wyoming, which specializes in natural resources and Endangered Species Act cases.

It was moved by Moore and seconded by Houdersheldt to approve sharing expenses, not to exceed \$2,500, with the Central Platte NRD, for the purpose of obtaining legal advice concerning options under the Endangered Species Act. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 15. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Projects Committee met on December 13, 2001 and presented the committee's recommendations.

ITEM 16. PAYMENTS FROM NSWCP LAND TREATMENT PROGRAM FUND.

It was moved by Houdersheldt and seconded by Hultman that payments of NSWCP Land Treatment funds be made in the amount of \$29,283.51 for 15 applications reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Eberle

ITEM 17. *NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

A total of 553.3 acres are currently under contract in the Nebraska Buffer Strip Program. The total annual payments on these acres are \$44,279.38. The majority of contracts are for 10 years. Two contracts are eligible for payment this quarter.

It was moved by Brown and seconded by Austin that the annual payments of Nebraska Buffer Strip funds be made in the amount of \$1,782.82 for two contracts reviewed by the Committee.

We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 18. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT.

Claim 12 has been submitted for expenditures on the Big Blue River Flood Hazard Mitigation Project. The total amount of the claim is \$1,288.20. FEMA's share is \$966.15, the City's share is \$161.03, and the NRD's share is \$161.02.

It was moved by Houdersheldt and seconded by Luebbe that payment of \$161.02 from NRD funds be made to the City of Seward, and that the District file a claim in the amount of \$966.15 for the FEMA share of claim 12 of the Big Blue River Flood Hazard Mitigation Project, and that \$966.15 of the FEMA share be paid to the City when it is received by the District. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 19. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on December 13, 2001 and presented the committee's recommendations.

ITEM 20. PAYMENT TO CROSBY GUENZEL LLP FOR ATTORNEY FEES.

The attorney's fees for the month are \$4,885.35, of which \$3,047.85 is for Indian Creek and \$1,837.50 is for changes to the District's deferred compensation plan.

It was moved by Buller and seconded by Hultman to approve payment of \$4,885.35 to Crosby Guenzel LLP, for Steve Seglin and William Kutilek's work through November 20, 2001. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 21. CHANGES TO 457 DEFERRED COMPENSATION PLAN.

The Economic Growth and Tax Relief Reconciliation Act of 2001 passed by the US Congress allows significant changes to retirement plans and individual retirement accounts. Because of the detailed legal language involved in the Act, William Kutilek, one of Steve Seglin's partners, was hired to review and rewrite the District's deferred compensation plan to bring it into compliance.

The deferred compensation plan was originally adopted by the Board of Directors in November of 1997. Currently 10 of the 19 District employees defer about \$17,000 of their annual wages through the plan. The total value of the plan on June 30 was \$49,484, which is invested in various mutual funds of each employee's choosing. The funds are managed by Gene Buhman, the Ameritas agent in York. The District does not contribute any money toward the plan.

The two main changes in the plan are (1) a major increase in the allowable amount (to a maximum of \$15,000 from \$8,000) that can be deferred each year, and (2) the ability of an employee to rollover money held in the plan to other qualified retirement plans.

It was moved by Buller and seconded by Austin to approve the changes in the Upper Big Blue NRD's Deferred Compensation Plan as recommended by legal counsel. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 22. REQUEST FOR PAYMENT OF DUES TO NEBRASKA GREAT PLAINS RC&D.

A bill has been received from the Great Plains RC&D for \$150 for 2002 dues. Last year the District paid \$50 which is the same amount paid to the Trailblazer RC&D. South Central RC&D dues have been \$25 per year.

It was moved by Buller and seconded by Jackson to approve payment of \$50 to the Nebraska Great Plains RC& D for 2002 dues. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 23. CHRISTMAS HOLIDAY.

The District's holiday leave policy allows 10 paid holidays per year. State and Federal Offices will be closed on Monday, December 24, 2001. Unless the NRD Board decides otherwise the office will be open on Monday, December 24. Many of the employees are taking a paid vacation

day in order to have the day off. After discussion by the Executive Committee, General Manger and Office Manager the Executive Committee made the following recommendation.

It was moved by Buller and seconded by Houdersheldt that the Board make an exception to Personnel Policy No.19, Holidays, by granting a special holiday on December 24, 2001, with paid leave for all employees not chargeable as leave, and that the office be closed on the 24th. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Hansen

NAY: Luebbe, Volkmer

ITEM 24. FINANCIAL REPORT, NOVEMBER 1, 2001 THROUGH NOVEMBER 30, 2001, AND CONSIDERATION OF EXPENDITURES FOR NOVEMBER 2001.

Turnbull reviewed the financial report for the period November 1, 2001 through November 30, 2001 that we had distributed. It was moved by Regier and seconded by Volkmer to approve the financial report for November 2001 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

There being no other business, we adjourned the meeting at 2:43 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 20, 2001, 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.

Upper Big Blue NRD
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Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
January 17, 2002

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 17, 2002, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Ken Feather, Prudence Sadler, Jay Bitner, Richard Jiskra, NDNR, Fred Nickel, Dwight Johnsen, Delayne Eberspacher, Darren Eberspacher, Jayne Petersen, Cynthia Thomsen, Glen Petersen, Gerald Lutz, Jim Rose, Jason Harb, Justin Evertson, Janet Valasek, Jack Hultquist, Lawrence Jensen, Todd Ricenbaw, William Gilliam of York NRCS, and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting January 11, 2002 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Seventeen directors were present for the calling of the roll.

ITEM 3. *ADOPTION OF CONSENT AGENDA.

It was moved by Teegerstrom and seconded by Austin to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Teegerstrom and seconded by Austin to approve the agenda for the January 17, 2002 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 5. *APPROVAL OF MINUTES OF THE DECEMBER 20, 2001 BOARD OF DIRECTORS MEETING.

It was moved by Teegerstrom and seconded by Austin to approve the minutes of the December 20, 2001 Board of Directors Meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 6. NRCS REPORT.

Bill Gilliam distributed copies of the 2001 Nebraska Report of Natural Resources Conservation Activities to the board. Gilliam pointed out that local cooperators Helen and Kent Blender are featured in the Wetlands Reserve Program section of the report. He advised the board that there are currently five WRP sites under construction in the District. Nebraska has received fund approval for the Great Plains RC&D and Prairie Land RC&D and they will be advertising for full time coordinators and part time secretarial assistance in the next few months. The locations of the offices have not yet been determined.

ITEM 7. NEBRASKA DEPARTMENT OF NATURAL RESOURCES REPORT.

Richard Jiskra advised the board that the NDNR submitted a report on carbon sequestration to the Legislature by the December 3 deadline. The submission of the report makes it possible for Nebraska to take advantage of funds through the Department of Agriculture, which might provide money for a demonstration project. He reviewed the Nebraska Resources Development Fund budget with the 4-5% reductions.

ITEM 8. INDIAN CREEK PROJECT.

Jayne Petersen addressed the board and provided written comments from herself and son Jon. The written comments stated their objections to the project in general, the possible dangers to themselves and neighbors as the result of road closures and their desire for the board to halt to project.

The board took no action on the matter. Chairman Hansen thanked Mrs. Petersen for her comments and advised her that the Projects Committee would be reviewing the geotechnical engineering data and any possible recommendations in the near future.

ITEM 9. EMPLOYEE RECOGNITION.

Ken Feather was recognized for 25 years of service to the District. He was presented with a

walnut desk clock.

ITEM 10. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on January 8, 2002 and presented the committee's recommendations.

ITEM 11. FILLMORE COUNTY CENTRAL HIGH SCHOOL REQUEST FOR SPECIAL PROJECT.

In October 2000, the Board approved a grant for an outdoor classroom for the Fillmore County Central High School under the District's Outdoor Classroom Program. Under the program guidelines, the school is eligible for 50 percent of the local share of plants and related materials, not to exceed \$800. To date, no money has been paid under this grant.

The complexity and expense of the project increased following a change in the location and design of the outdoor classroom. The NRD has provided design assistance on a berm and pond.

Because of changes in the scale of the project, the school is requesting that its outdoor classroom be considered as a Special Project.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue NRD provide a grant of \$10,000 to the Fillmore County Central High School for its outdoor classroom and that: this grant replace the \$800 grant previously approved; one-half (\$5,000) be paid in FY 2002 and one-half (\$5,000) be paid in FY 2003, and the Upper Big Blue NRD receive copies of receipts for all work and materials from the school before payments are made.

It was moved by Friesen and seconded by Houdersheldt to amend the motion to limit the grant to 25% of the local share not to exceed \$10,000. We approved the amendment.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Buller, Luebbe

Question was called on the original motion as amended to read "It was moved by Bruns and seconded by Luebbe that the Upper Big Blue NRD provide a grant of 25% of the local share not to exceed \$10,000 to the Fillmore County Central High School for its outdoor classroom and that: this grant replaces the \$800 grant previously approved; one-half (\$5,000) be paid in FY 2002 and one-half (\$5,000) be paid in FY 2003, and the Upper Big Blue NRD receive copies of receipts for all work and materials from the school before payments are made." We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,

Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 12. FISCAL YEAR 2002 CORNERS FOR WILDLIFE PROGRAM.

The Corners for Wildlife 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.

At the present time, Pete Berthelsen of Pheasants Forever has outside monies from sources besides the Environmental Trust Fund to be spent on developing wildlife habitats in areas designated as the Conservation Reserve Enhancement Program (CREP) area. The entire Upper Big Blue Natural Resources District is designated as a CREP area. Since the lands within the District boundary are in the CREP, the pivot corners being developed for wildlife are eligible to receive a payment up to \$75/acres for a 10-year period. The payments would be made annually for ten years.

It was moved by Bruns and seconded by Volkmer that the Upper Big Blue Natural Resources District participate in the Corners for Wildlife Program in FY2002. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 13. ROGER CHRISTENSEN CORNERS FOR WILDLIFE CONTRACT.

Roger Christensen has a pivot corner located in the NW ¼ of Section 12, Township 10 North, Range 7 West of the 6th P.M., Hamilton County, Nebraska. He wishes to seed the corner to a warm season grass mix and plant 675 trees and shrubs. This contract will be paid with Conservation Reserve Enhancement Program monies that are available in the Upper Big Blue NRD District through the Corners for Wildlife program. Roger will receive \$75/acre for a ten-year period on this 5-acre pivot corner. The NRD will receive the monies for the payments through the Pheasants Forever Chapter before making payments to the landowner.

It was moved by Bruns and seconded by Hultman that the Upper Big Blue NRD accept the Corners for Wildlife Contract submitted by Roger Christensen for a ten-year period and authorize the chairman of the Board to sign said contract. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,

Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

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

Brown reported that the Water Committee met on January 11, 2002 and presented the committee's recommendations.

ITEM 15. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Teegerstrom and seconded by Austin to make cost-share payments for eleven well abandonments totaling \$3,393.85. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Buller

ITEM 16. APPROVAL OF LATE WELL PERMITS.

While updating his well ownership records Gerald D. Hunnicutt discovered an unregistered well on property he purchased in the mid 90s. Upon contacting the well driller it was discovered that the well was drilled on June 5, 1994. The well owner did not get a permit at that time. Mr. Hunnicutt has applied for a late permit. No other NRD regulations are being violated by the existence of this well.

During a routine survey for improperly abandoned wells the staff found a well belonging to Marglad Inc. % Hugh Wilkins that was listed as abandoned in DNR's records but was obviously still an active well. Upon contacting the tenant (Kurt Myers) it was determined that a well was drilled in the center of the quarter section on May 13, 1980 and registered as a replacement. Instead of abandoning the old well, as the law requires, the well was only capped. Approximately three years ago Mr. Myers and Mr. Wilkins agreed to install a new pump in the old well. This change requires the replacement well's status to be changed to "new" and the original well status to be changed from abandoned to "active". Since a permit was required for a new well in 1980, a late permit is also required to make that well legal. No other NRD regulations are violated by the existence of this well.

It was moved by Brown and seconded by Austin that the late permits for a well owned by Gerald D. Hunnicutt in the SW1/4 SE1/4 Section 34-T9N-R8W, Hamilton County and a well owned by MarGlad Inc. in the SW1/4 Section 21-T6N-R2W, Fillmore County be granted. We approved the

motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 17. COOPERATIVE AGREEMENT WITH VILLAGE OF BENEDICT FOR WELL ABANDONMENT.

Funds are available through the Nebraska Department of Environmental Quality for decommissioning wells in wellhead protection areas. These are funds to supplement the NRD's program so that 100% of the cost is covered. The cooperative agreement with the Village of Benedict provides that the NRD will pay an amount equal to our normal cost-share and the NDEQ funds will pay the balance. The Village will contract with a water well contractor for the abandonment of all the wells. The NRD and NDEQ will reimburse the village once the work is complete. Three wells have been identified.

It was moved by Brown and seconded by Teegerstrom to enter into the cooperative agreement with the Village of Benedict for the proper decommissioning of abandoned wells in the Village's wellhead protection area. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 18. SAMPLING OF LIVESTOCK WASTE MONITORING WELLS.

The District has been asked to consider collecting water samples from monitoring wells at livestock waste control facilities. Samples would be collected two times per year. The following is a proposal to provide these services.

*SAMPLING OF MONITORING WELLS
AT
LIVESTOCK WASTE CONTROL FACILITIES
January 2002*

The District will sample monitoring wells at livestock waste control facilities as per the Department of Environmental Quality guidelines under the following conditions

- 1. The wells must be constructed according to the Nebraska Department of Environmental Quality "Guidelines for Ground Water Monitoring Plans at Livestock Waste Control Facilities."*
- 2. The wells must be a minimum inside diameter of 2 inches and accommodate a Grundfos*

- Redi-flo 2 sampling pump.*
3. *The well must have been properly developed at the time of construction.*
 4. *The wells must be accessible with a two-wheel drive pickup pulling a two-wheel trailer.*
 5. *The facility owner must enter into a written agreement with the District for the services to be provided.*
 6. *Contaminates sampled include Chloride, Nitrate and Ammonia. Other contaminants requested will be considered on a case by case basis.*
 7. *The district will consider all requests on a case by case basis. Sampling at sites outside the Upper Big Blue NRD will be considered only if the NRD in which the site is located consents to allow the District to perform these services.*
 8. *If any of the conditions above are determined by the district to be unsatisfactory, preventing the district from completing the sampling, the facility owner must pay for that portion of the services performed.*

PRICING

The following cost items will be used to determine the total cost of sampling monitoring wells at a livestock waste facility.

MOBILIZATION	<i>\$50.00 plus \$1.00 per mile one way from the District office in York to the livestock waste facility.</i>
SAMPLING	<i>\$50.00 per hour on site (\$100.00 minimum) (\$150 typical for 3 wells)</i>
SHIPPING AND HANDLING	<i>\$10.00 plus actual cost of shipping UPS to independent laboratory (UPS typically \$15-\$20)</i>
ANALYSIS	<i>Actual cost of analysis by independent laboratory including 1 duplicate and 1 field blank per 10 samples (1 dup. and 1 blank minimum). Current package price to NRD from Servi-Tech Lab is Chloride, Nitrate and Ammonia - \$18.95.</i>

Example of cost for "TYPICAL" facility - 3 wells, 25 miles from York.

MOBILIZATION	\$75.00
SAMPLING	\$150.00
SHIPPING AND HANDLING	\$25.00
ANALYSIS (5 samples)	\$94.75
TOTAL	\$344.75

Program conditions and pricing are subject to change without notice

It was moved by Brown and seconded by Volkmer to adopt the Livestock Waste Control Facility Monitoring Well Sampling Program.

Following a short review of the proposal it was moved by Moore and seconded by Austin to refer the matter back to the Water Committee for further discussion. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 19. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Projects Committee met on January 10, 2002 and presented the committee's recommendations.

ITEM 20. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Hultman that payments of NSWCP land treatment funds be made in the amount of \$62,196.56 for 20 applications reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 21. LINCOLN CREEK PARKWAY PEDESTRIAN BRIDGE BIDS.

During December 2001, the NRD advertised for contractor bids to assemble and place the pedestrian bridge over Lincoln Creek at Aurora. A pre-bid meeting was held on December 20 for prospective bidders to view the project site and ask questions about construction and the bidding process. Contractor bids were opened on January 4, 2002.

Bids were received from VanKirk Brothers of Sutton and Diamond Engineering Company of Grand Island. The VanKirk Brothers' bid is \$77,250 and the Diamond Engineering bid is \$66,275. The engineer's estimate is \$67,430. Staff recommends that Diamond Engineering be awarded the construction contract, pending approval of the Aurora City Council. In accordance with the Interlocal Agreement between Aurora and the NRD, the City's share of the construction bid is \$53,020, and the NRD's share is \$13,255.

That Diamond Engineering of Grand Island, Nebraska be awarded the contract for construction of the Lincoln Creek Parkway Pedestrian Bridge over Lincoln Creek at Aurora, based on their bid of \$66,275, pending approval of the Aurora City Council, in accordance with the Interlocal Agreement between the Upper Big Blue NRD and the City of Aurora. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 22. INDIAN CREEK PROJECT GEOTECHNICAL ENGINEERING.

Preliminary geotechnical engineering for the Indian Creek Project is completed at two dam sites being considered. At the upstream site, foundation borings were taken at six locations on, or near, the proposed dam, with samples taken at five feet vertical intervals. Four additional shallow borings were taken at infiltration test locations. Infiltration tests were run at five locations within the area of the proposed upstream reservoir. At the downstream site, foundation borings were taken at five locations on, or near, the proposed dam, with samples taken at five feet vertical intervals. Eight additional shallow borings were taken at infiltration test locations. Infiltration tests were run at eight locations within the area of the proposed downstream reservoir.

Geotechnical Services, Inc. (GSI) provided reports of their analyses and findings for each of the proposed dam and reservoir sites. Based on findings in the geotechnical engineering reports, both the upstream and downstream sites are suitable for dam and reservoir construction.

Geotechnical engineering is only one component of technical feasibility. Additional analyses to be completed include reservoir seepage analysis based on infiltration tests, reservoir operations, verification of benefits, and economic analysis.

The following table shows a comparison of proposed and actual geotechnical engineering work done by GSI:

Task	Proposed Qty.	Proposed Fee	Actual Qty.	Actual Fee
Mobilization	1.s.	\$500.00	1.s.	\$500.00
Drilling & Sampling	360 l.f. w / sampling	\$3,420.00	260 l.f. w / sampling 110 l.f. wo / sampling	\$3,405.00
Laboratory Testing	1.s.	\$1,220.00	1.s.	\$1,100.00
Infiltration Testing	10 tests	\$5,200.00	12 tests	\$6,240.00
Engineering Analysis	1.s.	\$1,260.00	1.s.	\$1,260.00
Total		\$11,600.00		\$12,505.00

Staff has reviewed the geotechnical engineering reports, and recommends that GSI be paid

\$12,505 for work completed.

It was moved by Houdersheldt and seconded by Hultman that Geotechnical Services, Inc. be paid \$12,505 for geotechnical engineering performed in accordance with their proposal to evaluate the upstream and downstream dam sites being considered for the Indian Creek Project. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 23. JOHNSON CREEK SITE 10 - NDEQ GRANT.

Staff recently learned that the Nebraska Department of Environmental Quality, Water Quality Division, has concerns about using recycled tire bales in projects located near streams or lakes. This fact was not brought to the staff's attention at the time the NRD filed for an \$80,000 recycling grant to incorporate bales of recycled tires in drop structures on the Johnson Creek Project.

At the time of the grant application, there were three manufacturers of tire bales permitted in Nebraska; recently NDEQ has revoked the permit for one supplier, and one additional supplier is going out of business in May. The remaining supplier is located in Chadron, Nebraska.

NDEQ has also raised some engineering questions about how the manufacturers are building the tire bales. The engineering staff has asked us to consider using stainless steel wire and consider an improved knot design for tying the wires. This requirement is not currently being incorporated in tire bales manufactured in Nebraska.

Considering the cost of hauling tire bales (222 - 5' x 5' x 3' bales @ 1 ton per bale) from Chadron to Friend, and NDEQ's concerns about how the bales are manufactured, and NDEQ's concerns about using baled tires near surface water bodies, staff recommends that the District withdraw its grant application and consider other design options for the Johnson Creek Project.

It was moved by Houdersheldt and seconded by Austin that the District withdraw its application for a Nebraska Department of Environmental Quality Recycling Grant on the Johnson Creek Project.

It was moved by Austin and seconded by Hultman to amend the motion to read "and consider other design options for the Johnson Creek project." We approved the amendment.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

We approved the original motion as amended.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

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

Buller reported that the Executive Committee met on January 10, 2002 and presented the committee's recommendations.

ITEM 25. NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS DUES.

The dues for the 2002 National Association of Conservation Districts are \$1,750. The dues are based on budgets, with the minimum being \$725 and the maximum at \$1,750. Because of their size, the Nebraska Districts always pay the maximum. The Upper Big Blue NRD dues for 1999 and 2000 were \$1,650 and \$1,700 in 2001.

It was moved by Buller and seconded by Hultman to approve payment of \$1750 to the National Association of Conservation Districts for 2002 dues. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 26. TRAILBLAZER RC&D DUES.

The 2002 dues for the Trailblazer RC&D are \$50, which is the same as in the past.

It was moved by Buller and seconded by Volkmer to approve payment of \$50 to the Trailblazer RC&D for 2002 dues. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 27. FOURTH QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Teegerstrom and seconded by Austin to approve payment of fourth quarter directors' per diem of \$10,150 and expenses of \$2,271.88. We approved the motion as a part of

the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 28. FINANCIAL REPORT, DECEMBER 1, 2001 THROUGH DECEMBER 31, 2001, AND CONSIDERATION OF EXPENDITURES FOR DECEMBER 2001.

Turnbull reviewed the financial report for the period December 1, 2001 through December 31, 2001 that we had distributed. It was moved by Volkmer and seconded by Regier to approve the financial report for December 2001 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 29. NOMINATING COMMITTEE REPORT.

Ken Regier reported that the Nominating Committee met December 20, 2001 and reviewed the proposed slate of candidates.

SLATE OF CANDIDATES

CHAIRMAN

Wayne Hansen
Gary Eberle

VICE CHAIRMAN

Roger Houdersheldt
Linda Luebbe

SECRETARY

Earl Hultman
Jerl Joseph

TREASURER

Steve Buller
Gus Brown

NARD REPRESENTATIVE

Doug Dickinson

NARD ALTERNATE

Yvonne Austin

Chairman Hansen accepted the Nominating Committee's report. He turned the Chair over to Houdersheldt during nominations and voting for chairman.

ITEM 30. ELECTION OF CHAIRMAN.

There were no nominations for additional candidates for the office of chairman. Board members

were instructed to cast their ballots. Hansen received 10 votes and Eberle received 7 votes. Hansen will serve as chairman for a term of one year.

ITEM 31. ELECTION OF VICE CHAIRMAN.

There were no nominations for additional candidates for the office of vice chairman. Ballots were cast. Houdersheldt received 12 votes and Luebbe 5 votes. Houdersheldt will serve as vice chairman for a term of one year.

ITEM 32. ELECTION OF SECRETARY.

There were no nominations for other candidates for the office of secretary. Ballots were cast. Hultman received 10 votes and Joseph 7 votes. Hultman will serve as secretary for a term of one year.

ITEM 33. ELECTION OF TREASURER.

There were no nominations for other candidates for the office of treasurer. Ballots were cast. Buller received 8 votes and Brown received 9 votes. Brown will serve as secretary for a term of one year.

ITEM 34. NARD REPRESENTATIVE AND ALTERNATE.

Doug Dickinson was elected NARD Representative by a vote of 15-2. Yvonne Austin will serve as the NARD Alternate.

There being no other business, we adjourned the meeting at 3:54 p.m..

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on January 17, 2002, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
February 21, 2002

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 21, 2002, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier and Vance Teegerstrom.

Staff and others attending were John Turnbull, Nancy Schneider, Ken Feather, Prudence Sadler, Jay Bitner, Rod DeBuhr, William Gilliam, Laurence Jensen, Steve Rhodes, Bob Rhodes, Sylvia M. Styck, Norman Ricenbaw, J.D. Ricenbaw, Cynthia Thomsen, Stanley Rhodes, Shirley Trauger, Robert Trauger, Katherine Due, Don Due, Vernon Jensen, Bill Morgan, Gerald Lutz, Glen Petersen, Deb Petersen, Virginia Krasser, Ken Krasser, Mary Scheer, Robert Scheer, Ray Naber, Vivian Lage, Norman Lutz, Tom Petersen, Angela Petersen, Delayne Eberspacher, Darren Eberspacher, Paul Jensen, Nancy Jensen, Tom Weber, Dustin Weber, Whitney Petersen, Jayne Petersen, Bob Wolfe and Melanie Wilkenson of York News-Times. Hansen called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting February 14, 2002 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Sixteen directors were present for the calling of the roll.

ITEM 3. DIRECTOR'S REQUEST FOR EXCUSED ABSENCE.

Merlin Volkmer requested he be excused from the February 21, 2002 board meeting due to out-of-state travel.

It was moved by Teegerstrom and seconded by Luebbe to excuse the absence of Merlin Volkmer from the February 21, 2002 board of directors meeting as requested. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Regier and seconded by Moore to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Regier and seconded by Moore to approve the agenda for the February 21, 2002 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 6. *APPROVAL OF MINUTES OF THE JANUARY 17, 2002 BOARD OF DIRECTORS MEETING.

It was moved by Regier and seconded by Moore to approve the minutes of the January 17, 2002 Board of Directors Meeting, as corrected. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 7. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on February 12, 2002 and presented the committee's recommendations.

ITEM 8. FEBRUARY WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS.

The District staff has inspected the Wildlife Habitat Improvement Program areas with payments due in February and recommends the cooperators be paid.

It was moved by Bruns and seconded by Jackson that the Upper Big Blue Natural Resources District make payments totaling \$1,707.50 to the cooperators of the Wildlife Habitat Improvement Program for the month of February. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: Dickinson

NOT PRESENT: Volkmer

ITEM 9. AGREEMENT WITH CITY OF SUTTON FOR RENOVATION OF CLARKS POND.

In March 2001, the Upper Big Blue Natural Resources District agreed to fund the Clarks Pond Renovation project in an amount not to exceed \$53,000. According to the Engineering firm Olsson and Associates, who are designing the project, the City is planning to start the project in April 2002.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District enter into the Agreement with the City of Sutton for the renovation project of Clarks Pond in the City of Sutton and authorize the Chairman of the Board to sign the Agreement. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 10. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on February 12, 2002 and presented the committee's recommendations.

ITEM 11. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Regier and seconded by Moore to make cost-share payments for sixteen well abandonments totaling \$5,298.54. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Buller

NOT PRESENT: Volkmer

ITEM 12. PAYMENT TO NEBRASKA DEPARTMENT OF ENVIRONMENTAL

QUALITY FOR 2001 PERMITS.

It was moved by Brown and seconded by Friesen to pay the Nebraska Department of Environmental Quality \$912.00 for their share of the 2001 chemigation permit fees. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Austin

NOT PRESENT: Volkmer

ITEM 13. SAMPLING OF LIVESTOCK WASTE CONTROL FACILITIES MONITORING WELLS.

The District has been asked to consider collecting water samples from monitoring wells at livestock waste control facilities. Samples would be collected two times per year. In January the Board sent the proposal back to Committee for clarification of a few points.

Moore asked DeBuhr to review the program. DeBuhr said that if the NRD receives a request from the owner of a livestock waste control facility to sample monitoring wells we will develop a contract with them for the sampling. Based upon a fee schedule the livestock waste facility owner will pay for the testing. It will not be subsidized in any way. The fees will cover the district's cost to conduct the sampling. The NRD would only agree to do the work if there is not a private contractor available to do the work. Currently there aren't many people in the private sector doing this type of testing because the demand is low. The NRD will only do the work for the owner of the facility. We will not take samples at the request of anyone else, such as a neighbor. The samples will be sent to a private laboratory for analysis and the results provided only to the facility owner. At the owner's request a copy of the results will be sent to the Department of Environmental Quality, but only if the owner requests us to.

It was moved by Brown and seconded by Hultman to adopt to the Livestock Waste Control Facility Monitoring Well Sampling Program. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 14. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Projects Committee met on February 14, 2002 and presented the

committee's recommendations.

ITEM 15. PAYMENTS FROM NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Austin that payment of NSWCP Land Treatment funds be made in the amount of \$9,829.67 for one application reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 16. PAYMENTS FROM NSWCP LAND TREATMENT PROGRAM FUNDS FOR WATER METERS.

It was moved by Houdersheldt and seconded by Luebbe that payment of NSWCP Water Meter Funds be made in the amount of \$388.50 for one application reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 17. PAYMENTS FROM NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Austin that payments of NRD Land Treatment Funds be made in the amount of \$49,557.02 for 22 applications reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 18. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT.

Claim 13 has been submitted for expenditures on the Big Blue River Flood Hazard Mitigation

Project. The total amount of the claim is \$50,687.36. FEMA's share is \$38,015.52, the City's share is \$6,335.92, and the NRD's share is \$6,335.92.

It was moved by Houdersheldt and seconded by Austin that payment of \$6,335.92 from NRD funds be made to the City of Seward, and that the District file a claim in the amount of \$38,015.52 for the FEMA share of claim 13 of the Big Blue River Flood Hazard Mitigation Project, and that \$38,015.52 of the FEMA share be paid to the City when it is received by the District. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 19. PROJECT MAINTENANCE.

Maintenance work needs to be done on Dorchester Watershed Channels 1 and 3, Dam 1A, Dam 2A, Dam 4A, Drop Structure 4-1, Kassik Dam, Vavra Semler Dam, and Pioneer Trails Dam. The total of bids received from contractors for this work is \$26,099.35, and the engineer's estimate is \$27,560.60. Staff recommends that the contractor bids be accepted.

It was moved by Houdersheldt and seconded by Jackson that bids for maintenance work on the Dorchester Watershed structures, Kassik Dam, Vavra Semler Dam, and Pioneer Trails Dam from Slepicka Brothers of Dorchester, \$1,955.60, Stutzman Digging of Dorchester, \$17,743.75, and Huebert Land Leveling, Inc. of Henderson, \$6,400.00 be accepted, and that staff be authorized to proceed with the required maintenance work. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 20. PROPOSALS TO STUDY SEALING PIONEER TRAILS LAKE.

Staff is continuing to develop a grant application to the Nebraska Game and Parks Commission for funds to develop a fishery at Pioneer Trails. Runoff into the Pioneer Trails reservoir typically varies from 200 acre feet per year to 500 acre feet per year depending upon rainfall and the reservoir storage capacity is 280 acre feet. Under existing conditions, the majority of runoff recharges to groundwater. As previously discussed in Committee, proposed modifications could include a combination of partial lake bed sealing to reduce the hydraulic conductivity from 3.5 inches per day, and installation of recycling pumps to reuse recharged groundwater in order to maintain a body of water to support fish and water-based recreation.

The Nebraska Game and Parks Commission visited the Pioneer Trails site in April 2001, and followed up with a letter requesting more detailed information to support our request for a grant.

Proposals have been received from two geotechnical engineering firms to evaluate alternative methods for reducing hydraulic conductivity at Pioneer Trails: Nickel Engineering \$7,500 and Geotechnical Services Inc. \$6,050. Staff recommends that Geotechnical Services, Inc. be hired to perform soils analysis and make recommendations on alternative methods for reducing hydraulic conductivity.

It was moved by Houdersheldt and seconded by Hultman that Geotechnical Services, Inc. be hired to perform soils analysis and make recommendations on alternative methods and costs for reducing hydraulic conductivity of the Pioneer Trails lake bed, in accordance with their proposal dated February 6, 2002. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: Friesen

NOT PRESENT: Volkmer

ITEM 21. INDIAN CREEK PROJECT.

Infiltration testing has been completed at both the upstream and downstream sites being considered for the Indian Creek Project. Test results indicated an average hydraulic conductivity of 2.3 inches per day at the upstream site, and 2.2 inches per day at the downstream site. Proposals were received from two geotechnical engineering firms to determine methods and costs to reduce lake bed hydraulic conductivity from 2.2 inches per pay day to 0.25 inches per day. The Nickel Engineering quote was \$8,000 and Geotechnical Services Inc. quoted \$6,050.

The Projects Committee voted not to proceed with soils and cost analyses for alternative methods of reducing hydraulic conductivity of the Indian Creek Project sites

It was moved by Houdersheldt and seconded by Jackson that the Indian Creek Project be suspended.

Angela Petersen addressed the board in opposition to the proposed sites for the Indian Creek Project. She asked the board to terminate the project and dispose of the data, rather than suspend the project. She expressed concern that if the project was simply suspended that it could be activated again at some later date.

Larry Moore explained that the Board has suspended projects from time to time for various reasons. A suspended project may be reactivated by the board of directors at any time. Conditions change over time such as people's opinion of the need of a project, or different solutions for the project purpose may come up. A terminated project indicates that a particular

site will not be considered again. This board cannot tie the hands of a future board, therefore projects are not terminated.

We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

**ITEM 22. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE
AND CONSIDERATION OF RECOMMENDATIONS.**

Moore reported that the Budget, Planning & Legislative Committee met on February 14, 2002 and presented the committee's recommendations.

ITEM 23. LEGISLATION.

Turnbull reviewed the current legislation with the Budget, Planning & Legislative Committee. Wayne Hansen testified for the Board on LB1066, the civil penalties amendment to the Groundwater Management and Protection Act. Turnbull testified for the District on LB 890, the bill that would allow changes in well registration records, such as ownership and location, without fees being charged by the Department of Natural Resources. Both bills were received favorably by the Natural Resources Committee.

LB1023 was discussed at length. It is now on general file with Committee amendments concerning the makeup of the Water Task Force. Concern was expressed by several directors about the lack of representation by groundwater interests on the Task Force. The Water Task Force Executive Committee is greatly overweighted toward surface water interests. It appears in the bill's amendment that surface and groundwater irrigators will be equally represented even though 85% of irrigation in Nebraska is by groundwater, in addition to almost all municipal use from groundwater. It was pointed out that this is a concern because of the conflicts between surface and groundwater uses and potential solutions. LB108 addressed these conflicts in 1996 but some in the state do not think this is adequate. It was also pointed out that the older surface water right holders want to be able to go to a regulating NRD and "put a call on the water" which means that the District would have to shut off groundwater pumpers until the surface water right was restored to its full capacity.

It was moved by Moore and seconded by Austin that because the Upper Big Blue NRD Board disagrees with that part of the Legislature's Natural Resources Committee amendment to LB1023 in which groundwater interests are not adequately represented on the Task Force or its Executive Committee, the Board requests that the bill be amended to allow for groundwater representation in relation to its importance to irrigation, industrial and municipal use. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 24. NEBRASKA HABITAT CONSERVATION COALITION.

The Coalition has billed the District \$5,000 for this year's contribution. The total commitment is for \$15,000 over three years. These funds are going toward the economics study review and legal work concerning the Piping Plover critical habitat designation on the Platte River. The legal counsel for the Coalition has submitted formal comments to the US Fish and Wildlife Service opposing the designation.

It was moved by Moore and seconded by Austin to approve payment of \$5,000 to the Nebraska Habitat Conservation Coalition. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 25. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Executive Committee met on February 14, 2002 and presented the committee's recommendations.

ITEM 26. INVESTMENTS.

The investments for the month were reviewed. In light of the Projects Committee action of February 14, this Committee discussed the Indian Creek investments.

It was moved by Houdersheldt and seconded by Hultman that the Indian Creek Sinking Fund investments, amounting to approximately \$509,118.06, be transferred to the Future Dams investments. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

ITEM 27. FINANCIAL REPORT, JANUARY 1, 2002 THROUGH JANUARY 31, 2002,

AND CONSIDERATION OF EXPENDITURES FOR JANUARY 2002.

Turnbull reviewed the financial report for the period January 1, 2002 through January 31, 2002 that we had distributed. It was moved by Regier and seconded by Hultman to approve the financial report for January 2002 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Volkmer

There being no other business the chairman adjourned the meeting at 3:37 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 21, 2002, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
March 21, 2002

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, March 21, 2002, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore and Vance Teegerstrom.

Staff and others attending were John Turnbull, Nancy Schneider, Ken Feather, Prudence Sadler, Jay Bitner, Rod DeBuhr, Russ Gierhart and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting March 14, 2002 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Luebbe arrived at 1:45 p.m..

ITEM 3. DIRECTOR'S REQUESTS FOR EXCUSED ABSENCES.

Merlin Volkmer and Kenneth Regier requested they be excused from the March 21, 2002 board meeting due to out-of-state travel.

It was moved by Moore and seconded by Jackson to excuse the absence of Merlin Volkmer and Kenneth Regier from the March 21, 2002 board of directors meeting as requested. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Moore, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Luebbe, Regier, Volkmer

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Brown and seconded by Austin to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Moore, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Luebbe, Regier, Volkmer

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Brown and seconded by Austin to approve the agenda for the March 21, 2002 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Moore, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Luebbe, Regier, Volkmer

ITEM 6. *APPROVAL OF MINUTES OF THE FEBRUARY 21, 2002 BOARD OF DIRECTORS MEETING.

It was moved by Brown and seconded by Austin to approve the minutes of the February 21, 2002 Board of Directors Meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Moore, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Luebbe, Moore, Regier

ITEM 7. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on March 12, 2002 and presented the committee's recommendations.

ITEM 8. PRAIRIE PLAINS RESOURCES INSTITUTE REQUEST FOR FUNDING FOR SOAR.

The Prairie Plains Resources Institute of Aurora has requested \$1500 for their SOAR program, as they do each year. Funding was appropriated in the District's FY2002 budget.

The SOAR Program is a nature discovery day camp based in Aurora, Nebraska. By using local field sites and an interdisciplinary curriculum including natural and physical science, history, art, agriculture, language arts and music, SOAR aims to create a deeper appreciation for where we live.

SOAR runs for two weeks in July. The first week is for children who have just completed grades 2-4 and the second for grades 4-6. Up to 60 students are enrolled for each week. Twelve older students (grades 7-12) serve as "peer leaders."

It was moved by Bruns and seconded by Joseph to authorize payment of \$1,500 to the Prairie Plains Resources Institute for the 2002 SOAR program. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Regier, Volkmer

ITEM 9. MARCH WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS.

The Wildlife Habitat Improvement Program Areas due for payments in March have been inspected by the District staff and recommended to be paid.

It was moved by Bruns and seconded by Austin that the Upper Big Blue Natural Resources District make payments totaling \$2,038.75 to the cooperators of the Wildlife Habitat Improvement Program for the month of March. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Teegerstrom, Hansen

NAY: Dickinson

NOT PRESENT: Regier, Volkmer

ITEM 10. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on March 12, 2002 and presented the committee's recommendations.

ITEM 11. INCREASED SPENDING AUTHORIZATION FOR AQUIFER QUALITY WELL ABANDONMENT COST SHARE ASSISTANCE.

The demand for cost-share assistance to decommission wells is more than 40 percent above last year at this time. If the current demand continues for the remainder of the fiscal year it will exceed \$37,000. The staff recommends increasing the funding authorization for AQWACAP from \$25,000 to \$40,000.

It was moved by Brown and seconded by Eberle to increase authorized funding for AQWACAP from \$25,000 to \$40,000 for FY2002. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Regier, Volkmer

ITEM 12. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Brown and seconded by Austin to make cost-share payments for nine well abandonments totaling \$2,958.09. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore, Teegerstrom, Hansen

NAY: None

NOT VOTING: Buller

NOT PRESENT: Luebbe, Regier, Volkmer

ITEM 13. IRRIGATION WATER MANAGEMENT ASSISTANCE PROGRAM.

The Water Committee reviewed a proposal to provide assistance for irrigation scheduling. The program would provide a rebate of 50 percent of the cost of items purchased from the NRD if the cooperators submit a report of his or her irrigation scheduling to the NRD.

It was moved by Brown and seconded by Bruns to adopt the Irrigation Scheduling Discount Program. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Hansen

NAY: Dickinson, Houdersheldt, Moore

NOT PRESENT: Regier, Volkmer

ITEM 14. CONVERSION FROM GRAVITY TO SPRINKLER IRRIGATION COST-SHARE PROGRAM.

The Water Committee reviewed a proposal to provide cost-share for conversion from gravity to center pivot or lateral move sprinkler irrigation. The program would provide cost-share of 50 percent of the system cost up to \$5,000. Implementation and funding rules for this practice are similar to the other irrigation practices funded under the existing NRD and NSWCP cost-share program.

It was moved by Brown and seconded by Luebbe to adopt the Conversion from Gravity to Sprinkler Irrigation Cost-share Program.

Some board members disapproved of the district spending land treatment funds for a landowner to convert his operation from gravity to pivot. They felt that installing a pivot is a good

management practice but that the landowner should stand the cost of conversion, since it is proven to reduce pumping costs and water use.

This brought about the question of whether or not this NRD should cost-share on any proven conservation practice, or if they should instead focus on new and innovative methods. It was suggested that before the next budget year the Projects Committee review the land treatment program practices in their entirety and bring any suggested changes to the Board for consideration.

The motion failed.

AYE: Austin, Bruns, Buller, Friesen, Joseph, Luebbe, Hansen

NAY: Brown, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Moore, Teegerstrom

NOT PRESENT: Regier, Volkmer

ITEM 15. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Projects Committee met on March 14, 2002 and presented the committee's recommendations.

ITEM 16. PAYMENTS FROM NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Hultman that payments of NRD land treatment funds be made in the amount of \$5,289.80 for four applications reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Regier, Volkmer

ITEM 17. NEW LAND TREATMENT PROGRAM POLICY.

The current land treatment program policies do not prevent a landowner from applying for cost-share on a practice one year and applying for additional cost-share the next year, or subsequent years, to expand that practice (i.e., terraces, drip irrigation.) In order to prevent applicants from obtaining excessive cost-share on a given parcel of land, staff recommends the following policy.

A landowner may receive up to \$5,000 cost-share through the Land Treatment Program for a conservation practice installed on any 160 acre parcel, or group of connected parcels with an area of 160 acres, under his/her ownership. That landowner shall not be eligible for additional cost-share on that practice, on that parcel, or group of parcels, during the design

life of the practice. Each application shall specify the practice and legal description of the parcel(s).

The design life varies by conservation practice.

It was moved by Houdersheldt and seconded by Friesen that the District's Land Treatment Program Policy be amended such that a landowner may receive up to \$5,000 cost-share for a conservation practice installed on any 160 acre parcel, or group of parcels with an area of 160 acres, under his/her ownership, and that landowners not be eligible for additional cost-share on that practice, on that parcel, or group of parcels, during the design life of the practice, and that each cost-share application specify the practice and legal description of the parcel(s).

The motion was amended by Austin and seconded by Brown to read "that the District's Land Treatment Program Policy be amended such that a landowner may receive up to \$5,000 cost-share for a conservation practice installed on any 160 acre parcel, or group of *contiguous* parcels with an area of 160 acres, under his/her ownership, and that landowners not be eligible for additional cost-share on that practice, on that parcel, or group of *contiguous* parcels, during the design life of the practice, and that each cost-share application specify the practice and legal description of the parcel(s)". We approved the amendment.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Regier, Volkmer

We approved the original motion as amended.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph,
Luebbe, Moore, Teegerstrom, Hansen

NAY: Jackson

NOT PRESENT: Regier, Volkmer

ITEM 18. PAYMENTS FROM NEBRASKA BUFFER STRIP PROGRAM FUNDS.

A total of 510.9 acres are currently under contract. The total annual payments on these acres are \$40,455.19. Most of the contracts are for 10 years. Fifteen contracts are eligible for payment this quarter.

It was moved by Brown and seconded by Austin that the annual payments of Nebraska Buffer Strip funds be made in the amount of \$7,800.70 for 15 contracts reviewed by the Committee. We approved the motion as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph,

Moore, Teegerstrom, Hansen

NAY: None

NOT VOTING: Houdersheldt

NOT PRESENT: Luebbe, Regier, Volkmer

ITEM 19. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on March 14, 2002 and presented the committee's report. None of the items reported on required any board action.

ITEM 20. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on March 14, 2002 and presented the committee's recommendations.

ITEM 21. LOWER PLATTE NORTH SALARIES REIMBURSEMENTS.

We received an invoice from the Lower Platte North NRD for \$5,396.29 for the Butler County NRCS clerk and \$622.76 for our apportioned share of the technicians time from July 1, 2001 to December 31, 2001.

It was moved by Houdersheldt and seconded by Hultman to approve payment of \$6,019.05 to the Lower Platte North NRD for NRCS office salaries for the first half of FY2002. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Hansen

NAY: Buller, Friesen, Houdersheldt

NOT PRESENT: Regier, Volkmer

ITEM 22. ATTORNEY FEES.

The attorney's fees for the month are \$265.00 to review the easement and agreement with Marc Kliewer on the Siebert Dam.

It was moved by Houdersheldt and seconded by Jackson to approve payment of \$265.00 to Crosby Guenzel LLP, for Steve Seglin's work through February 18, 2002. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Regier, Volkmer

ITEM 23. PAYMENT OF DUES TO SOUTH CENTRAL NEBRASKA RC&D.

The South Central Nebraska RC&D has reminded the District that the Board can have one representative on the Council. The Executive Committee is soliciting names for consideration. The dues for the South Central Nebraska RC&D are \$25 for 2002, which is the same as past years.

It was moved by Houdersheldt and seconded by Luebbe to approve payment of \$25 to the South Central Nebraska RC&D for 2002 dues. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Luebbe, Moore, Teegerstrom, Hansen

NAY: Joseph

NOT PRESENT: Regier, Volkmer

ITEM 24. FINANCIAL REPORT, FEBRUARY 1, 2002 THROUGH FEBRUARY 28, 2002, AND CONSIDERATION OF EXPENDITURES FOR FEBRUARY 2002.

Turnbull reviewed the financial report for the period February 1, 2002 through February 28, 2002 that we had distributed. It was moved by Houdersheldt and seconded by Brown to approve the financial report for February 2002 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Teegerstrom, Hansen

NAY: None

NOT PRESENT: Regier, Volkmer

There being no other business the chairman adjourned the meeting at 3:23 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 21, 2002, 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

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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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
April 18, 2002

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, April 18, 2002, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Ken Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Ken Feather, Prudence Sadler, Jay Bitner, Rod DeBuhr and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting April 11, 2002 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Dickinson and Moore arrived at 7:35 p.m. and Houdersheldt arrived at 7:40 p.m.

ITEM 3. *ADOPTION OF CONSENT AGENDA.

It was moved by Brown and seconded by Volkmer to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Houdersheldt, Moore

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Brown and seconded by Volkmer to approve the agenda for the April 18, 2002 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Houdersheldt, Moore

ITEM 5. *APPROVAL OF MINUTES OF THE MARCH 21, 2002 BOARD OF DIRECTORS MEETING.

It was moved by Brown and seconded by Volkmer to approve the minutes of the March 21, 2002 Board of Directors Meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Houdersheldt, Moore

ITEM 6. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on April 9, 2002 and presented the committee's recommendations.

ITEM 7. PAYMENT TO CITY OF SUTTON FOR CLARKS POND RESTORATION PROJECT.

On March 15, 2001, the Upper Big Blue Natural Resources District Board of Directors voted to fund the Clarks Pond Restoration Project in the City of Sutton up to 25% of the local share not to exceed \$53,00 in fiscal year 2002. The preliminary engineering and final design work has been completed. The project has been let for bids and VanKirk Brothers of Sutton are doing the work. The excavation from the detention cell used at the pool area has been completed.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District make partial payment of \$28,549.50 for the work completed on the Clarks Pond Restoration Project. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt

ITEM 8. STEVE TURNER'S CORNERS FOR WILDLIFE CONTRACT.

Steve Turner has a pivot corner located at the NW1/4 of Section 36, Township 8 North, Range 8 West in Clay County, Nebraska. He wishes to seed 5.0 acres of the corner to a warm season grass mix and plant 500 trees and shrubs. This contract will be paid with Conservation Reserve Environmental Program (CREP) monies that are available in the Upper Big Blue NRD through the Corners for Wildlife Program. Steve will receive \$75/acre for a 10-year period on this 5-acre corner. The NRD will receive the monies for the payments through the Pheasants Forever chapter before making payments to the landowners.

It was moved by Bruns and seconded by Volkmer that the Upper Big Blue NRD accept the Corners for Wildlife Contract submitted by Steve Turner for a 10-year period with an annual payment of \$375/year and authorized the Chairman of the Board to sign said contract. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt

ITEM 9. D. KREUTZ FARMS, INCORPORATED CORNERS FOR WILDLIFE CONTRACT.

D. Kreutz Farms, Inc. has a pivot corner located in the SE 1/4 of Section 29, Township 10 North, Range 6 West in Hamilton County, Nebraska. They wish to seed 3.4 acres of the corner to a warm season grass mix and plant 450 shrubs for food and wildlife cover. This contract will be paid for with Conservation Reserve Environmental Program (CREP) monies that are available in the Upper Big Blue NRD through the Corners for Wildlife Program. D. Kreutz Farms, Inc. will receive \$75/acre for a 10-year period on this 3.4 acres. The NRD will receive the monies for the payment through the Pheasants Forever chapter before making payments to the landowner.

It was moved by Bruns and seconded by Austin that the Upper Big Blue NRD accept the Corners for Wildlife contract submitted by D. Kreutz Farms, Inc. for a 10-year period with an annual payment of \$255/year and authorize the Chairman of the Board to sign said contract. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt

ITEM 10. BURKE SCHOLARSHIP.

We received three applications for the Raymond A. Burke Scholarship. One of the applicants did not meet the scholarship criteria. The 2002 Burke Scholarship will be awarded to Ryan Pekarek of Dwight (East Butler High School). Ryan will attend UNL this fall, studying horticulture. The Burke Scholarship is awarded to full time students who live in the Upper Big Blue NRD, attend a two- or four-year Nebraska college, are enrolled in a course of study leading to a degree in a natural resources-related field and intend to enter the work force in a "hands-on" job.

ITEM 11. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on April 9, 2002 and presented the committee's recommendations.

ITEM 12. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Brown and seconded by Volkmer to make cost-share payments for two well abandonments totaling \$767.90. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Houdersheldt, Moore

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

Houdersheldt reported that the Projects Committee met on April 11, 2002 and presented the committee's recommendations.

ITEM 14. PAYMENTS FROM NRD FUNDS FOR LAND TREATMENT.

It was moved by Houdersheldt and seconded by Jackson that payments of NRD land treatment funds be made in the amount of \$18,005.54 for six applications reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer

NAY: None

NOT VOTING: Hansen

ITEM 15. YORK GROUND WATER RECHARGE PROJECT.

Phase V of the York Ground Water Recharge Project included a pump station, located at York Cold Storage, and a pipeline extending from the pump station to Recharge Lake. The pumping system was used to pump excess cooling water from York Cold Storage to the lake during the demonstration period from April 1991 to October 1994. Since October 1994 the pump station has not been used and the pump has been removed. Staff recommends that the easement be vacated, the pump station equipment sold to York Cold Storage and the pipeline abandoned.

It was moved by Houdersheldt and seconded by Hultman that the staff negotiate the sale of easements back to the landowners. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 16. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on April 11, 2002 and presented the committee's recommendations.

ITEM 17. WATER TASK FORCE.

The legislative bill creating the Water Task Force is likely to pass the Legislature. The NARD has asked the NRDs to submit names for consideration for appointment to the Water Task Force. Turnbull asked the committee to consider names for the task force. Any names are to be submitted to the NARD by May 15. The committee and other board members discussed the possible appointments.

It was moved by Houdersheldt and seconded by Hultman to submit the following names for consideration for appointment to the Water Task Force:

Two Irrigators from the Big Blue River Basin:

Larry Moore
Ken Regier - Blue River Compact

Representative from an Agricultural Organization:

Nancy Eberle - Farm Bureau

Representative for the State at Large:

Andy Jensen - Aurora - Corn Growers - NWRA

Nebraska Association of Resources District:

John Turnbull - General Manager Upper Big Blue NRD

League of Nebraska Municipalities:

Curt Friesen - Mayor of Henderson

We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 18. *FIRST QUARTER PER DIEM AND EXPENSES.

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

It was moved by Brown and seconded by Volkmer to approve payment of first quarter directors' per diem of \$12,180 and expenses of \$2,760.72. We approved the motion as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Dickinson, Houdersheldt, Moore

ITEM 19. PAYMENT TO CROSBY GUENZEL LLP FOR ATTORNEY FEES.

The attorney's fees for the month are \$295 for the draft agreement with Mark Kliewer on the Siebert Dam.

It was moved by Houdersheldt and seconded by Brown to approve payment of \$295.00 to Crosby Guenzel LLP for Steve Seglin's work through March 20, 2002. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

ITEM 20. PAYMENTS TO VENDORS FOR TREES PURCHASED FOR RESALE.

Invoices have been received from Cascade Forest Nursery for \$1,130.74 and Lincoln-Oakes

Nurseries for \$4,051.25 for trees for resale.

It was moved by Houdersheldt and seconded by Luebbe to approve payments of \$1,130.74 to Cascade Forest Nursery and \$4,051.25 to Lincoln-Oakes Nurseries for tree seedlings for resale.
We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

**ITEM 21. FINANCIAL REPORT, MARCH 1, 2002 THROUGH MARCH 31, 2002,
AND CONSIDERATION OF EXPENDITURES FOR MARCH 2002.**

Turnbull reviewed the financial report for the period March 1, 2002 through March 31, 2002 that we had distributed. It was moved by Regier and seconded by Volkmer to approve the financial report for March 2002 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

There being no other business the chairman adjourned the meeting at 8:10 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 April 18, 2002, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
May 16, 2002

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, May 16, 2002, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Steve Buller, Gary Eberle, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Ken Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Ken Feather, Prudence Sadler, Jay Bitner and Rod DeBuhr. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting May 10, 2002 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

Douglas Bruns, Doug Dickinson and Curt Friesen requested excused absences.

It was moved by Volkmer and seconded by Brown to excuse the absence of Bruns, Dickinson and Friesen from the May 16, 2002 Board of Directors meeting as requested. We approved the motion.

AYE: Austin, Brown, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Dickinson, Friesen

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Regier and seconded by Volkmer to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Dickinson, Friesen

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Regier and seconded by Volkmer to approve the agenda for the May 16, 2002 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Dickinson, Friesen

ITEM 6. *APPROVAL OF MINUTES OF THE APRIL 18, 2002 BOARD OF DIRECTORS MEETING.

It was moved by Regier and seconded by Volkmer to approve the minutes of the April 18, 2002 Board of Directors Meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Dickinson, Friesen

ITEM 7. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Education and Parks Committee met on May 7, 2002 and presented the committee's report. There were no items requiring board action.

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

Brown reported that the Water Committee met on May 7, 2002 and presented the committee's recommendations.

ITEM 9. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

It was moved by Regier and seconded by Volkmer to make cost-share payments for eighteen well abandonments totaling \$5,290.08. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Dickinson, Friesen

ITEM 10. RURAL GROUND WATER QUALITY AWARENESS PROJECT.

In June of 2001 the District applied for a Clean Water Act Section 319 Grant to conduct this project in Ground Water Management Area Zone 2. The grant request was not funded. Staff recommends that the district conduct a revised version of the project without grant funding. The project area included approximately seven townships in Hamilton County. This area has had the most rapid increase in ground water nitrate levels in the past three years. Staff would sample all of the domestic wells in the zone (approximately 500) over the next three years. With assistance from Cooperative Extension a packet of information would be made available to residents of the area on living with nitrates and what they can do to improve the situation. Items deleted from the original proposal are an independent survey of residents on the nitrate issue and the analysis of samples by an outside laboratory. Samples will be analyzed with NRD equipment.

It was moved by Brown and seconded by Luebbe to authorize the staff to proceed with the Rural Ground Water Quality Awareness Project. We approved the motion.

AYE: Austin, Brown, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Dickinson, Friesen

ITEM 11. HIGH PLAINS CLIMATE CENTER WEATHER STATION MAINTENANCE PAYMENT.

It was moved by Brown and seconded Austin to pay the High Plains Climate Center \$1,000 for the past 12 months operation and maintenance of the York weather station. We approved the motion.

AYE: Austin, Brown, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Dickinson, Friesen

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

Houdersheldt reported that the Projects Committee met on May 9, 2002 and presented the committee's recommendations.

ITEM 13. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Luebbe that payments of NRD land treatment funds be made in the amount of \$52,668.39 for 22 applications and that payments of NSWCP water meter funds be made in the amount of \$1,311.29 for four applications reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Dickinson, Friesen

ITEM 14. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT.

Claim 14 has been submitted for expenditures on the Big Blue River Flood Hazard Mitigation Project. The total amount of the claim is \$11,050. FEMA's share is \$8,287.50. The city and NRD shares are each \$1,381.25.

It was moved by Houdersheldt and seconded by Austin that payment of \$1,381.25 from NRD funds be made to the city of Seward and that the district file a claim in the amount of \$8,287.50 for the FEMA share of claim 14 of the Big Blue River Flood Hazard Mitigation Project and that \$8,287.50 for the FEMA share be paid to the city when it is received by the district. We approved the motion.

AYE: Austin, Brown, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Dickinson, Friesen

ITEM 15. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on May 9, 2002 and presented the committee's recommendations.

ITEM 16. PLATTE RIVER COOPERATIVE AGREEMENT TO CONDUCT AN ECONOMIC STUDY.

The Department of Natural Resources had planned on conducting an economic study to determine the impacts of the Cooperative Agreement on Nebraska. However, the Governor deleted that \$150,000 from the state's budget. The Central Platte NRD and others, including the Department, believe that the study is still necessary. The Central Platte NRD has asked if the Upper Big Blue NRD is interested in contributing funds toward the study.

It was moved by Moore and seconded by Hultman that the Upper Big Blue NRD participate in the Platte River Economic Study and direct the staff to negotiate the amount of the contribution with the other entities. We approved the motion.

AYE: Austin, Brown, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Dickinson, Friesen

ITEM 17. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on May 9, 2002 and presented the committee's recommendations.

ITEM 18. *FIRST QUARTER PER DIEM AND EXPENSES.

The Executive Committee reviewed Ken Regier's per diem and expenses for the quarter.

It was moved by Regier and seconded by Volkmer to approve payment of \$560 per diem and \$177.39 expenses for the first quarter to Ken Regier. We approved the motion as a part of the consent agenda.

AYE: Austin, Brown, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Dickinson, Friesen

ITEM 19. PAYMENTS FOR OFFICE PARKING LOT PAVING.

Work on the parking lot paving has been completed. The original quote from Tom's Concrete was \$16,452.60. The final bills totaled \$16,272.60. The bill from Overland Concrete for the fill sand was \$282.76 and the invoice from Tom's Concrete was \$15,989.84.

It was moved by Houdersheldt and seconded by Hultman to approve payment of \$282.76 to Overland Concrete and \$15,989.84 to Tom's Concrete of York, Nebraska for the office parking lot paving. We approved the motion.

AYE: Austin, Brown, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer

NAY: Hansen

NOT VOTING: Bruns, Dickinson, Friesen

ITEM 20. COMPUTER PURCHASES AND UPGRADES.

A review was made of the existing computer equipment. Three of the older computers are due to be replaced and several others need minor upgrades. Quotes provided by Hamilton Information Systems.

Computer #1 - John, General Manager	
Base computer (P4 - 1.5 GHZ) /w wireless mouse and keyboard	\$1,009.00
17" LCD monitor	699.00
512 MB DDR RAM mother board	49.00
250 MB Iomega Zip Drive	89.00
SUBTOTAL	\$1,846.00
Computer #2 - Marie, Water Department Lead Technician	
Base computer (P4 - 1.5 GHZ) /w wireless mouse and keyboard	\$1,009.00
512 MB DDR RAM mother board	49.00
80 GB hard drive	49.00
SUBTOTAL	\$1,107.00
Computer # 3 - Kathy, I&E Department Assistant	
Base computer (P4 - 1.5 GHZ) /w standard scroll mouse and keyboard	\$980.00
512 MB DDR RAM mother board	49.00
80 GB hard drive	49.00
SUBTOTAL	\$1,078.00
Upgrades to Existing Computers	
Add 256 MB SDRAM, Lori, Water Dept. Secretary	\$89.00
Add 256 MB SDRAM, Rita, Projects Dept. Secretary	89.00
Add 17" LCD monitor, Jay, Projects Department Manager	699.00
Upgrade 5 existing operating systems from Win 95, 98, NT to Windows XP	845.00
SUBTOTAL	\$1,722.00
LABOR Estimate	\$680.00
GRAND TOTAL	\$6,433.00

The current budget has \$7,613.31 remaining in the office equipment line.

It was moved by Houdersheldt and seconded by Hultman to approve purchase of three computers, as specified, and the purchase of upgrades as listed from Hamilton Information Systems, Aurora, Nebraska for \$6,433. We approved the motion.

AYE: Austin, Brown, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Bruns, Dickinson, Friesen

ITEM 21. FINANCIAL REPORT, APRIL 1, 2002 THROUGH APRIL 30, 2002, AND

CONSIDERATION OF EXPENDITURES FOR APRIL 2002.

Turnbull reviewed the financial report for the period April 1, 2002 through April 30, 2002 that we had distributed. It was moved by Volkmer and seconded by Regier to approve the financial report for April 2002 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Buller, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Dickinson, Friesen

There being no other business the chairman adjourned the meeting at 8:35 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 May 16, 2002, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
June 20, 2002

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 20, 2002, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Douglas Bruns, Douglas Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Ken Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Ken Feather, Prudence Sadler, Rod DeBuhr and Ray Naber, Seward County Commissioner. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting June 13, 2002 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Twelve directors were present for the calling of the roll. Jackson and Moore arrived at 7:35 p.m. and Houdersheldt arrived at 7:55 p.m..

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

It was moved by Volkmer and seconded by Luebbe to excuse the absence of Steve Buller and Gus Brown from the June 20, 2002 Board of Directors meeting as requested. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Hultman, Joseph, Luebbe, Regier,
Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller, Houdersheldt, Jackson, Moore

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Regier and seconded by Volkmer to adopt the consent agenda. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Hultman, Joseph, Luebbe, Regier,
Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller, Houdersheldt, Jackson, Moore

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Regier and seconded by Volkmer to approve the agenda for the June 20, 2002 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Hultman, Joseph, Luebbe, Regier,
Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller, Houdersheldt, Jackson, Moore

ITEM 6. *APPROVAL OF MINUTES OF THE MAY 16, 2002 BOARD OF DIRECTORS MEETING.

It was moved by Regier and seconded by Moore to approve the minutes of the May 16, 2002 Board of Directors Meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Hultman, Joseph, Luebbe, Regier,
Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller, Houdersheldt, Jackson, Moore

ITEM 7. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Projects Committee met on June 6, 2002 and presented the committee's recommendations.

ITEM 8. PAYMENTS FOR LAND TREATMENT PROGRAM COST SHARE APPLICATIONS.

It was moved by Houdersheldt and seconded by Jackson that payments of NRD land treatment funds be made in the amount of \$60,855.02 for 42 applications and that payments of NSWCP water meter funds be made in the amount of \$3,323.93 for eight applications reviewed by the Projects Committee. We approved the motion.

AYE: Austin, Bruns, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Regier,
Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Eberle, Luebbe, Moore

NOT PRESENT: Brown, Buller

ITEM 9. PAYMENTS FROM NSWCP WATER METER FUND.

The labor costs for installing water meters were inadvertently omitted from the May payments on four applications. Staff recommends that additional payments totaling \$758.98 be authorized for four water meter applications reviewed by the Committee in May 2002.

It was moved by Houdersheldt and seconded by Hultman that additional payments of NSWCP water meter funds be made in the amount of \$758.98 for four applications, which were approved as reviewed by the Committee in May 2002. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom

NAY: Moore

NOT VOTING: Volkmer, Hansen

NOT PRESENT: Brown, Buller

ITEM 10. LAND TREATMENT PROGRAM NONCOMPLIANCE WITH NC17 REPORTING.

Irrigation water use reports have been submitted by all NC17 cost-share recipients except Kevin D. Elge. Mr. Elge received NSWCP cost-share in the amount of \$661.50 in November 2000, and failed to submit his irrigation water use report for 2001. He has not responded to our request for him to meet with the Projects Committee or repay the cost-share funds. The District's policy regarding noncompliance states that **"If the landowner fails to report his irrigation water use, and fails to repay the cost-share within 30 days of the notice to repay, the landowner will be requested to appear before the Projects Committee to explain his reasons for noncompliance, and he will not be eligible for cost-share from any NRD programs until he is in compliance."** Staff recommends that the District's policy be enforced, and that the Nebraska Department of Natural Resources be notified that Mr. Elge is not in compliance.

It was moved by Houdersheldt and seconded by Austin that Kevin D. Elge, 1208 W. Highway 34, Aurora, Nebraska, is ineligible for cost-share from any NRD programs until he is in compliance with the District's Land Treatment Program policy on Practice NC17 that requires irrigation water use reporting, and that the Nebraska Department of Natural Resources be notified that Mr. Elge received cost-share in the amount of \$661.50 in November 2000 from the NSWCP Program, Practice NC17, and that he is not in compliance with the District's irrigation water use reporting requirements. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller

ITEM 11. PAYMENTS FROM NEBRASKA BUFFER STRIP PROGRAM FUNDS.

A total of 509.5 acres are currently under contract with 60 applicants. The total annual payments on these acres are \$44,279.38. The majority of contracts are for 10 years. Payments of \$13,843.67 are now due on 25 contracts for the fourth quarter of fiscal year 2002.

It was moved by Regier and seconded by Volkmer that payments of Nebraska Buffer Strip Program funds be made in the amount of \$13,843.67 for 25 contracts reviewed by the Committee. We approved the motion as part of the consent agenda.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Hultman, Luebbe, Regier, Teegerstrom,
Volkmer, Hansen

NAY: None

NOT VOTING: Joseph

NOT PRESENT: Brown, Buller, Houdersheldt, Jackson, Moore

**ITEM 12. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT
PAYMENT AND CLAIM.**

Claim 15 has been submitted for expenditures on the Big Blue River Flood Hazard Mitigation Project. The total amount of the claim is \$550.00. FEMA's share is \$412.50 and the city and NRD shares are each \$68.75.

It was moved by Houdersheldt and seconded by Luebbe that payment of \$68.75 from NRD funds be made to the City of Seward and that the District file a claim in the amount of \$412.50 for the FEMA share of claim 15 of the Big Blue River Flood Hazard Mitigation Project, and that \$412.50 of the FEMA share be paid to the City when it is received by the District.

There was some discussion about whether or not approval of this payment conflicts with the board's policy prohibiting payments to cooperators for an amount less than \$100.

It was moved by Austin and seconded by Moore to amend the motion to add "and that the District waives the \$100 minimum payment policy." We approved the amendment.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom

NAY: Volkmer, Hansen

NOT PRESENT: Brown, Buller

We approved the original motion as amended.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: Volkmer

NOT PRESENT: Brown, Buller

ITEM 13. PAYMENT TO STUTZMAN DIGGING FOR PROJECT OPERATION & MAINTENANCE.

Stutzman Digging of Dorchester has completed maintenance work for 2002 on the Dorchester Watershed, Kassik Dam, and Vavra Semler Dam. Staff recommends that Stutzman Digging be paid \$17,604.75 for work completed in accordance with their contract.

It was moved by Houdersheldt and seconded by Hultman that Stutzman Digging be paid \$17,604.75 for maintenance work completed in 2002 on the Dorchester Watershed, Kassik Dam, and Vavra Semler Dam. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller

ITEM 14. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on June 11, 2002 and presented the committee's report.

ITEM 15. PARTIAL PAYMENT TO YORK COLD STORAGE.

The District rents space from York Cold Storage each year for storing trees until ready to plant. An invoice has been received for use from April 26 to May 31, 2002.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District make payment of \$960.12 to York Cold Storage for the storing of trees from April 26 - May 31, 2002. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller

ITEM 16. PAYMENT TO NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS.

The District purchased 28,700 trees and shrubs from the Nebraska Association of Resources Districts for farmstead windbreaks, wildlife, field windbreaks, timber and riparian plantings.

It was moved by Bruns and seconded by Austin that the Upper Big Blue Natural Resources

District make payment of \$8,771.19 to the Nebraska Association of Resources Districts for the purchase of 28,700 tree and shrubs. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller

ITEM 17. WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS FOR JUNE 2002.

Staff has inspected the areas enrolled in the Wildlife Habitat Improvement Program that are scheduled for payment in June. All cooperators are in compliance with the program and staff recommends that the annual payments be made. The payments are funded 75% by the Nebraska Game & Parks Commission and 25% by the Upper Big Blue Natural Resources District.

It was moved by Bruns and seconded by Regier that the Upper Big Blue Natural Resources District make payments totaling \$1,047.50 to the cooperators of the Wildlife Habitat Improvement Program for the month of June. We approved the motion.

AYE: Austin, Bruns, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Dickinson

NOT PRESENT: Brown, Buller

ITEM 18. CORNERS FOR WILDLIFE PROGRAM 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 through the Pheasants Forever Chapters.

It was moved by Bruns and seconded by Teegerstrom that the Upper Big Blue Natural Resources District make payments of \$1,325 to the cooperators of the Corners for Wildlife program as reviewed. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller

ITEM 19. PAYMENT TO ULYSSES TOWNSHIP CEMETERY FOR TREE PLANTING.

December 15, 2000 the NRD Board of Directors voted to approve funding for the renovation and planting of new trees at the Ulysses Township Cemetery in an amount not to exceed \$1,515.

The following costs were incurred on the Ulysses Township Cemetery Project.

Renovating old trees	\$ 2850
New trees planted	
- 50 Blue Spruce @ \$81/ea	\$ 4050
- 50 Blue Spruce @ \$70/ea	\$ 3500
- 12 Velvet Pillar Crab @ \$63/ea	\$ 756
- 50# fertilizer	\$ 100
- 14 yds mulch	\$ 0
- Labor	<u>\$ 2000</u>
Total	\$13,256

Matching grant $\$13,256 \div 2 = \$ 6,628$

NRD Cost-share 25% of local share
Local share = $\$6628 \times .25 = \underline{\$1657}$

It was moved by Bruns and seconded by Houdersheldt that the Upper Big Blue Natural Resources District make payment of \$1,515 to the Ulysses Township Cemetery for the renovating and planting of trees at the Ulysses Township Cemetery. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller

ITEM 20. SEWARD PLUM CREEK TRAIL SUPPLEMENTAL AGREEMENT.

Referring to the original Agreement executed by the NRD on April 19, 2001 and by the State of Nebraska on May 29, 2001, providing for the construction of Project No. STPB-80(27) Plum Creek Hiking and Biking Trail on the east side of Seward, Nebraska.

In the original Agreement, the starting date for construction was June 30, 2002. In the Supplemental Agreement #1, that date is being extended to November 6, 2002. Otherwise all conditions of the original Agreement signed by the NRD on April 19, 2001 and the State of Nebraska on May 29, 2001 shall remain in full force and effect.

It was moved by Bruns and seconded by Austin that the Upper Big Blue Natural Resources District Board of Directors authorizes the chairman of the Board to sign the Supplemental Agreement #1 extending the start date of Project STPB-80(27) Plum Creek Hiking and Biking

Trail from June 30, 2002 to November 6, 2002. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller

ITEM 21. FISCAL YEAR 2003 COST-SHARE FUNDS FOR TREES.

The District is getting more requests for cost-share funds for windbreak renovations. Under the Nebraska State Water Conservation Program, only ten windbreak renovations are allowed per year. Using NRD funds it would be a Board decision on how many renovations they would allow per year.

It was moved by Bruns and seconded by Regier that the Upper Big Blue Natural Resources District allow only ten windbreak renovations per year. We approved the motion.

AYE: Bruns, Dickinson, Eberle, Friesen, Hultman, Joseph, Regier, Teegerstrom, Volkmer,
Hansen

NAY: Austin, Houdersheldt, Jackson, Luebbe

NOT VOTING: Moore

NOT PRESENT: Brown, Buller

ITEM 22. FISCAL YEAR 2003 COST-SHARE FUNDS FOR TREES AND RENOVATIONS.

In the past, the District's land treatment funds have been committed before the District's tree program has started. At the present time, the District has requests for nine windbreak renovations. One of the nine already has been approved by the Board in the amount of \$2125.48. It is anticipated that the renovation projects will exceed the \$10,000 amount.

It was moved by Bruns and seconded by Regier that the Upper Big Blue Natural Resources District recommend to the Projects Committee to set aside \$20,000 for cost-sharing on windbreak plantings, field windbreaks and windbreak renovations. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller

If the monies are not used up by March 30, 2003, then the monies are available for other cost-share practices.

ITEM 23. PAYMENT TO LITTLE BLESSINGS PRESCHOOL-FAITH LUTHERAN SCHOOL FOR OUTDOOR CLASSROOM.

The Little Blessings Preschool-Faith Lutheran Outdoor Classroom is completed. The total cost of the classroom is \$1,785.70. The schools received no other grants besides ours. Under the District's Outdoor Classroom Assistance Program, the schools are eligible for 50 percent of the local share of the cost of the project up to \$800.

It was moved by Bruns and seconded by Austin that the District pay the Little Blessings Preschool \$800 for its outdoor classroom as part of the Upper Big Blue NRD Outdoor Classroom Assistance Program. We approved the motion.

AYE: Austin, Bruns, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Eberle

NOT PRESENT: Brown, Buller

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

Joseph reported that the Water Committee met on June 11, 2002 and presented the committee's recommendations.

ITEM 25. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM FINAL PAYMENTS.

The total claims exceed the \$40,000 authorized by \$289.75. The staff recommends payment of these claims. All claims for July will be held for payment in August, which will be the first payments of the new fiscal year.

It was moved by Regier and seconded by Volkmer to make cost-share payments for seventeen well abandonments totaling \$6,530.37. We approved the motion as part of the consent agenda.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Hultman, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller, Houdersheldt, Jackson, Moore

ITEM 26. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on June 13, 2002 and presented the committee's report. There were no items requiring board action.

ITEM 27. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on June 13, 2002 and presented the committee's recommendations.

ITEM 28. FISCAL YEAR 2003 LIABILITY INSURANCE RENEWAL QUOTE.

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 \$40,052. The existing policy expires on July 1, 2002.

7/1/2001	\$37,139	7/1/2002	\$40,052	7.8% increase
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It was moved by Houdersheldt and seconded by Hultman to approve the renewal of the liability, fire and casualty insurance for FY 2003 for \$40,052 provided by York Insurance and INSPRO. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller

ITEM 29. FY2003 SALARIES.

Turnbull reviewed his findings about comparable wages with the Committee. The data came from the Nebraska State Government Salary Survey which included information from the Central Platte, Lower Platte North, Lewis & Clark, Little Blue, Lower Platte South, Lower Republican, South Platte, Tri-Basin and Papio NRDs. The Board was provided a copy of the recommended salary schedule. Based on that information Turnbull recommended that most Upper Big Blue job classifications increase from 1% to 5.5% depending on the job market. The salary schedules set the minimum, midpoint, and maximum for each position. Individual salaries and wages then need to be within those limits.

It was moved by Houdersheldt and seconded by Hultman to approve the changes in the midpoints of the salary schedules as presented to stay in line with the job market, and that such changes and adjusted salary schedules become effective on July 1, 2002. We approved the motion.

AYE: Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore,

Regier, Teegerstrom, Hansen

NAY: Austin, Luebbe

NOT VOTING: Volkmer

NOT PRESENT: Brown, Buller

Turnbull reviewed the individual staff salaries with the Executive Committee. He proposed that the Board authorize \$18,000 for salary increases for the staff, which is an overall change of 3.5%. The change for last year was 4.5% or \$22,102.

It was moved by Houdersheldt and seconded by Hultman to adjust the annual salaries of the district staff, with the exception of the General Manager, by an amount not to exceed \$18,000; and to authorize the General Manager to determine and make the salary and wage adjustments, in accordance with the Operating Policy. We approved the motion.

AYE: Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Hansen

NAY: Austin, Luebbe, Volkmer

NOT VOTING: Bruns

NOT PRESENT: Brown, Buller

It was moved by Houdersheldt and seconded by Hultman to increase the General Manager's salary 3.5% (from \$73,000 to 75,555), effective July 1, 2002.

It was moved by Moore and seconded by Regier to go into Executive Session at 9:30 p.m. for the purpose of discussing the general manager's salary. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller

It was moved by Moore and seconded by Regier to return to regular session at 9:45 p.m. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller

We approved the motion to increase the general manager's salary.

AYE: Austin, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Moore, Regier, Teegerstrom, Hansen

NAY: Luebbe

NOT VOTING: Bruns, Volkmer

NOT PRESENT: Brown, Buller

ITEM 30. FINANCIAL REPORT, MAY 1, 2002 THROUGH MAY 31, 2002, AND CONSIDERATION OF EXPENDITURES FOR MAY 2002.

Turnbull reviewed the financial report for the period May 1, 2002 through May 31, 2002 that we had distributed. It was moved by Volkmer and seconded by Austin to approve the financial report for May 2002 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Brown, Buller

There being no other business the chairman adjourned the meeting at 10:00 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on June 20, 2002, 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.

Earl Hultman, Secretary

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BOARD OF DIRECTORS MEETING
July 18, 2002

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 18, 2002, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Gus Brown, Douglas Bruns, Steve Buller, Douglas Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, Rod DeBuhr, Richard Jiskra of NDNR and Bill Gilliam of NRCS. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting July 11, 2002 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

It was moved by Volkmer and seconded by Dickinson to excuse the absence of Ken Regier and Vance Teegerstrom from the July 18, 2002 Board of Directors meeting as requested. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Volkmer and seconded by Austin to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Volkmer and seconded by Austin to approve the agenda for the July 18, 2002 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

ITEM 6. *APPROVAL OF MINUTES OF THE JUNE 20, 2002 BOARD OF DIRECTORS MEETING.

It was moved by Volkmer and seconded by Austin to approve the minutes of the June 20, 2002 Board of Directors Meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

ITEM 7. NARD LEGISLATIVE UPDATES MEETING REPORT.

John and Rod attended the NARD Legislative Updates meeting that was held in Grand Island on July 18. Gayle Starr of NDNR discussed their budget and related issues. The State Budget Office is advising the Governor on proposed budget cuts for the Legislature to consider during the special session. It is expected that the Governor's proposed cuts will be made public within the next week. The NSWCP fund has already been cut by 31% from the original appropriation. It was confirmed today that some NRDs have submitted NSWCP claims for final payment and under a directive issued by Roger Patterson the claims are not being processed by NDNR. They will not consider making payments of obligated funds until after the Governor and the Legislature have finalized the budget. The UBBNRD received written notification about three weeks ago of a \$104,000 appropriation from the NSWCP fund. We already have about \$41,000 of NSWCP funds that have been authorized. It is doubtful at this time that any of the work has been done because crops have not been harvested, but the district will need to decide what will be done with these applications if the NDNR refuses to make payments. We have not received any official notification from the NDNR that claims are not going to be paid.

Moore asked whether the district should notify the landowners who have already been authorized that their funding may be in jeopardy. Turnbull told the board that we will not authorize any additional NSWCP funds until we know the outcome of the special legislative session. He recommended that the board not take any further action until we know the outcome of the legislative session.

Nebraska Department of Natural Resources board member, Richard Jiskra, addressed the board.

He indicated that the NDNR is holding payment of claims until they know the amount of funding the NSWCP program will receive. He was optimistic that it will not be cut too severely. He also indicated that we may see cuts in other programs as well, for example the well decommissioning fund and water meter fund.

ITEM 8. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on July 9, 2002 and presented the committee's report.

ITEM 9. WILD NEBRASKA PROGRAM PUBLIC ACCESS.

It is currently District policy that public access must be allowed in order to participate in the *WILD* Nebraska program. There has been a decline in the number of cooperators enrolling in the program. The decline may be due in part to the public access requirement and not having an annual payment. If an individual is interested in allowing public access he may be paid an additional \$3.00/acre.

Improving land enrolled in the Wild Nebraska Program without requiring public access will still benefit overall habitat conditions in Nebraska. Ninety-seven percent of the state is privately owned land and we need to recognize that many land owners wish to maintain control over who hunts on their property. The 2002 *WILD* Nebraska Participant Survey indicated that 65% of participants allowed full access to their lands while 31% allowed access to nearly everyone who asked. Several NRDs offer extra payment for public access.

During the ten-year *WILD* Nebraska contract the landowner is not allowed to lease or sell any recreational rights on the area. To do so would be a breach of contract and the landowner could be required to pay back all program funds received.

It was moved by Bruns and seconded by Jackson that the Upper Big Blue Natural Resources District not require public access on lands that we enroll into the *WILD* Nebraska program. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Volkmer, Hansen

NAY: Austin, Moore

NOT PRESENT: Regier, Teegerstrom

ITEM 10. AGREEMENT WITH STATE DEPARTMENT OF ROADS FOR THE PLUM CREEK HIKING AND BIKING TRAIL.

Plum Creek Hiking and Biking Trail

Project No. STPB-80(27)

US Hwy 34 Bridge Project

Project No. EACSTPD 34-6 (129)
State Control No.12206 Seward East

An Agreement between the Upper Big Blue Natural Resources District and the State of Nebraska Department of Roads has been drafted. Staff is currently working on final design of the Plum Creek Hiking and Biking Trail to be located on the east side of Seward.

During final design, the State of Nebraska Department of Roads determined their bridge construction work would begin later than anticipated. The District and the City of Seward expect the bid prices to come in at or below the engineer's estimate. It would be in the best interest of both the District and the City if the State of Nebraska Department of Roads includes as a separate item in their US Highway 34 Project No. EACSTPD 34-6 (129), State Control No. 12206 Seward East, the portion of the Plum Creek Trail project that lies within the US Highway 34 right-of-way. With this inclusion the District and the City of Seward will not have to extend their contract to encompass the highway right-of-way portion.

It was moved by Bruns and seconded by Austin that the Upper Big Blue Natural Resources District Board of Directors enters into the agreement with the Nebraska Department of Roads for the purpose of advertising for bid letting, constructing and construction inspection on that portion of the Plum Creek Hiking and Biking Trail that lies within the right-of-way of US Highway 34 and being a part of Project No. EACSTPD 34-6-(129) State Control No. 12206, Seward East; and authorize the Chairman of the Board to sign said agreement. Provided the District can insert a clause that the District has the right to reject the portion of the bid that entails the Seward Plum Creek Hiking and Biking Trail in conjunction with Project EACSTPD 34-6-(129), State Control No. 12206, Seward East. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

ITEM 11. ADOPTION OF RESOLUTION PERTAINING TO THE AGREEMENT WITH STATE DEPARTMENT OF ROADS ON THE PLUM CREEK HIKING AND BIKING TRAIL.

Upon entering into the agreement with the State of Nebraska Department of Roads for the Plum Creek Hiking and Biking Trail the Upper Big Blue Natural Resources District will need to adopt a resolution stating its desire that a portion of the trail be let and constructed under the designating Project No. EACSTPD 34-6(129) State Control No.12206; and further it becomes a part of the agreement as Exhibit B.

It was moved by Bruns and seconded by Austin that the Upper Big Blue Natural Resources District Board of Directors adopt the resolution pertaining to the agreement with the Nebraska

Department of Roads for the purpose of bidding, constructing and supervising construction of that portion of the Plum Creek Hiking and Biking Trail which lies within the road right-of-way of US Highway 34 Bridge Project No. EACSTPD 34-6(129), State Contract No.12206, Seward East and authorize the chairman of the Board to sign said resolution. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

ITEM 12. PAYMENT TO FILLMORE CENTRAL HIGH SCHOOL FOR OUTDOOR CLASSROOM.

The work to create the pond is completed and the school has received a bill from Van Kirk Brothers Contracting for \$8,000. The school has requested partial payment of the grant that the District approved last January. The District's share is 25 percent of the local cost. All of the earth work is funded locally.

It was moved by Bruns and seconded by Volkmer that the District pay Fillmore Central High School \$2,000 as partial payment for its outdoor classroom under the Upper Big Blue NRD Special Projects Program. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

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

Brown reported that the Water Committee met on July 9, 2002 and presented the committee's recommendations.

ITEM 14. APPROVAL OF FINAL DRAFT CHANGES TO GROUND WATER MANAGEMENT AREA #2 ACTION PLAN FOR PUBLIC HEARING.

The Water Committee reviewed the final draft of proposed changes to the District's Action Plan. The proposed changes provide a way for the NRD to work with community public water suppliers on ground water quality management in wellhead protection areas.

It was moved by Brown and seconded by Hultman to approve the final draft changes to the Ground Water Management Area #2 Action Plan for the purpose of public hearing to be held on September 19, 2002 preceding the regularly scheduled Board of Directors Meeting. We approved

the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

ITEM 15. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Projects Committee met on July 11, 2002 and presented the committee's recommendations.

ITEM 16. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Luebbe that payments of NRD Land Treatment funds be made in the amount of \$1,258.82 for two applications reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

ITEM 17. PAYMENT TO CONTRACTOR FOR PROJECT OPERATION & MAINTENANCE.

Huebert Land Leveling has completed repair of the principal spillway chain-linked fence at the Pioneer Trails project. Huebert's work included:

- ▶ Contractor equipment mobilization
- ▶ Remove chain-linked safety fence located on principal spillway walls
- ▶ Auger new post holes in the concrete wall at eight places where expansion joints are located
- ▶ Install post sleeves in auger holes, place new posts in sleeves, and grout posts into sleeves
- ▶ Remove twelve posts from sleeves where grout was broken, clean out old grout, place posts, and re-grout posts
- ▶ Reset chain-linked safety fence
- ▶ Remove broken rock from principal spillway stilling basin

Staff recommends that Huebert Land Leveling be paid \$7,960 in accordance with their invoices for repair work completed at Pioneer Trails.

It was moved by Houdersheldt and seconded by Volkmer that Huebert Land Leveling be paid \$7,960, in accordance with their invoices dated 6/28/02 and 7/2/02, for chain-linked fence repairs at Pioneer Trails. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

ITEM 18. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on June 19 and July 11, 2002 and presented the committee's recommendations.

ITEM 19. NRD SALARY REIMBURSEMENTS.

A bill has been received for salaries for the Butler County NRCS Clerk and some part-time technician work from the Lower Platte North NRD for the past six months.

Clerk's salary and benefits		\$12,079.54
		<u>x 44.67% of Butler County</u>
		\$ 5,396.29
Technician's salary	24hours	<u>229.94</u>
		\$ 5,626.23

It was moved by Houdersheldt and seconded by Hultman to approve payment of \$5,626.23 to the Lower Platte North NRD for NRCS office salaries for the second half of FY2002 (January 1 - June 30, 2002). We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: Buller, Houdersheldt

NOT PRESENT: Regier, Teegerstrom

ITEM 20. PAYMENT TO HAMILTON INFORMATION SYSTEMS FOR COMPUTERS.

Invoices have been received from Hamilton Information Systems for the three new computers and the upgrades to eight other computers. The quote for the equipment was \$5,753 and labor was estimated at \$680 for a total quote of \$6,433. The bill for the equipment is \$5,664 and \$931 for labor for a total bill of \$6,595.

It was moved by Houdersheldt and seconded by Hultman to approve payment of \$6,595 to Hamilton Information Systems, Inc. of Grand Island for the new computers, upgrades and labor. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

ITEM 21. PAYMENT TO YORK INSURANCE AGENCY FOR FY2003 INSURANCE PACKAGE.

A bill for \$40,052 has been received for the District's liability, fire, and auto insurance package. The quote was approved last month.

It was moved by Houdersheldt and seconded by Brown to approve payment of \$40,052 to York Insurance Agency for the liability, fire, and auto policy renewal. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

ITEM 22. *SECOND QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Volkmer and seconded by Austin to approve payment of second quarter directors' per diem of \$9,660 and expenses of \$2,645.86. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

ITEM 23. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on July 16, 2002 and presented the committee's recommendations.

ITEM 24. FISCAL YEAR 2003 BUDGET HEARING SCHEDULE.

Turnbull recommended that the Budget Hearing be held in conjunction with the regular August board meeting. He also recommended that the special hearing on the final tax and tax rate be held at the regular September board meeting.

It was moved by Moore and seconded by Austin to schedule the FY 2003 Budget Hearing for 7:30 p.m., Thursday, August 15, 2002 and further to schedule a Special Hearing for the FY 2003 Tax Request for 7:30 p.m., Thursday, September 19, 2002. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

ITEM 25. ADOPT FISCAL YEAR 2003 BUDGET FOR PUBLIC HEARING.

Turnbull presented the draft budget which takes into account the cash balances on June 30. The Budget, Planning & Legislative Committee reviewed the main budget items and the compliance with the tax lid limit. Interlocal Agreements were reviewed because funds used in those agreements are exempt from the lid. Capital expenses, which are also exempt from the lid, were reviewed. Possible reductions in state funding by the Legislature were discussed. The committee changed the draft budget to transfer money from the General Fund to the Sinking fund for the Johnson Creek Site 10 project.

It was moved by Moore and seconded by Houdersheldt to adopt the FY 2003 Budget as changed for the purpose of public hearing. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

ITEM 26. APPROVE ADDITIONAL ONE PERCENT INCREASE IN RESTRICTED FUNDS AUTHORITY.

It was moved by Moore and seconded by Dickinson to approve an increase in the total budgeted restricted funds authority by an additional 1%. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman,
Jackson, Joseph, Luebbe, Moore, Hansen

NAY: Volkmer

NOT PRESENT: Regier, Teegerstrom

ITEM 27. FINANCIAL REPORT, JUNE 1, 2002 THROUGH JUNE 30, 2002, AND CONSIDERATION OF EXPENDITURES FOR JUNE 2002.

Turnbull reviewed the financial report for the period June 1, 2002 through June 30, 2002 that we had distributed. It was moved by Austin and seconded by Houdersheldt to approve the financial report for June 2002 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Volkmer, Hansen

NAY: None

NOT PRESENT: Regier, Teegerstrom

There being no other business the chairman adjourned the meeting at 9:55 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on July 18, 2002, 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.

Earl Hultman, Secretary

:nds

BOARD OF DIRECTORS MEETING
August 15, 2002

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 15, 2002, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Gus Brown, Douglas Bruns, Steve Buller, Douglas Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, Rod DeBuhr and Bill Gilliam of NRCS. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting August 8, 2002 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Twelve directors were present for the calling of the roll. Bruns and Dickinson arrived right after roll call.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

It was moved by Teegerstrom and seconded by Dickinson to excuse the absence of Ken Regier and Roger Houdersheldt from the August 15, 2002 Board of Directors meeting as requested. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: Friesen

NOT VOTING: Dickinson

NOT PRESENT: Houdersheldt, Moore, Regier

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Austin and seconded by Luebbe to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt, Moore, Regier

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Austin and seconded by Luebbe to approve the agenda for the August 15, 2002 board of directors meeting as presented. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt, Moore, Regier

ITEM 6. *APPROVAL OF MINUTES OF THE JULY 18, 2002 BOARD OF DIRECTORS MEETING.

It was moved by Austin and seconded by Luebbe to approve the minutes of the July 18, 2002 Board of Directors Meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt, Moore, Regier

ITEM 7. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on August 6, 2002 and presented the committee's report.

ITEM 8. NARD DIRECTOR OF THE YEAR NOMINATION.

It was suggested to nominate Wayne Hansen for the NARD's Director of the Year award. We have since learned that the deadline was 1 June. The nomination can be submitted for the 2003 award.

It was moved by Bruns and seconded by Volkmer to nominate Wayne Hansen for the NARD's Director of the Year award. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Volkmer

NAY: None

NOT VOTING: Hansen

NOT PRESENT: Houdersheldt, Moore, Regier

ITEM 9. WILD NEBRASKA CONTRACT FOR NORMAN RECKNOR.

Matt Steffl of the Nebraska Game & Parks Commission reviewed the proposed wetland restoration project for Norman Recknor. Mr. Recknor wishes to enroll land which is located in the NW 1/4 of Section 21, Township 12 North, Range 4 West of the 6th P.M., York County, Nebraska into the Wild Nebraska Program. He is interested in a ten-year contract with a public access option. The total project cost is estimated at \$13,500.

It was moved by Bruns and seconded by Brown that the Upper Big Blue Natural Resources District participate in the proposed wetland restoration project on lands located in the NW 1/4 of Section 21, Township 12 North, Range 4 West of the 6th P.M., York County, Nebraska owned by Norman Recknor and that the district fund the project in an amount not to exceed \$2,000 contingent upon Nebraska Game & Parks Commission's participation in the project. We approved the motion.

AYE: Brown, Bruns, Friesen, Hultman, Jackson, Joseph, Teegerstrom, Hansen
NAY: Austin, Buller, Dickinson, Luebbe
NOT VOTING: Eberle, Volkmer
NOT PRESENT: Houdersheldt, Moore, Regier

ITEM 10. CORNERS FOR WILDLIFE PROGRAM FY 2003.

The Corners for Wildlife 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
- f. Landowner rental payments are administered by the local NRD from funds forwarded by Pheasants Forever.

At the present time, Aaron McCormick, representing the Pheasants Forever has outside monies from other sources besides the Environmental Trust Fund to be spent on developing wildlife habitat in designated CREP (Conservation Reserve Enhancement Program) areas. The entire Upper Big Blue NRD is designated as a CREP area. Since the lands within the District boundaries are in the CREP program, the pivot corners being developed for wildlife are eligible to receive a payment up to \$75/acre for a 10-year period. The payments would be made annually for ten years.

It was moved by Bruns and seconded by Austin that the Upper Big Blue NRD participate in the

Corners for Wildlife Program in FY 2003. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph,
Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt, Moore, Regier

ITEM 11. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on August 6, 2002 and presented the committee's recommendations.

ITEM 12. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Austin and seconded by Luebbe to approve cost-share payments for nine well abandonments as reviewed totaling \$2,802.23. We approved the motion as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe,
Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Buller

NOT PRESENT: Houdersheldt, Moore, Regier

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

Jackson reported that the Projects Committee met on August 8, 2002 and presented the committee's report. There were no items requiring board action.

ITEM 14. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Executive Committee met on August 8, 2002 and presented the committee's recommendations.

ITEM 15. NRD SALARIES REIMBURSEMENTS.

An invoice in the amount of \$5,882.10 was received for salaries for the Adams County and Clay County NRCS clerks from the Little Blue NRD for the past 12 months ending June 30. We also

received an invoice for \$4,252.33 for salaries for the Saline County NRCS clerk and some part time technician work from the Lower Big Blue NRD for the past 12 months.

It was moved by Brown and seconded by Hultman to approve payments of \$5,882.10 to the Little Blue NRD for NRCS office salaries for FY 2002 (July 1, 2001 through June 30, 2002) and \$ 4,252.33 to the Lower Big Blue NRD for NRCS office salaries for FY 2002 (July 1, 2001 through June 30, 2002) We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt, Moore, Regier

ITEM 16. FISCAL YEAR 2003 NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS DUES.

The NARD dues have been set for FY 2003. The NARD budget was adopted at the June Association meeting. The amount payable is \$15,730.00.

It was moved by Brown and seconded by Hultman to approve payment of \$ 15,730.00 to the Nebraska Association of Resources Districts for FY 2003 dues and special assessment. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Hansen

NAY: Volkmer

NOT PRESENT: Houdersheldt, Moore, Regier

ITEM 17. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Budget, Planning & Legislative Committee met on August 13, 2002 and presented the committee's recommendations.

ITEM 18. FISCAL YEAR 2003 BUDGET.

Turnbull reported to the committee that the Legislature, now in special session, has restored the proposed cuts to the Soil and Water Conservation Fund. The NRD should receive its \$104,000 allocation as planned. State aid to NRDs remains intact. However, the Water Quality Fund is being reduced by \$230,000 from \$1,250,000 to \$1,020,000. That means that the Upper Big Blue allocation of the Water Quality Fund will be reduced by approximately \$14,000. The Legislative bill final reading is August 15. The bill will then be considered by the Governor.

Turnbull also reported that the York News-Times failed to print the Budget Hearing notice. It was hand delivered to them last week to ensure that it was received by the paper. The Board cannot proceed with the budget adoption without a hearing. The budget is due in the State Auditor's office on September 20. The committee discussed possible hearing schedules and decided to hold a Budget Committee meeting at 7:30 p.m., Thursday, September 12, to consider any changes in the budget due to legislative action. The Projects and Executive committees are scheduled to meet on the same night.

It was suggested that the Special Hearing to set the final tax request which had been scheduled for September 19 be held the same night as the Budget Hearing.

It was moved by Buller and seconded by Dickinson to reschedule the FY 2003 Budget Hearing for 8:30 p.m. and the Special Tax Request Hearing for 8:40 p.m., Thursday, September 12, 2002, and to hold a Special Board meeting immediately following for the purpose of considering and adopting the FY 2003 Budget. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt, Moore, Regier

ITEM 19. WATER POLICY TASK FORCE.

Turnbull reported on the first meeting of the Water Policy Task Force. An information packet was provided to committee members which includes a listing of the issues brought up at the first meeting. The Water Policy Task Force will operate by consensus. The Water Policy Task Force will pay expenses for its members that are not representing agencies or political subdivision. Turnbull represents NRDs.

It was moved by Buller and seconded by Volkmer to authorize the payment of necessary expenses incurred by Turnbull for work on the Water Task Force. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt, Moore, Regier

ITEM 20. RESOLUTIONS FOR THE NARD FALL CONFERENCE.

ITEM 21. WELL DRILLING PERMIT FEES.

Rod DeBuhr presented a draft resolution to change well drilling permit fees. The fees were set at \$25 in 1975 in the original Groundwater Management Act, but were reduced to \$17.50 in 1983,

where they have remained.

Well Drilling Permit Fees

2002 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, the costs of activities associated with the enforcement of the regulations promulgated under the Act have risen with inflation; and

WHEREAS, the application fee a Natural Resources District receives for a well permit has remained at \$17.50 since the Act was first adopted in 1975; and

WHEREAS, fees collected by the State of Nebraska for registration of a large capacity well have risen from \$7.50 to \$100 since that date; and

WHEREAS, the fees for surface water appropriations from a natural stream and from reservoirs, collected by the Department of Natural Resources, have increased from \$10 to \$200 and \$50 respectively since that date; and

WHEREAS, the Legislature has made significant reductions in state aid to Natural Resources Districts for water quantity and quality related activities;

NOW, THEREFORE BE IT RESOLVED that the Nebraska Association of Resources Districts supports changes to statutes to increase well permit application fees for wells to be constructed in a ground water management area to \$100.

It was moved by Buller and seconded by Bruns to adopt the Well Drilling Permit Fee resolution and present the resolution to the NARD conference in September.

It was moved by Volkmer and seconded by Hultman to amend the resolution to change the well permit fee to \$50. We approved the amendment.

AYE: Austin, Buller, Dickinson, Friesen, Hultman, Luebbe, Teegerstrom, Volkmer

NAY: Brown, Bruns, Eberle, Jackson, Joseph, Hansen

NOT PRESENT: Houdersheldt, Moore, Regier

We approved the original motion as amended.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph,
Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt, Moore, Regier

ITEM 22. EQIP COST SHARE RATES FOR CENTER PIVOTS.

Curt Friesen introduced the following resolution for consideration at the 2002 NARD annual conference.

EQIP Cost Share Rates for Center Pivots

2002 NARD Annual Conference
Submitted by the Upper Big Blue NRD

WHEREAS, ground water conservation is a significant statewide natural resource concern; and

WHEREAS, the USDA Environmental Quality Incentives Program provides technical, educational, and financial assistance to eligible farmers and ranchers to address soil, water, and related natural resource concerns on their lands in an environmentally beneficial and cost-effective manner; and

WHEREAS, EQIP provides funding for converting from furrow irrigation to more efficient center pivot systems; and

WHEREAS, several thousand applications for EQIP funds have been received statewide for conversions to center pivots; and

WHEREAS, the cost share rate of 50% will only allow for a few systems to be converted; and

WHEREAS, the lower cost share rate of 25% would still be an incentive to convert from gravity to pivot irrigation and allow for twice as many systems to be funded;

NOW, THEREFORE BE IT RESOLVED that the Nebraska Association of Resources Districts supports changes to the Environmental Quality Incentives Program in Nebraska administered by the Natural Resources Conservation Service to reduce the financial assistance for eligible farmers for conversions of gravity irrigation to center pivot irrigation systems to 25%.

It was moved by Friesen and seconded by Eberle to adopt the EQIP Cost Share Rates for Center Pivots resolution and present it at the NARD Conference in September. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph,
Teegerstrom, Volkmer

NAY: Hansen

NOT VOTING: Luebbe

NOT PRESENT: Houdersheldt, Moore, Regier

**ITEM 23. FINANCIAL REPORT, JULY 1, 2002 THROUGH JULY 31, 2002, AND
CONSIDERATION OF EXPENDITURES FOR JULY 2002.**

Turnbull reviewed the financial report for the period July 1, 2002 through July 31, 2002 that we had distributed. It was moved by Dickinson and seconded by Luebbe to approve the financial report for July 2002 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph,
Luebbe, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt, Moore, Regier

There being no other business the chairman adjourned the meeting at 9:09 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 15, 2002, 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.

Earl Hultman, Secretary

:nds

**BOARD OF DIRECTORS MEETING
&
GROUND WATER MANAGEMENT AREA 2 ACTION PLAN
PUBLIC HEARING
September 19, 2002**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 19, 2002, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Gus Brown, Douglas Bruns, Douglas Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, Rod DeBuhr, Scott Scheierman, Marty Link of NDEQ, Dick Ehrman, NARD and Bill Gilliam of NRCS. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting September 12, 2002 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Thirteen directors were present for the calling of the roll. Austin, Dickinson and Teegerstrom arrived after roll call.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

It was moved by Houdersheldt and seconded by Volkmer to excuse the absence of Steve Buller from the September 19, 2002 Board of Directors meeting as requested. We approved the motion.

AYE: Brown, Bruns, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Buller, Dickinson, Teegerstrom

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Moore and seconded by Regier to adopt the consent agenda, except for item VI. Adoption of Agenda. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 5. *APPROVAL OF MINUTES OF THE AUGUST 15, 2002 BOARD OF DIRECTORS MEETING.

It was moved by Moore and seconded by Regier to approve the minutes of the August 15, 2002 Board of Directors Meeting. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 6. *APPROVAL OF MINUTES OF THE SEPTEMBER 12, 2002 SPECIAL BOARD OF DIRECTORS MEETING, FY 2003 BUDGET HEARING AND TAX REQUEST HEARING.

It was moved by Moore and seconded by Regier to approve the minutes of the September 12, 2002 Special Board of Directors Meeting, Fiscal Year 2003 Budget Hearing and Tax Request Hearing. We approved the motion as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 7. EMERGENCY AGENDA ITEM.

It was moved by Regier and seconded by Moore to amend the agenda to add the Nebraska Habitat Conservation Coalition as an emergency item. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 8. *ADOPTION OF AGENDA.

It was moved by Moore and seconded by Regier to approve the agenda for the September 19, 2002 board of directors meeting as amended. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 9. PUBLIC HEARING ON PROPOSED CHANGES TO GWMA #2 ACTION PLAN.

Chairman Hansen opened the public hearing on proposed changes to the Ground Water Management Area 2 Action Plan at 7:45 p.m. Notice of this public hearing was published in the York News-Times August 27 and September 3 and 10, 2002.

The purpose of the hearing is to receive comments concerning proposed changes to the District's Ground Water Management Area #2 Action Plan. Hansen asked Rod DeBuhr, Water Department Manager, to act as Hearing Officer. Rod provided complete copies of the Upper Big Blue NRD Ground Water Management Area Action Plan for those at the hearing. He reviewed the proposed changes to the plan. At the bottom of page 6 the following paragraph was added to the introduction explaining the purpose of the changes.

“In response to the needs of communities in the District, to address groundwater contamination of public drinking water supplies the district reviewed the Action Plan in 2002 and incorporated an option for a public water supplier and residents in a wellhead protection area to work together to develop a program of action to address those concerns.” And the effective date of the revised Ground Water Quality Action Plan will become April 1, 2003. The reason for the April 1, 2003 date is that once the changes to the action plan are approved by the Upper Big Blue NRD Board of Directors the NDEQ has 180 days to review the changes.

The next change to the plan is found on pages 21 and 22 and details how a Wellhead Protection Management Area would be developed.

IV. Wellhead Protection (WHP) Management Area

A. How Initiated

1. A WHP Management Area may be designated when requested by a Municipality. Such a request will be considered only if:

- a. The median nitrate level in the municipality's wells exceeds 5 mg/l, and
- b. The municipality has adopted a Wellhead Protection Area Plan and such plan has been approved by the State of Nebraska as per the Nebraska Wellhead Protection Act.

B. How Designated

1. Within 90 days after acceptance of a request, the District shall appoint an advisory committee consisting of an equal number of representatives from the municipality and farmers in the WHPA and at least one representative representing the District.
2. Within one year following its creation, the advisory committee shall submit a report to the District recommending whether or not a WHP management area should be designated. If the report recommends such designation it must also include recommendations on the management activities that should be implemented. The committee may also make recommendations to the municipality concerning modifications to its WHP Plan.
3. The District shall hold a public hearing concerning the designation of a WHP management area and amendments to the District's Groundwater Management Area rules and regulations in accordance with the Groundwater Management and Protection Act.
4. Following the public hearing, the District may adopt or reject a resolution designating the WHPA as a WHP management area and adopt or reject amendments to rules and regulations.

C. Length of WHP Management Area

1. The discontinuance or modification of a WHP Management Area will be subject to review every five (5) years.

D. Restrictions Clause

1. If a WHP management area is, or at a later time becomes, part of a phase II or phase III management area, the WHP management area rules and regulations shall not be less restrictive than those of the larger management area.

Marty Link of the Nebraska Department of Environmental Quality presented written testimony in support of the proposed changes to the Ground Water Management Area Action Plan. Her testimony read as follows.

“This testimony is in support of the changes proposed for the Upper Big Blue Natural Resources’ Ground Water Management Area Action Plan.”

“The Nebraska Department of Environmental Quality (NDEQ) originally designated this Ground Water Management area on September 23, 1993. The original Action Plan was approved by

NDEQ on September 14, 1994. Changes have been made to the Plan since then. The revisions proposed now will assist municipal water supply systems in their efforts to protect their ground water based drinking water supplies in their Wellhead Protection Area. A well thought out process and public involvement procedure has been proposed.”

“NDEQ encourages and supports all efforts at protecting the state’s ground water resources, not only in rural areas but also in Wellhead Protection Areas, which supply drinking water to a more concentrated population. Please continue to coordinate any activities with the Department as needed and call on Ground Water Unit staff for assistance.”

“We would like to take this opportunity to thank the Upper Big Blue NRD for your progressive attitude and activities in support of protecting the state’s ground water resource.”

Chairman Hansen asked if anyone else present would like to comment on the proposed changes to the Action Plan. There were no comments and Chairman Hansen officially closed the hearing at 7:50 p.m.

ITEM 10. FISCAL YEAR 2002 AUDIT.

Our accountant Randy Mierau presented the FY 2002 Audit to the Board. He reviewed some slight changes in format and advised the board of his findings that there are no reportable conditions or instances of noncompliance to report as a result of the audit.

It was moved by Regier and seconded by Houdersheldt to accept the Fiscal Year 2002 Audit as presented by Randy Mierau of Mierau & Company. We approved the motion

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 11. ADOPT CHANGES TO GWMA#2 ACTION PLAN.

It was moved by Hultman and seconded by Austin to adopt the changes to the Ground Water Management Area #2 Action Plan. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 12. REPORT OF EDUCATION AND PARKS COMMITTEE AND

CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on September 10, 2002 and presented the committee's report.

ITEM 13. PAYMENT TO CITY OF YORK FOR COMMUNITY TREE RESOURCES PROGRAM I.

On March 15, 2001, the Upper Big Blue Natural Resources District Board of Directors voted to fund the tree planting located on the east side of Grant Avenue, south side of 8th Street and west side of Nebraska Avenue and around the York Senior Center located in the City of York in the amount not to exceed \$4,500.00 based on a matching grant of one dollar (\$1.00) per capital as outlined on the Community Tree Resources Program I. The total cost of the project is \$8,027.00. Faller Landscape donated materials and labor in the amount of \$870.70, leaving a balance of \$7,156.30. The Upper Big Blue share as agreed to March 15, 2001 would be 50% of \$7,156.30 which is \$3,578.15.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District make payment of \$3,578.15 to the City of York for the planting of trees and shrubs along the east side of Grant Avenue, south side of 8th Street, west side of Nebraska Avenue and around the York Senior Center. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 14. WEEDIN FARM'S CORNERS FOR WILDLIFE CONTRACT.

Craig Weedin of Weedin Farms Inc. has a pivot corner located in the SE 1/4 of Section 11, Township 11 North, Range 7 West of the 6th P.M, Hamilton County, Nebraska. He wishes to seed 5.4 acres of the corner to a warm season grass mix and plant 650 shrubs for food and wildlife cover. This contract will be paid with Conservation Reserve Enhancement Program (CREP) funds available in the Upper Big Blue NRD through the Corners for Wildlife Program. Weedin Farms Inc. will be paid \$75/acre for a 10-year period on this 5.4 acre corner. The NRD will receive the funds from the Pheasants Forever Chapter before making payment to the landowner. The District will plant the shrubs at no cost to the landowner.

It was moved by Bruns and seconded by Austin that the Upper Big Blue NRD accept the corners for wildlife contract submitted by Weedin Farm Inc. for a 10-year period with an annual payment of \$405.00/year and authorize the chairman of the board to sign said agreement. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 15. APPLICATION FOR SPECIAL USE PERMIT AT OVERLAND TRAILS RECREATION AREA.

Roger Pracheil, who is supervising a hunter safety training class, applied for a special use permit at Overland Trails Recreation Area October 12, 2002 to allow the students who have completed the hunter safety class to hunt pen raised pheasants at Overland Trails Recreation Area.

It was moved by Bruns and seconded by Brown that the Upper Big Blue NRD Board of Directors approve the application for the special use permit for Roger Pracheil's hunter safety class to hunt pen raised pheasants at Overland Trails Recreation Area on October 12, 2002 from 10:00 a.m. to 4:30 p.m. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 16. PAYMENT TO CITY OF SUTTON FOR CLARK'S POND RESTORATION PROJECT.

On March 15, 2001, the Upper Big Blue Natural Resources District Board of Directors voted to fund Clark's Pond Restoration Project in the City of Sutton up to 25% of the local share not to exceed \$53,000 in FY 2002. On April 18, 2002, the Upper Big Blue NRD Board of Directors voted to make a partial payment of \$28,549.50. The project is now completed except for the planting of trees and shrubs. The City of Sutton is asking for another partial payment of \$22,653.50. This would leave a balance of \$1,797.00 that can be used for the planting of trees and shrubs this fall.

It was moved by Bruns and seconded by Hultman that the Upper Big Blue NRD Board of Directors make a partial payment of \$22,653.50 for the work completed on the Clark's Pond Restoration Project in the City of Sutton. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 17. RELEASE OF EASEMENTS & AGREEMENTS FOR YORK GROUND WATER RECHARGE PROJECT PIPELINE.

In 1990 the Upper Big Blue Natural Resources District purchased or acquired the following easements and agreements for the purpose of constructing, operating and maintaining a pump station and buried pipeline from York Cold Storage to Recharge Lake.

RECORDED EASEMENTS AND AGREEMENTS

PROPERTY OWNER	NRD PAYMENT	LANDOWNER REPAYMENT
York Cold Storage	\$700.00	\$500.00
Leland P Kopcho & Carolyn R. Kopcho	\$600.00	\$50.00
Melvin P. Smith & Arlene C. Smith	\$500.00	\$50.00
Crete Carrier Corporation	\$100.00	.00
City of York	.00	.00
Lincoln Telephone Company	.00	.00
Minnegasco, Inc	.00	.00
Nebraska Public Power District	.00	.00

OTHER PERMITS

PROPERTY OWNER	NRD PAYMENT	LANDOWNER REPAYMENT
Burlington Northern Railroad	\$450.00	.00
York County	.00	.00

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District abandon the pipeline running from York Cold Storage on Commerce and Division Avenue to Recharge Lake and release the easements and agreements with York Cold Storage, Leland P. Kopcho & Carolyn R. Kopcho, Melvin P. Smith & Arlene C. Smith, Crete Carrier Corporation, City of York, Lincoln Telephone Company, Minnegasco, Inc. and Nebraska Public Power District and further to notify the following entities: Burlington Northern Railroad and York

County that the pipeline from York Cold Storage at Commerce and Division Avenue to Recharge Lake is abandoned. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: Volkmer

NOT PRESENT: Buller

**ITEM 18. AUTHORIZATION TO ADVERTISE FOR BIDS ON PLUM CREEK
HIKING AND BIKING TRAIL.**

The engineering plans, permits and necessary agreements have been completed. The Nebraska Department of Roads is in the process of making the final review of the plans for the Plum Creek Hiking and Biking Trail on the east side of the City of Seward along Plum Creek from Seward's North Park to Columbia Avenue.

It was moved by Bruns and seconded by Teegerstrom that the Upper Big Blue Natural Resources District advertise for bids for the Plum Creek Hiking and Biking Trail located on the east side of the City of Seward along Plum Creek extending from Seward's North Park to Columbia Avenue upon the approval of the Nebraska Department of Roads. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 19. NORM RECKNOR WILD NEBRASKA CONTRACT.

On August 15, 2002, the Upper Big Blue Natural Resources District Board of Directors voted to fund the Norm Recknor wetland restoration project in the amount of \$2,000.00 contingent upon the Nebraska Game and Parks Commission participating in the project in the amount of \$6,000.00 for a contract total not to exceed \$8,000.00. The lands being renovated are located in the W ½ of Section 21, Township 12 North, Range 3 West of the 6th P.M., York County, Nebraska for the period of 10 years. Since the public access payment will be less than \$100.00/year Norm Recknor will be paid the public access monies for a 10-year period up front. The remaining portion of the contract will be used for the removal of sediment from Rainwater Basin wetland.

It was moved by Bruns and seconded by Austin that the Upper Big Blue Natural Resources District accept the Wild Nebraska Agreement from Norm Recknor in the amount of \$8,000.00 for the restoration of the Rainwater Basin wetland and public access for a 10-year period located in the W ½ of Section 21, Township 12 North, Range 3 West of the 6th P.M., York County, Nebraska and authorize the Chairman of the Board to sign said agreement. We approved the

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motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None
NOT PRESENT: Buller

ITEM 20. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on September 10, 2002 and presented the committee's recommendations.

ITEM 21. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Moore and seconded by Regier to approve cost-share payments for nine well abandonments as reviewed totaling \$3,166.54. We approved the motion as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen
NAY: None
NOT PRESENT: Buller

ITEM 22. CONSIDERATION OF POTENTIAL PHASE II MANAGEMENT AREA.

The Water Committee reviewed the results of the summer 2002 nitrate samples collected from the wells in the GWMA#2 groundwater monitoring network.

The results of the summer 2002 nitrate sampling indicate that the median nitrate level in management zone 5 is 9.5 mg/l. The trigger level for a potential phase II management area is 9.0 mg/l. The other criteria for determining if phase II management is needed are; 1) less than 60% of the corn and sorghum acres are soil sampled for nitrogen to a depth of 3 feet and 2) less than 60% of the irrigation is being scheduled using an approved irrigation scheduling method. The NRD's regulations call for reports to be filed by the operators of land in zone 5 to determine if these criteria are being met.

Management Zone 5 includes the following townships in York County; T10N-R1W (Beaver), T10N-R2W (Leroy), T11N-R1W (Waco), T11N-R2W (New York), T11N-R3W (Lockridge), and T11N-R4W (Bradshaw).

The staff recommends that the Board declare Management Zone 5 a “Potential Phase II Management Area” and authorize the staff to proceed with the potential Phase II reporting as required by NRD Rule 5, Chapter 19, Paragraph 5.01.

It was moved by Brown and seconded by Moore that the Board of Directors hereby declares Management Zone 5, which includes the following townships in York County and “Potential Phase II Management Area”; T10N-R1W (Beaver), T10N-R2W (Leroy), T11N-R1W (Waco), T11N-R2W (New York), T11N-R3W (Lockridge), and T11N-R4W (Bradshaw), and hereby authorizes the staff to proceed with potential Phase II reporting as required by NRD Rule 5, Chapter 19, Paragraph 5.01. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 23 . REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on September 12, 2002 and presented the committee’s recommendations.

ITEM 24. PAYMENT TO MIERAU & COMPANY FOR FY 2002 AUDIT.

The district has been invoiced \$1800 for the FY 2002 audit completed by Mierau & Company.

It was moved by Moore and seconded by Regier to approve payment of \$1,800 to Mierau & Company for the FY 2002 audit. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 25. NARD RESOLUTIONS.

The Budget, Planning & Legislative Committee recommended the board take the following positions on the NARD Resolutions.

RESOLUTION	UPPER BIG BLUE NRD POSITION
2002 - 1 NSWCP Fund Allocation & Distribution	Support
2002 - 4 Water Well for Enhancement of Fish & Wildlife Habitat and Recreation	Oppose
Resolution Expanding CRP Limits Regarding Wellhead Protection Areas	Support Introduction w/amendment striking last “whereas” and “therefore be it resolved.”

It was moved by Moore and seconded by Luebbe to accept the committee’s recommendations on the resolutions. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

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

Jackson reported that the Projects Committee met on September 12, 2002 and presented the committee’s report.

ITEM 27. LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Austin that payment of NSWCP Land Treatment funds be made in the amount of \$413.01 for one application reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 28. NEBRASKA BUFFER STRIP PROGRAM STATUS AND PAYMENTS.

It was moved by Jackson and seconded by Austin that payments of \$17,074.43 be made on 17 Nebraska Buffer Strip Program contracts reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Houdersheldt

NOT PRESENT: Buller

ITEM 29. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT PAYMENT.

The City of Seward has filed claim 16 for payment of interest on one warrant that was overlooked at the time of final payment on the buyout portion of the project in June. The total amount of the claim is \$1,328.88. Since interest is a non-grant eligible cost, the District and City shares are each \$664.44. Payment of interest on warrants is in accordance with our Interlocal Agreement.

It was moved by Jackson and seconded by Hultman that payment of \$664.44 from NRD funds be made to the City of Seward as payment of the District's share on claim 16 of the Big Blue River Flood Hazard Mitigation Project. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

ITEM 30. NEBRASKA CRITICAL HABITAT CONSERVATION COALITION.

Turnbull explained it was necessary for the board to go into Executive Session to discuss possible litigation over the piping plover critical habitat designation announced September 11, 2002.

It was moved by Moore and seconded by Regier to go to Executive Session at 9:40 p.m. to discuss the Nebraska Habitat Conservation Coalition. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

It was moved by Moore and seconded by Regier to return to regular session at 9:55 p.m. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,

Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

It was moved by Houdersheldt and seconded by Volkmer that the Upper Big Blue NRD recommend that the Nebraska Habitat Conservation Coalition follow legal counsel's advice on the issued described in the confidential e-mail correspondence from the Central Platte NRD dated September 18, 2002, and include this issue in the 60-day notice and in any subsequent litigation about the critical habitat designation for the piping plover. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

**ITEM 31. FINANCIAL REPORT, AUGUST 1, 2002 THROUGH AUGUST 31, 2002,
AND CONSIDERATION OF EXPENDITURES FOR AUGUST 2002.**

Turnbull reviewed the financial report for the period August 1, 2002 through August 31, 2002 that we had distributed. It was moved by Volkmer and seconded by Teegerstrom to approve the financial report for August 2002 as presented, make payments of the accounts payable, and publish the expenditures. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson,
Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller

There being no other business the chairman adjourned the meeting at 10:03 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 19, 2002, 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.

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Earl Hultman, Secretary

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BOARD OF DIRECTORS MEETING
October 17, 2002

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 17, 2002, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Gus Brown, Douglas Bruns, Steve Buller, Douglas Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler and Rod DeBuhr. Hansen called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting October 10, 2002 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Friesen and Regier arrived a short time later.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

It was moved by Volkmer and seconded by Teegerstrom to excuse the absence of Roger Houdersheldt from the October 17, 2002 Board of Directors meeting as requested. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hultman, Jackson, Joseph, Luebbe, Moore,
Teegerstrom, Volkmer, Hansen

NAY: Dickinson

NOT PRESENT: Friesen, Houdersheldt, Regier

ITEM 4. *ADOPTION OF CONSENT AGENDA.

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

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Hultman, Jackson, Joseph, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Friesen, Houdersheldt

ITEM 5. *APPROVAL OF MINUTES OF THE SEPTEMBER 19, 2002 BOARD OF DIRECTORS MEETING & PUBLIC HEARING.

It was moved by Moore and seconded by Volkmer to approve the minutes of the September 19, 2002 Board of Directors Meeting and Public Hearing. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Friesen, Houdersheldt

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Moore and seconded by Volkmer to approve the agenda for the October 17, 2002 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Friesen, Houdersheldt

ITEM 7. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on October 8, 2002 and presented the committee's recommendations.

ITEM 8. FISCAL YEAR 2003 TREE PROGRAM.

The NARD has received tentative cost information for trees and shrubs ranging from \$348.00 to \$393.00 per thousand and cottonwood root cuttings at \$510.00 per thousand. The District sells an average of 500 cottonwoods per year. In FY2001 the cost to the District for nursery stock was \$448.50 per thousand from Halsey. The average cost for all suppliers was \$431.30 per thousand. In FY2002 the average cost for trees from NARD was \$293.00 per thousand and the average cost for all suppliers was \$329.00 per thousand. In fiscal years 2001 and 2002 the Upper Big Blue NRD customer prices were 55¢ per tree and an additional 35¢ each for planting. After reviewing the tentative prices from the NARD, it is recommended that the price of the trees remain at 55¢ each and the cost for planting remain at 35¢ per tree for a total of 90¢ per tree.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District set the planting cost for FY2003 at 35¢ per tree and the cost of the trees and shrubs be set

at 55¢ per tree; further if the tree and shrub cost comes in higher, the NRD staff is authorized to adjust the tree and shrub cost accordingly. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt

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

Brown reported that the Water Committee met on October 8, 2002 and presented the committee's recommendations.

ITEM 10. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Moore and seconded by Volkmer to approve cost-share payments for nine well abandonments as reviewed totaling \$1,852.38. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Friesen, Houdersheldt

ITEM 11. USGS RECORDER WELL JOINT FUNDING AGREEMENT.

The staff recommends renewal of the joint funding agreement with USGS for the federal fiscal year beginning October 1, 2002, for the four automated recorder wells at Aurora, Burress, Rising City, and Seward. The total operating cost is \$3,200 to be divided 50/50 between the NRD and USGS, making the NRD share \$1,600. This is a \$75 (5%) increase from FY2002.

It was moved by Brown and seconded by Austin to approve the Fiscal Year 2003 Joint Funding Agreement with USGS for operation of the Aurora, Burress, Rising City and Seward recorder wells, for an amount of \$1,600.00. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt

ITEM 12. CONFINED AQUIFER DELINEATION PROJECT.

Rod and John reported on their meeting with representatives of the UNL Conservation and Survey Division concerning study needs to better define confined aquifers. CSD has prepared a proposal for Phase I of a project. The goal of the project is to *“Provide information and data to assist the UBBNRD board and staff in the development of policies for areas in the District where confining conditions create large changes in water levels.”*

The questions the project activities will attempt to address are; *1) Where are the problem areas and can they be predicted? 2) What are potential management strategies that can be employed? and, 3) Can we address question 1 and 2 with available data?*

The total cost of the proposal is \$10,990. The staff feels this project will provide valuable data whether or not any regulatory solutions to this problem are adopted. The staff also feels the price is very reasonable.

It was moved by Brown and seconded by Hultman to enter into an agreement with the UNL Conservation and Survey Division to conduct the Phase I-Confining Aquifer Delineation Project at a cost not to exceed \$10,990. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt

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

Jackson reported that the Projects Committee met on October 10, 2002 and presented the committee's report.

ITEM 14. LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Volkmer that payments of NSWCP Land Treatment funds be made in the amount of \$3,660.25 for three applications reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt

ITEM 15. NEW LAND TREATMENT PROGRAM COST SHARE PRACTICE.

Staff presented a proposal to the Projects Committee for cost sharing on sprinkler systems. The program would combine practices for pivots and lateral move equipment, nozzles, buried pipelines from the well to the sprinkler, and flow meters. The maximum cost share would be \$5,000 for any combination of these practices, and the sprinkler system owner would be required to operate and maintain the system for 10 years. The sprinkler system owner would also be required to schedule irrigation and report water use for a period of three years. Either the landowner or operator could be the applicant for cost share. After some discussion, the Committee decided to forward the program for Board consideration.

It was moved by Jackson and seconded by Luebbe that the program, reviewed by the Committee, for conversion from gravity irrigation to sprinkler irrigation be approved for cost share under the Land Treatment Program, and that this program becomes effective upon approval by the Board of Directors. The motion failed.

AYE: Buller, Eberle, Friesen, Hultman, Joseph, Luebbe, Volkmer, Hansen

NAY: Austin, Brown, Bruns, Dickinson, Jackson, Regier, Teegerstrom

NOT VOTING: Moore

NOT PRESENT: Houdersheldt

ITEM 16. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT LEVEES.

On September 5, 2002, the District received notice from the Nebraska Emergency Management Agency that FEMA has authorized the District to proceed with preliminary design and environmental assessment for the proposed levees.

The environmental assessment will include evaluation of the existing site, wetland inventory and expected wetland impacts, review of existing documents for historical and archaeological impacts, identification of endangered species, and inventory of required environmental permits. Proposals for preparing the environmental assessment have been received from EA Engineering, Science, and Technology, Inc. (\$17,500), Terracon, Inc.(\$29,000), and Olsson Associates (\$43,894). Staff recommends that EA Engineering be hired to prepare the environmental assessment, and that award of contract be held until FEMA authorizes the Phase I study and appropriates adequate funding.

It was moved by Jackson and seconded by Austin that EA Engineering, Science, and Technology, Inc., Lincoln, Nebraska, be awarded the contract for preparing an environmental assessment for the Big Blue River Flood Hazard Mitigation Project Levees at Seward, in accordance with their proposal dated October 1, 2002, and that the contract for these services not be awarded until the Nebraska Emergency Management Agency and Federal Emergency Management Agency provide

adequate funding and authorize the District to proceed with the Phase I study. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt

ITEM 17. AUTHORIZATION FOR NEW PROJECT LOCATED IN SECTION 10-T7N-R5W, CLAY COUNTY.

Staff requested the Committee to consider authorizing a new project proposal for a dam to be located in Clay County. The dam would be located approximately 1 mile south and $\frac{3}{4}$ mile west of Sutton in Section 10, Township 7 North, Range 5 West. The contributing watershed is 1,490 acres. The conservation pool would have an estimated volume of 79 acre feet and surface area of 16 acres at the principal spillway crest. A preliminary estimate of construction cost is \$85,000.

It was moved by Jackson and seconded by Luebbe that the proposed project for a dam, as presented by the District staff, to be located in Section 10, Township 7 North, Range 5 West, be authorized as an active project to be placed on the Project Priority List. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt

ITEM 18. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the committee met October 10, 2002 and presented the committee's recommendations.

ITEM. 19. *THIRD QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Moore and seconded by Volkmer to approve payments of third quarter directors' per diem of \$9,170.00 and expenses of \$2,717.80. The motion was approved as a part of the

consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Hultman, Jackson, Joseph, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Friesen, Houdersheldt

ITEM 20. COHYST PAYMENT.

A bill has been received from the Central Platte NRD for the annual payment of \$15,666.67 for the COHYST (Cooperative Hydrology Study).

It was moved by Brown and seconded by Hultman to approve payment of \$15,666.67 to the Central Platte NRD for the Cooperative Hydrology Study. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt

ITEM 21. AUTHORIZATION TO ADVERTISE FOR BIDS ON 2003 PICKUP.

Ken Feather presented a recommendation for pickup bids. The 1993 3/4 ton pickup used for towing the tree planting rig needs to be replaced. It is a Ford F-250, V8 245 HP, two-wheel drive, automatic transmission with 125,000 miles on it. It is recommended to buy a new pickup for the Forestry Departments. The specifications in general are: 3/4 ton two-wheel drive pickup, super cab, manual transmission, and gas or diesel 275 - 325 hp engine.

It was moved by Brown and seconded by Hultman to advertise for bids for a 2003 3/4 ton pickup with a super cab, 2 wheel-drive, 6 speed manual transmission, 275 - 325 hp diesel engine, and an alternate bid with a 310 - 325 hp gas engine, with trade in of the 1993 Ford 3/4 ton pickup. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt

ITEM 22. NEBRASKA GROUNDWATER COALITION.

Turnbull reviewed the draft Interlocal Agreement between several NRDs for the Groundwater Coalition. The purposes are to defend NRD authorities of the Groundwater Management and

Protection Act, NRD groundwater management plans, and the Correlative Rights Doctrine. The cost to the District the first year is \$10,000.

It was moved by Brown and seconded by Hultman to approve entering into the Interlocal Cooperation Agreement which forms the Nebraska Groundwater Coalition, and to authorize the Chairman to sign the final document. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt

ITEM 23. FINANCIAL REPORT, SEPTEMBER 1, 2002 THROUGH SEPTEMBER 30, 2002, AND CONSIDERATION OF EXPENDITURES FOR SEPTEMBER 2002.

Turnbull reviewed the financial report for the period September 1, 2002 through September 30, 2002 that we had distributed. It was moved by Volkmer and seconded by Regier to approve the financial report for September 2002 as presented, make payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Houdersheldt

There being no other business the chairman adjourned the meeting at 8:55 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on October 17, 2002, 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.

Earl Hultman, Secretary

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BOARD OF DIRECTORS MEETING
November 21, 2002

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 21, 2002, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Douglas Bruns, Steve Buller, Douglas Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, Rod DeBuhr, Jeff Ball, Randy Saathoff, William Gilliam, York NRCS, Corey Brubaker, David City NRCS, Jack Vavra, City of York, Michael Nuss and Melanie Wilkinson, York News-Times. Hansen called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting November 7, 2002 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

It was moved by Houdersheldt and seconded by Volkmer to excuse the absence of Gus Brown from the November 21, 2002 Board of Directors meeting as requested. The motion was approved.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown

ITEM 4. *ADOPTION OF CONSENT AGENDA.

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

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,

Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Regier and seconded by Volkmer to approve the agenda for the November 21, 2002 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown

ITEM 6. *APPROVAL OF MINUTES OF THE OCTOBER 17, 2002 BOARD OF DIRECTORS MEETING.

It was moved by Regier and seconded by Volkmer to approve the minutes of the October 17, 2002 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown

ITEM 7. EMPLOYEE RECOGNITION.

Randy Saathoff was presented with an engraved paperweight in recognition of five years of service as an engineering technician with the Upper Big Blue NRD.

ITEM 8. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on November 12, 2002 and presented the committee's recommendations.

ITEM 9. PLUM CREEK HIKING AND BIKING TRAIL BIDS.

The bids received on the trail project are listed in the table below.

**Seward Hiking & Biking Trail Bids
 Project #STPB -80 (27)**

CONTRACTOR	BID PRICE
Judd Brothers Construction Co, Lincoln, NE	1,037,004.15
Strobel Construction Unlimited, Clarks, NE	1,271,600.79
A & R Construction, Plainview, NE	745,714.31
Dobson Bros Construction Co., Lincoln, NE	876,387.44
M.E. Collins, Wahoo, NE	931,844.60
Diamond Engineering, Grand Island, NE	879,964.53
Castle Construction, Columbus, NE	879,559.60
Kirk Barnes Construction, Inc., Valentine, NE	885,559.83
Capital Contractors, Inc., Lincoln, NE	770,434.58

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue Natural Resources District accept the bid of \$745,714.31 from A & R Construction, P O Box 121, Plainview, Nebraska 68769 for the construction of the Plum Creek Hiking and Biking Trail located along Plum Creek east of Seward, Nebraska, contingent on the acceptance of the bid from the Nebraska Department of Roads and the City of Seward. We approved the motion.

AYE: Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Buller

NOT PRESENT: Austin, Brown

ITEM 10. WEEDING FARMS WILD NEBRASKA AGREEMENT.

Weedin Farms, Inc. wants to seed 2.3 acres to warm season grass. The site is located in the S1/2 NW1/4 of Section 24-T11N-R7W in Hamilton County, Nebraska. The cost of the grass seed is \$218.50 to be split 75/25 between Game & Parks and the Upper Big Blue NRD. In the spring the NRD will plant 350 shrubs along the north and east fence line at a cost of \$315. Over the next five years there will be transitions payments of \$117.76 per year for a total contract payment of \$1,122.30.

It was moved by Bruns and seconded by Volkmer that the Upper Big Blue Natural Resources District accept the Wild Nebraska contract from Weedin Farms, Inc. for the amount not to exceed

\$1,122.30. We approved the motion.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown

ITEM 11. WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS FOR OCTOBER AND NOVEMBER.

The Education & Parks Committee reviewed the list of payments to be made to cooperators in the Wildlife Habitat Improvement Program for the months of October and November. Staff has inspected the areas and payment is recommended. The District is reimbursed 75 percent of the cost by the Nebraska Game & Parks Commission.

It was moved by Bruns and seconded by Jackson that the Upper Big Blue Natural Resources District make payments totaling \$2,368.75 to the cooperators of the Wildlife Habitat Improvement Program and Wild Nebraska Program for the months of October and November.
We approved the motion.

AYE: Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore,
Regier, Teegerstrom, Volkmer, Hansen

NAY: Dickinson

NOT PRESENT: Austin, Brown

ITEM 12. RECHARGE LAKE FISH RENOVATION.

Recharge Lake in York was initially stocked in 1990. The prescribed stocking plan for largemouth bass and bluegill was followed and natural reproduction should have maintained the populations. Stocking of channel catfish was done in 1995.

The fish population at Recharge Lake was sampled for the first time since the lake was built. Four species of fish were sampled. Largemouth bass were not sampled. The present population of common carp indicates that they were introduced fairly soon after the lake was built and that largemouth bass would be of low density. The sampling of bluegill, white crappie and channel catfish indicated both low density and poor size populations.

The NRD was contacted by Game & Parks about chemical renovation of the fish population at Recharge Lake. The present plan is to discontinue pumping water into the lake and to allow the lake to slowly drain throughout the summer of 2003. Following chemical renovation the lake would be restocked with approximately 100 adult largemouth bass, 4,900 fingerling largemouth bass, and 49,000 ten-inch channel catfish. The ten-inch channel catfish would be stocked annually.

It was moved by Bruns and seconded by Teegerstrom that the Upper Big Blue NRD work with the Nebraska Game & Parks Commission in renovating and restocking Recharge Lake. We approved the motion.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown

ITEM 13. COMMUNITY NATIVE GRASS PLANTING PROGRAM.

This program offers financial assistance to communities for the development or improvement of city or village properties where the establishment of native grass would be beneficial. Such areas may include, but are not limited to lands surrounding waste water treatment lagoons, lands within a wellhead protection area and areas suitable for wildlife habitat improvement.

ELIGIBILITY:

The city, village or public entity must submit a work plan for native grass planting. Guidance from district staff is recommended. The plan must include a) the number of acres to be planted; b) the native grass seeding mixture to be used; c) a map showing where planting is to be located; d) a timetable for completion of the project; e) an estimate of the total project cost. The city, village or public entity must sign an agreement stating that it will maintain the planting for a minimum of five years. The city, village or public entity must agree to match funds provided by the District.

FUNDING:

The District will provide 50 percent of the local matching grant with a maximum of \$1,000 and a minimum of \$200. Funding is based on the type and quality of the project. The amount of District funding available is dependent upon the annual budget.

It was moved by Bruns and seconded by Volkmer that the Upper Big Blue Natural Resources District adopt the Community Native Grass Planting Program as written. We approved the motion.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Houdersheldt

NOT PRESENT: Austin, Brown

ITEM 14. VILLAGE OF FAIRMONT COMMUNITY NATIVE GRASS PLANTING.

The Village of Fairmont has purchased a parcel of land south of Fairmont located in the N½ NE¼ of Section 31, Township 8 North, Range 2 West of the 6th P.M., Fillmore County, Nebraska. The village has constructed lagoons on the property and has a parcel of land containing 9.1 acres that they want to seed to a warm season grass mix for the purpose of benefitting wildlife and water quality. The grass mix will be funded at a cost not to exceed \$80 per acre. The Village of Fairmont will fund 50% of the cost of the seed and the Upper Big Blue will match 50% of the seed cost. The Village of Fairmont will be responsible for seeding and ground preparation.

It was moved by Bruns and seconded by Volkmer that the Upper Big Blue Natural Resources District enter into an agreement with the Village of Fairmont for the seeding of 9.1 acres located in the N ½ NE ¼ of Section 31, Township 8 North, Range 2 West of the 6th P.M., Fillmore County, Nebraska to pay 50% of the actual cost, but no more than \$364. We approved the motion.

AYE: Bruns, Buller, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Dickinson

NOT PRESENT: Austin, Brown, Jackson

ITEM 15. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Hultman reported that the Executive Committee met November 12, 2002 and presented the committee's recommendations.

ITEM 16. ATTORNEY FEES.

The attorney fees for the month are \$272.20 for preparing the release of easements for the York Cold Storage pipeline.

It was moved by Hultman and seconded by Moore to approve payment of \$272.20 to Crosby Guenzel LLP for Steve Seglin's work through October 20, 2002. We approved the motion.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown, Jackson

ITEM 17. ACCEPT BID FOR NEW PICKUP.

Only one bid, submitted by Moses Ford of York, was received for a 3/4 ton extended cab pickup, with 2-wheel drive, 6-speed manual transmission and 275-325 hp diesel engine or 310-325 hp gas

engine. The bid of \$21,469 for a Ford F250 pickup with gas engine included trade in of the 1993 Ford 3/4 ton pickup.

It was moved by Hultman and seconded by Moore to accept the bid of \$21,469 from Moses Ford for a Ford F-250 pickup, as specified, with trade in of the 1993 Ford 3/4 ton pickup. We approved the motion.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown, Jackson

ITEM 18. FINANCE CHARGE POLICY.

Staff is recommending that the Board adopt a finance charge policy for District customers. Some customers take advantage of no interest charges and delay payments on their account.

Operating Policy No. 36: Credit for Customers.

I. CREDIT

- A. Credit is offered to District customers
- B. Credit may be cancelled or limited because of
 - 1. An unreliable credit history with the District.
 - 2. One or more past due bills
 - 3. A poor credit rating.
 - 4. Failure to comply with other District rules, regulations, or program requirements.

II. TERMS

- A. Amount charged is due in 30 days from statement date (net 30).
- B. For tree purchases any balance is due upon delivery.

III. FINANCE AND COLLECTION CHARGES

- A. Finance charges of 1 ½ percent per month (18% per year) apply to all overdue accounts.
- B. Collection charges will be assessed to accounts turned over to a collection agency.

It was moved by Hultman and seconded by Regier to adopt Operating Policy No.36: Credit for Customers, We approved the motion.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown, Jackson

ITEM 19. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water Committee met on November 14, 2002 and presented the committee's recommendations.

ITEM 20. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Regier and seconded by Volkmer to approve cost-share payments for five well abandonments as reviewed totaling \$1,404.88. The motion was approved as a part of the consent agenda.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown

ITEM 21. PAYMENT TO USGS FOR RECORDER WELLS.

Payment of the NRD share for the maintenance of the four recorder wells at Aurora, Burress, Rising City and Seward for FY 2002 in the amount of \$1,525 is due U.S. Geological Survey.

It was moved by Eberle and seconded by Dickinson to pay the U.S. Geological Survey \$1,525 for the NRD share of the maintenance of the Aurora, Burress, Rising City and Seward recorder wells for FY 2002. We approved the motion.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown, Jackson

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

Houdersheldt reported that the Projects Committee met on November 14, 2002 and presented the committee's report.

ITEM 23. PAYMENTS FROM NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and Seconded by Hultman that payments of NSWCP land treatment funds be made in the amount of \$14,234.99 for 5 applications reviewed by the

committee. We approved the motion.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown, Jackson

ITEM 24. DEVELOPING PIONEER TRAILS LAKE FOR FISHING.

In April 2001, the Nebraska Game and Parks Commission indicated an interest in assisting the District with development of the Pioneer Trails Project for fishing. A maximum grant of 75% is available from NGPC if the project meets their criteria. The NGPC requested the District to submit a site plan showing lake contours, watershed hydrology, an estimate of watershed sediment yield, and preliminary engineering plans and costs for pumping facilities and lake sealing. During the past year the District hired Geotechnical Services, Inc. to study and make recommendations for methods to reduce lake infiltration rates; their study was delivered in August 2002.

Based on a reservoir operations study using GSI's infiltration rate reduction method for 95% compaction, and an adjusted average initial infiltration rate of 1.32 inches per day, staff recommends that a project be implemented combining pumping and seepage rate reduction. The existing, unadjusted, infiltration rate is 2.27 inches per day. The recommended lake maintenance level is 26 surface acres and 134 acre feet; these maintenance levels are about 50% below conservation pool design levels. It is expected that the reservoir will vary between maintenance level and full conservation pool, depending on runoff from the watershed. The estimated project cost is \$235,000. Staff recommends that the District file for a 75% NGPC grant (\$176,250) to assist the District with development of a fishing lake at Pioneer Trails.

The Committee also discussed the possibility of working with the City of Aurora to complete the Lincoln Creek pedestrian bridge. District staff will discuss this with the City to determine their interest.

It was moved by Houdersheldt and seconded by Hultman that the District submit an application to the Nebraska Game and Parks Commission requesting a 75% grant to assist the District with development of a fishing lake at Pioneer Trails. We approved the motion.

AYE: Buller, Eberle, Houdersheldt, Hultman, Moore, Regier, Teegerstrom, Hansen

NAY: Bruns, Dickinson, Friesen, Joseph, Luebbe, Volkmer

NOT PRESENT: Austin, Brown, Jackson

ITEM 25. PIONEER TRAILS GEOTECHNICAL ENGINEERING.

In August 2002 Geotechnical Services, Inc. completed the infiltration rate reduction study for

Pioneer Trails. Staff recommends payment of their invoice in the amount of \$6,040.

It was moved by Houdersheldt and seconded by Regier that Geotechnical Services, Inc. be paid \$6,040 in accordance with their proposal, dated February 6, 2002, to study infiltration rate reduction methods at the Pioneer Trails project. We approved the motion.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown, Jackson

ITEM 26. CITY OF YORK REQUEST FOR ASSISTANCE ON HIGHWAYS 34 & 81 DRAINAGE.

Representatives from the City of York were present at the October Projects Committee meeting to request financial assistance with drainage improvements adjacent to Highways 34 and 81 within the City limits. The City's engineer, Kirkham & Michael, presented the proposed design and project budget. The estimated project cost is \$611,630.

Staff recommends that the District assist the City with this project, and that a cost share rate of 25% of project cost would be in line with assistance the District has provided to other communities.

It was moved by Houdersheldt and seconded by Regier that the District offer to assist the City of York with their Lincoln Avenue Drainage Project, located adjacent to Highways 34 and 81, as presented by Kirkham & Michael Engineers at the October 2002 Projects Committee meeting, and that the level of assistance be 25% of project cost, not to exceed \$153,000, and that the District reserve the option to pay its share of cost over two fiscal years, beginning no earlier than July 1, 2003. We approved the motion.

AYE: Buller, Eberle, Friesen, Houdersheldt, Hultman, Moore, Regier, Teegerstrom, Hansen

NAY: Bruns, Dickinson, Joseph, Luebbe, Volkmer

NOT PRESENT: Austin, Brown, Jackson

ITEM 27. FINANCIAL REPORT, OCTOBER 1, 2002 THROUGH OCTOBER 31, 2002, AND CONSIDERATION OF EXPENDITURES FOR OCTOBER 2002.

Turnbull reviewed the financial report for the period October 1, 2002 through October 31, 2002 that we had distributed. It was moved by Regier and seconded by Volkmer to approve the financial report for October 2002 as presented, make payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Hultman, Joseph, Luebbe,

Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Brown, Jackson

There being no other business the chairman adjourned the meeting at 3:06 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 21, 2002, 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.

Earl Hultman, Secretary

:nds

**BOARD OF DIRECTORS MEETING
December 19, 2002**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, December 19, 2002, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Augustus Brown, Douglas Bruns, Steve Buller, Douglas Dickinson, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Earl Hultman, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, Rod DeBuhr, Michael Nuss and Melanie Wilkinson of York News-Times. Hansen called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting December 5, 2002 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for the calling of the roll. Moore arrived at 2:00 p.m.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

It was moved by Teegerstrom and seconded by Volkmer to excuse the absence of Yvonne Austin and Gary Eberle from the December 19, 2002 Board of Directors meeting as requested. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle, Moore

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Jackson and seconded by Brown to adopt the consent agenda. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle, Moore

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Jackson and seconded by Brown to approve the agenda for the December 19, 2002 board of directors meeting. The motion was approved as part of the consent agenda.

A YE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle, Moore

ITEM 6. *APPROVAL OF MINUTES OF THE NOVEMBER 21, 2002 BOARD OF DIRECTORS MEETING.

It was moved by Jackson and seconded by Brown to approve the minutes of the November 21, 2002 Board of Directors Meeting. The motion was approved as part of the consent agenda.

A YE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle, Moore

ITEM 7. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on December 10, 2002 and presented the committee's recommendations.

ITEM 8. PAYMENT TO CITY OF SUTTON FOR CLARK'S POND RESTORATION PROJECT.

On March 15, 2001, the Upper Big Blue NRD Board of Directors voted to fund the Clark's Pond restoration project in Sutton at 25% of the local share not to exceed \$53,000. On April 18, 2002, the Upper Big Blue NRD Board of Directors approved partial payment of \$28,549.50 and on September 19, 2002, another partial payment of \$22,653.50, leaving a balance of \$1,797.00. The City of Sutton has completed planting the trees and is requesting the final payment of \$1,797.00.

It was moved by Bruns and seconded by Regier that the Upper Big Blue Natural Resources District Board of Directors make a final payment of \$1,797.00 for the work completed on Clark's

Pond Restoration Project in the City of Sutton. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle

ITEM 9. PAYMENT TO WEEDIN FARMS, INC. FOR WILD NEBRASKA CONTRACT MATERIALS.

On November 21, 2002, the Upper Big Blue NRD Board of Directors voted to accept the *WILD* Nebraska contract submitted by Weedin Farms, Inc. Craig Weedin purchased his grass mix through Pheasants Forever at a cost of \$150.77 for 2.3 acres. The Nebraska Game and Parks Commission will reimburse the NRD 75% of the cost of the grass seed.

It was moved by Bruns and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment of \$150.77 to Weedin Farms, Inc. for the grass seed purchased for the seeding of 2.3 acres of crop land enrolled in the *WILD* Nebraska Program. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle

ITEM 10. SHERRY EBERT CORNERS FOR WILDLIFE CONTRACT.

Sherry Ebert has two pivot corners, one in the northwest corner and one in the northeast corner of the SE ¼ of Section 29, Township 8 North, Range 5 West of the 6th P.M., Clay County, Nebraska. Funding for these contracts will come from the Conservation Reserve Enhancement Program (CREP). Sherry Ebert will receive \$5 per acre for a 10-year period on each of these corners. The northwest corner has 6.0 acres and 875 trees and shrubs will be planted this spring. The northeast corner contains 7 acres and 950 trees and shrubs will be planted on this corner. The NRD will receive the funds for payments through Pheasants Forever prior to making payments to the landowner. The District will plant the trees and shrubs at no cost to the landowner.

It was moved by Bruns and seconded by Hultman that the Upper Big Blue NRD accept the corners located in the northwest corner, with an annual payment of \$450.00 and the northeast corner, with an annual payment of \$525.00 for a ten-year period all located in the SE ¼ of Section 29, Township 8 North, Range 5 West of the 6th P.M., Clay County, Nebraska and authorize the Chairman of the Board to sign said contract. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph,

Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle

ITEM 11. PLUM CREEK HIKING & BIKING TRAIL.

On July 20, 2000, the Upper Big Blue NRD entered into an interlocal agreement with the City of Seward. In that agreement the Upper Big Blue NRD Board of Directors agreed to fund up to \$37,000 for project design and \$37,000 for construction of the Plum Creek Trail project for a total not to exceed \$74,000. The City of Seward share was to be \$176,186.00.

Staff completed design of the trail and it was submitted to the Nebraska Department of Roads for final review. The Nebraska Department of Roads approved final design for the Plum Creek Trail. However, prior to giving approval, the NDOR and Sinclair Hille Architects requested that the project be redesigned. As a result the cost of designing the project exceeded the estimate by \$39,380.

The City of Seward is requesting that the Upper Big Blue NRD and the City split the \$39,380 overrun. The NRD would contribute an additional \$19,690 of in-kind services for a total of \$93,690. The City of Seward's share would increase to \$195,876.

It was moved by Bruns and seconded by Luebbe that the Upper Big Blue NRD contribute \$19,690 as in kind services toward the \$39,380 engineering cost overrun on the Plum Creek Hiking and Biking Trail Project located on the east side of Seward. We approved the motion.

AYE: Brown, Bruns, Friesen, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen

NAY: Buller, Dickinson, Houdersheldt, Volkmer

NOT PRESENT: Austin, Eberle

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

Houdersheldt reported that the Executive Committee met December 12, 2002 and presented the committee's report.

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

Brown reported that the Water Committee met on December 12, 2002 and presented the committee's recommendations.

ITEM 14. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Brown to approve cost-share payments for twelve well abandonments as reviewed totaling \$3,364.31. The motion was approved as a part of the consent agenda.

AYE: Brown, Bruns, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Buller

NOT PRESENT: Austin, Eberle, Moore

ITEM 15. CONFINED AQUIFER STUDY PAYMENT.

UNL Conservation and Survey Division has invoiced the district \$4,446 for the work done in the first period of the study.

It was moved by Brown and seconded by Regier to pay the UNL Conservation and Survey Division \$4,446.00 for the first period expenses of the Upper Big Blue NRD Confined Aquifer Study. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle

ITEM 16. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Projects Committee met on December 12, 2002 and presented the committee's recommendations.

ITEM 17. NSWCP LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Houdersheldt and seconded by Luebbe that payments of NSWCP Land Treatment funds be made in the amount of \$32,761.89 for 18 applications reviewed by the Committee. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer

NAY: None

NOT VOTING: Hansen

NOT PRESENT: Austin, Eberle

ITEM 18. CITY OF YORK DRAINAGE IMPROVEMENTS.

At the November 2002 Board of Directors meeting the District agreed to share the cost of drainage improvements being proposed adjacent to Highways 34 and 81 within the City of York. Staff recommends that the District enter into an Interlocal Agreement with the City to define the terms and conditions of our cost sharing offer.

It was moved by Houdersheldt and seconded by Luebbe that the District enter into an Interlocal Agreement with the City of York to define the terms and conditions upon which the District's offer of cost share for the proposed Lincoln Avenue drainage improvements is based, and that the Interlocal Agreement offered to the City be the same as that reviewed by the Committee. We approved the motion.

AYE: Brown, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: Bruns

NOT PRESENT: Austin, Eberle

ITEM 19. SUSPEND KEZAN CREEK DAM.

The Kezan Creek project is currently number five on the Projects Priority list. Staff presented a summary of the project, and requested the Projects Committee to either authorize planning to begin, or suspend the project to clear the way for staff to work on other projects. After much discussion about the District's share of cost, and concerns about smaller projects that might not get built if we build a large project, the Projects Committee decided to recommend suspension of the Kezan Creek project.

It was moved by Houdersheldt and seconded by Jackson that the Kezan Creek project be suspended.

It was moved by Volkmer and seconded by Bruns to amend the motion to move the Kezan Creek Dam to the bottom of the priority list. We approved the amendment.

AYE: Brown, Bruns, Buller, Dickinson, Houdersheldt, Moore, Teegerstrom, Volkmer, Hansen

NAY: Friesen, Hultman, Jackson, Joseph, Luebbe, Regier

NOT PRESENT: Austin, Eberle

We approved the original motion as amended.

AYE: Brown, Bruns, Buller, Dickinson, Houdersheldt, Moore, Teegerstrom, Volkmer, Hansen

NAY: Friesen, Hultman, Jackson, Joseph, Luebbe, Regier
NOT PRESENT: Austin, Eberle

ITEM 20. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT PAYMENT.

Work has been started on the Phase I engineering report for the Big Blue River Flood Protection Levee at Seward. EA Engineering is preparing the environmental assessment portion of the report, and has submitted an invoice in the amount of \$532.64 for work completed in November 2002; FEMA's share is \$399.48, the City of Seward share is \$66.58, and the NRD share is \$66.58.

It was moved by Houdersheldt and seconded by Luebbe that the District pay EA Engineering \$532.64 for work completed in November 2002 on the environmental assessment for the proposed Big Blue River Flood Protection Levee System at Seward, and that the District request reimbursement from FEMA in the amount of \$399.48, and reimbursement from the City of Seward in the amount of \$66.58. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Hansen
NAY: None
NOT VOTING: Volkmer
NOT PRESENT: Austin, Eberle

ITEM 21. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT SOIL TESTING.

The Phase I engineering report requested by FEMA requires that we prepare a preliminary design of the levee structure. As part of the preliminary design the District will need to provide a geotechnical engineering analysis, including foundation drilling and sampling and laboratory analysis of soils. Proposals have been received from Geotechnical Services, Inc. and Terracon, Inc., geotechnical engineering firms, to perform preliminary design geotechnical engineering, including on-site drilling, soil sampling, laboratory analysis, evaluation of foundation settlement, and embankment slope stability. The proposals are summarized as follows:

Task	Geotechnical Services, Inc.	Terracon, Inc.
Mobilization	300.00	1,150.00
Drilling & Sampling	2,700.00	2,439.50
Laboratory Testing	1,725.00	2,688.00

Engineering Analysis	2,205.00	1,160.00
Total Fee	\$6,930.00	\$7,437.50

Staff recommends that Geotechnical Services, Inc. be hired to perform preliminary design geotechnical engineering.

It was moved by Houdersheldt and seconded by Jackson that Geotechnical Services, Inc. be hired to perform preliminary design geotechnical engineering for the Big Blue River Flood Hazard Mitigation Project, Flood Protection Levee System at Seward, in accordance with their proposal dated December 11, 2002. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle

ITEM 22. *NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

Staff reviewed the status of the buffer strip program. There are currently 493 acres in the program on 57 contracts. Payment is currently due for the second quarter of FY 2003 on two contracts.

It was moved by Jackson and seconded by Brown that payments of Nebraska Buffer Strip funds be made in the amount of \$252.82 for the second quarter of FY 2003 on two contracts reviewed by the Committee. We approved the motion as a part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Hultman, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Houdersheldt

NOT PRESENT: Austin, Eberle, Moore

ITEM 23. FINANCIAL REPORT, NOVEMBER 1, 2002 THROUGH NOVEMBER 30, 2002, AND CONSIDERATION OF EXPENDITURES FOR NOVEMBER 2002.

Turnbull reviewed the financial report for the period November 1, 2002 through November 30, 2002 that we had distributed. It was moved by Houdersheldt and seconded by Hultman to accept the financial report for November 2002 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Hultman, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle

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

I, the undersigned, Chairman 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 19, 2002, 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 Hansen, Chairman

:nds

BOARD OF DIRECTORS MEETING
January 16, 2003

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 16, 2003, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Augustus Brown, Douglas Bruns, Steve Buller, Douglas Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Prudence Sadler, William Gilliam of NRCS and Melanie Wilkinson of the York News-Times. Hansen called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Hansen reported that we published the legal notice of the board of directors' meeting January 2, 2003 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll. Eberle arrived at 1:35 p.m.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

It was moved by Volkmer and seconded by Luebbe to excuse the absence of Yvonne Austin from the January 16, 2003 Board of Directors meeting as requested. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Teegerstrom and seconded by Luebbe to adopt the consent agenda. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Teegerstrom and seconded by Luebbe to approve the agenda for the January 16, 2003 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle

ITEM 6. *APPROVAL OF MINUTES OF THE DECEMBER 19, 2002 BOARD OF DIRECTORS MEETING.

It was moved by Teegerstrom and seconded by Luebbe to approve the minutes of the December 19, 2002 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle

ITEM 7. EMPLOYEE SERVICE AWARD.

John Turnbull was honored with a laser engraved walnut desk clock in appreciation for 25 years for service as General Manager of the district.

ITEM 8. DIRECTOR'S SERVICE AWARD.

Douglas Dickinson, NRD Director representing subdistrict two, was presented with a plaque in recognition of 20 years service to the district.

ITEM 9. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on January 7, 2003 and presented the committee's recommendations.

ITEM 10. AMENDMENT TO INTERLOCAL AGREEMENT WITH CITY OF SEWARD.

The Upper Big Blue Natural Resources District has entered into two agreements and one

supplemental agreement with the State of Nebraska Department of Roads regarding the Plum Creek Hiking and Biking Trail located east of Seward along Plum Creek. The District has agreed to supplement the funding of the project by contributing an additional \$16,690 of in-kind services for a total not to exceed \$93,690.

Since the District is the lead agency on this project, the Department of Roads has assigned the responsibilities of operation and maintenance of the trail to the NRD. This makes it necessary to amend the Interlocal Agreement with the City of Seward to cover the required operation and maintenance of the trail required by the Nebraska Department of Roads.

It was moved by Bruns and seconded by Regier that the Upper Big Blue Natural Resources District enter into the supplemental agreement Amendment #1 of the Interlocal Agreement with the City of Seward as written and authorize the Chairman of the Board of Directors to sign the Agreement. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 11. PARTIAL PAYMENT TO A&R CONSTRUCTION FOR PLUM CREEK HIKING & BIKING TRAIL.

A & R Construction Company of Plainview, Nebraska was awarded the contract for constructing the Plum Creek Hiking & Biking Trail located east of Seward along Plum Creek. Construction began December 12, 2002. As of December 31, 2002 approximately 5 percent of the work is completed, consisting of clearing and grubbing and setting a portion of the bridge pilings. The contractor has earned \$40,903.75 for the period. Ten percent retainage in the amount of \$4,090.38 is being withheld, leaving \$36,813.37 payable to A & R Construction.

It was moved by Bruns and seconded by Brown that the Upper Big Blue Natural Resources District approve a payment of \$36,813.37 to A & R Construction for the work completed on the Plum Creek Hiking & Biking Trail located east of Seward. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 12. FILLMORE CENTRAL HIGH SCHOOL SPECIAL PROJECT.

In April 2002 the District signed an Interlocal Agreement with the Fillmore Central High School

to provide assistance to help the school build an outdoor classroom that is shared with a neighboring elder care facility. The classroom is being funded under the District's Special Projects Program. The District agreed to pay 25 percent of the local share not to exceed \$10,000. So far the school district has collected enough local funding to receive \$2,000 from the District. They have now submitted receipts for \$21,854.40, making them eligible for \$5,463.50 from the District.

It was moved by Bruns and seconded by Regier to approve payment of \$5,463.50, under the District's Special Projects Program, to the Fillmore Central High School for the school's outdoor classroom. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 13. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Budget, Planning & Legislative Committee met on January 7, 2003 and presented the committee's recommendations.

ITEM 14. NEBRASKA HABITAT CONSERVATION COALITION.

A bill for the annual contribution to the Nebraska Habitat Conservation Coalition has been received for \$2,500. Last year's contribution was \$5,000. The legal expenses have been less than expected. The finances for the Coalition are being handled by the Lower Elkhorn NRD.

It was moved by Moore and seconded by Regier to approve payment of \$2,500 to the Nebraska Habitat Conservation Coalition for the 2003 contribution. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

The Budget Committee discussed the possible filing of a lawsuit by the Coalition to challenge the US Fish and Wildlife Piping Plover Critical Habitat designation. The Budget Committee recommendation was that the lawsuit be filed as soon as possible.

It was moved by Moore and seconded by Regier to recommend to the Nebraska Habitat Conservation Coalition that the Coalition file the lawsuit challenging the US Fish and Wildlife Service designation of the Piping Plover Critical Habitat that affects Nebraska as soon as

possible. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 15. PLATTE RIVER ECONOMIC STUDY.

Turnbull discussed meetings he has attended concerning an economic study of the impacts of the Three-state Cooperative Agreement on Nebraska. The Department of Natural Resources had planned to fund the study, however, due to the state budget cuts the Department can't fund the study. Their Director, Roger Patterson, has requested that NRDs, Power Districts and other entities fund the study.

The study would look at the economic impacts of the Cooperative Agreement program on the Platte River, including the management of groundwater for surface water right protection. The economic impact of no program or regulation would also be studied.

An interlocal agreement is being drafted with will include the funds each sponsor agrees to contribute for the study, which will cost approximately \$150,000.

Staff recommends that the Upper Big Blue NRD participate in the interlocal agreement and contribute \$5,000. The Upper Big Blue NRD will not be greatly impacted by the New Depletion Plan, especially if the plan can be restricted to the river basin divide.

It was moved by Moore and seconded by Houdersheldt that the Upper Big Blue NRD participate in the interlocal agreement for the Platte River Economic Study to look at the impacts of the Three-state Cooperative Agreement program and the New Depletion Plan and further to contribute \$5,000 to the study effort. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 16. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met January 7, 2003 and presented the committee's recommendations.

ITEM 17. DIRECTOR'S PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses for the fourth quarter of 2002.

It was moved by Teegerstrom and seconded by Luebbe to approve payment of the fourth quarter directors' per diem of \$8,960 and expenses of \$2,092.74. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Friesen, Houdersheldt, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin, Eberle

ITEM 18. NATIONAL ASSOCIATION OF CONSERVATION DISTRICT DUES.

The dues for the 2003 National Association of Conservation Districts are \$1,775. The dues are based on budgets, with the minimum being \$725 and the maximum \$1,775. Because of their size, the Nebraska Districts always pay the maximum.

It was moved by Houdersheldt and seconded by Brown to approve payment of \$1,775 to the National Association of Conservation Districts for the 2003 dues. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 19. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on January 9, 2003 and presented the committee's recommendations.

ITEM 20. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Teegerstrom and seconded by Luebbe to approve cost-share payments for nine well abandonments as reviewed totaling \$3,039.56. The motion was approved as a part of the consent agenda.

AYE: Brown, Bruns, Dickinson, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore, Nuss,
Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Buller

NOT PRESENT: Austin, Eberle

ITEM 21. NUSS DAM IRRIGATION REQUEST.

Ron Nuss of Sutton has requested permission to irrigate approximately 33.2 acres from the Nuss Dam located in the SW 1/4 of Section 5-T8N-R5W, Clay County. The District holds the storage permit for the reservoir. Such requests are rare, but other NRD built structures are used in this manner. Rod has contacted the two other land owners adjacent to the reservoir and asked them to contact the NRD if they had any concerns or objections to this activity. There were no objections.

The staff recommends that the District file an application for a permit to appropriate stored water in the Nuss Dam for irrigation of approximately 33.2 acres by Ronald Nuss in the SW 1/4 of the SW 1/4 and the SW 1/4 of the SE 1/4 of Section 5-T8N-R5W with the conditions that Mr. Nuss reimburse the NRD the \$50 filing fee and that Mr. Nuss discontinue withdrawals from the reservoir when the water level reaches the lowest outlet, or at any other time the District determines that further withdrawals are not in the District's best interest.

It was moved by Brown and seconded by Volkmer that the District file an application for a permit to appropriate stored water in the Nuss Dam for irrigation of approximately 33.2 acres by Ronald Nuss in the SW 1/4 of the SW 1/4 and the SW 1/4 of the SE 1/4 of Section 5-T8N-R5W with the conditions that Mr. Nuss reimburse the NRD the \$50 filing fee and that Mr. Nuss discontinue withdrawals from the reservoir when the water level reaches the lowest outlet, or at any other time the District determines that further withdrawals are not in the District's best interest. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

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

Houdersheldt reported that the Projects Committee met on January 9, 2003 and presented the committee's recommendations.

ITEM 23. PAYMENTS FROM NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Houdersheldt and seconded by Bruns that payments for NSWCP land treatment funds be made in the amount of \$33,180.02 for 12 applications reviewed by the Committee. We approved the motion.

AYE: Brown, Bruns, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT VOTING: Buller

NOT PRESENT: Austin

ITEM 24. PAYMENT TO SLEPICKA BROTHERS FOR PROJECT MAINTENANCE.

The channel maintenance work previously approved for the Dorchester Watershed Project has been completed. Staff recommends payment of \$2,816.20 to Slepicka Brothers Construction Company for the maintenance work.

It was moved by Houdersheldt and seconded by Dickinson that Slepicka Brothers, Inc. be paid \$2,816.20 in accordance with their invoice dated December 26, 2002, as final payment for channel maintenance work completed on the Dorchester Watershed Project in 2002. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 25. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT.

Work is continuing on the Phase I engineering report for the Big Blue River Flood Protection Levee at Seward. EA Engineering is preparing the environmental assessment portion of the report, and has submitted an invoice in the amount of \$593.09 for work completed in December 2002. FEMA's share is \$444.82. The City of Seward share is \$74.14 and the NRD share is \$74.13.

It was moved by Houdersheldt and seconded by Volkmer that the District pay EA Engineering \$593.09 for work completed in December 2002 on the Environmental Assessment for the proposed Big Blue River Flood Protection Levee System at Seward, and that the District request reimbursement from FEMA in the amount of \$444.82 and reimbursement from the City of Seward in the amount of \$74.14. We approved the motion.

ITEM 26. LAND TREATMENT PROGRAM - THIRD PARTY VENDOR STATUS

The Committee discussed the possibility of the District acting as a third party vendor for providing assistance to landowners on federally funded conservation work. The Committee has previously discussed using the District staff to provide technical assistance on District funded conservation work.

It was moved by Houdersheldt and seconded by Friesen that staff be authorized to investigate the possibility of the District acting as a third party vendor for preparing and administering landowner applications for conservation work under federally funded conservation projects, such as EQIP, and to investigate federally funded block grants directed to the NRD for conservation cost share. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 27. LEGISLATION.

Turnbull reviewed the legislative bills that are expected to be heard sometime during this next week. Our district has two bills that were submitted by our district. Turnbull recommended that a board member from our district testify at the hearings.

It was moved by Moore and seconded by Houdersheldt to testify in support of LB 30 and LB 34. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

ITEM 28. REPORT OF NOMINATING COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Teegerstrom presented the Nominating Committee's report and presented the slate of candidates for 2003 elections.

It was moved by Teegerstrom and seconded by Volkmer to accept the Nominating Committee's report and proceed with voting. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

Chairman Hansen turned the meeting over to Gus Brown during the election for chairman. Nominations from the floor for the position of NARD Representative and Alternate were made for Doug Dickinson, Jerl Joseph and Yvonne Austin. The nominee receiving the highest number

of votes will act as NARD Representative and the runner-up will be the Alternate. There were no further nominations made from the floor. Prudence Sadler and Jay Bitner were appointed to distribute and count ballots. Election results are listed below. Terms are for two years.

OFFICE	CANDIDATES' NAME	ELECTION RESULTS
Chairman	Wayne Hansen	5
	Roger Houdersheldt	11
Vice Chairman	Kenneth Regier	9
	Doug Bruns	7
Treasurer	Gus Brown	9
	Steve Buller	7
Secretary	Jerl Joseph	6
	Gary Eberle	10
NARD Representative & Alternate	Doug Dickinson	9
	Jerl Joseph	2
	Yvonne Austin	5

ITEM 29. FINANCIAL REPORT, DECEMBER 1, 2002 THROUGH DECEMBER 31, 2002, AND CONSIDERATION OF EXPENDITURES FOR DECEMBER 2002.

Turnbull reviewed the financial report for the period December 1, 2002 through December 31, 2002 that we had distributed. It was moved by Volkmer and seconded by Luebbe to accept the financial report for December 2002 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Houdersheldt, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Austin

There being no other business the chairman adjourned the meeting at 3:27 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that

these are true and correct minutes of the meeting of the Board of Directors of the District held on January 16, 2003, 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.

Gary Eberle, Secretary

:nds

BOARD OF DIRECTORS MEETING
February 20, 2003

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 20, 2003, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Douglas Bruns, Steve Buller, Douglas Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Lori Hoemann, Jay Bitner, Rod DeBuhr, Prudence Sadler and Dave Kohls of NRCS. Houdersheldt called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting February 6, 2003 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Thirteen directors were present for the calling of the roll. Buller, Friesen and Luebbe arrived after roll call.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

It was moved by Bruns and seconded by Hansen to excuse the absence of Kenneth Regier from the February 20, 2003 Board of Directors meeting as requested. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Friesen, Moore

NOT PRESENT: Buller, Luebbe, Regier

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Dickinson and seconded by Jackson to adopt the consent agenda.

Turnbull advised the board that a correction needed to be made on the January 16, 2003 board meeting minutes. On page 10, item 28 "Report of Nominating Committee and Consideration of Recommendations" under election of officers it incorrectly states that terms are for two years. The election term for board officers is one year. The motion to adopt the consent agenda was

approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Moore, Nuss, Volkmer, Houdersheldt

NAY: Teegerstrom

NOT PRESENT: Luebbe, Regier

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Jackson to approve the agenda for the February 20, 2003 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Moore, Nuss, Volkmer, Houdersheldt

NAY: Teegerstrom

NOT PRESENT: Luebbe, Regier

ITEM 6. *APPROVAL OF MINUTES OF THE JANUARY 16, 2003 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Jackson to approve the minutes of the January 16, 2003 Board of Directors Meeting, as corrected. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Moore, Nuss, Volkmer, Houdersheldt

NAY: Teegerstrom

NOT PRESENT: Luebbe, Regier

ITEM 7. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Education and Parks Committee met on February 11, 2003 and presented the committee's recommendations.

ITEM 8. PAYMENT TO A & R CONSTRUCTION FOR PLUM CREEK TRAIL.

A & R Construction has completed approximately 12% of the work on the Plum Creek Hiking and Biking Trail. The bridge pilings and four bridge abutments have been placed. Work on the

trail is now shut down for the winter due to weather conditions. Total dollars earned by the contractor from January 1-31, 2003 was \$56,973.98. The payment due A & R Construction after retainage is \$51,276.58.

It was moved by Bruns and seconded by Hansen that the Upper Big Blue Natural Resources District make payment of \$51,276.58 to A & R Construction of Plainview, Nebraska for the work completed from January 1, 2003 to January 31, 2003 on the Plum Creek Hiking & Biking Trail located east of the City of Seward along Plum Creek. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Regier

ITEM 9. FEBRUARY 2003 WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS.

The Committee reviewed the February 2003 payments to be made to the cooperators in the Wildlife Habitat Improvement Program and recommended that they be paid.

It was moved by Bruns and seconded by Jackson that the Upper Big Blue Natural Resources District Board approve payments totaling \$1,907.50 to cooperators in the Wildlife Habitat Improvement Program for the month of February. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: Dickinson

NOT PRESENT: Regier

ITEM 10. PAYMENT TO NORM RECKNOR FOR WILD NEBRASKA CONTRACT.

In August 2002 the Upper Big Blue NRD Board of Directors voted to fund \$2,000 of Norm Recknor's wetland restoration project, provided the Nebraska Game & Parks Commission contributed \$6,000 toward the project, for a total project cost not to exceed \$8,000. The wetland restoration project contract runs for a period of 10 years and allows public access. A claim has been submitted to the Nebraska Game & Parks Commission for their \$6,000 share of the project costs.

It was moved by Bruns and seconded by Teegerstrom that the Upper Big Blue NRD make payment of \$8,000 to Norm Recknor for the wetland renovation work completed on his property located in the W ½ of Section 21, Township 12 North, Range 3 West of the 6th P.M., York County, Nebraska. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore, Regier

ITEM 11. VILLAGE OF STAPLEHURST PARKS & RECREATION PROGRAM.

The Village of Staplehurst wants to plant trees and shrubs around the community building and fire hall adjacent to the village park. The property on which the trees and shrubs are to be planted is owned by the Village of Staplehurst. The total estimated cost submitted by Merle's Garden Center of Seward is \$3,100. It is District policy to fund 25% of the cost of these projects not to exceed \$10,000.

It was moved by Bruns and seconded by Hansen that the Upper Big Blue NRD fund the tree and shrub planting around the community building and fire hall in the Village of Staplehurst in the amount of 25% of the total estimated cost of \$3,100 not to exceed \$775. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Austin

NOT PRESENT: Moore, Regier

ITEM 12. VILLAGE OF ULYSSES PARKS & RECREATION PROGRAM.

This past Fall the Village of Ulysses had an inventory done of all the trees on property owned by the Village of Ulysses. Representatives from the Village of Ulysses came to the Education & Parks Committee to request funding to plant trees and shrubs around their well house. The plan is to plant ten trees at a cost of \$100 each, including planting and mulching. The total estimated cost for the project is \$1,100. It is District policy to fund 25% of the cost of these projects not to exceed \$10,000.

It was moved by Bruns and seconded by Austin that the Upper Big Blue NRD fund the tree and shrub planting around the well house in the Village of Ulysses in the amount of 25% of the total estimated cost of \$1,100 not to exceed \$275. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore, Regier

ITEM 13. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF

RECOMMENDATIONS.

Hansen reported that the Projects Committee met on February 11, 2003 and presented the committee's recommendations.

ITEM 14. LAND TREATMENT PROGRAM PAYMENTS.

A summary of requests for land treatment program payments was reviewed by the Projects Committee.

It was moved by Hansen and seconded by Austin that payments totaling \$25,558.51 be made on 8 NSWCP applications and payments totaling \$37,842.91 be made on 14 NRD applications for land treatment program funds, as reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Regier

ITEM 15. LINCOLN CREEK PARKWAY PEDESTRIAN BRIDGE.

The City of Aurora has requested the District to assist with completion of the Lincoln Creek Parkway Pedestrian bridge. An interlocal agreement between the City and District has been approved by the Aurora City Council. The agreement stipulates that the City's share of remaining construction cost will not exceed \$40,000 and the District's share of remaining construction cost will not exceed \$20,000. Staff recommends that the District enter into this agreement and proceed with advertising for bids to complete construction. The bridge foundation was completed in November 2001 and the majority of structural materials are on site.

It was moved by Hansen and seconded by Luebbe that the District's Board Chairman be authorized to sign the Interlocal Agreement, that was reviewed by the Committee, between the District and City of Aurora and that the District proceed with advertisements for bids to assemble and place the Lincoln Creek Parkway pedestrian bridge superstructure and bridge approaches in accordance with the approved plans, specifications, and the Interlocal Agreement. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: Buller

NOT PRESENT: Regier

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

Brown reported that the Water Committee met on February 12, 2003 and presented the committee's recommendations.

ITEM 17. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Dickinson and seconded by Jackson to approve cost-share payments for four well abandonments as reviewed totaling \$1,395.65. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Volkmer, Houdersheldt

NAY: Teegerstrom

NOT PRESENT: Luebbe, Regier

ITEM 18. PAYMENT TO NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY.

The Committee reviewed the year end chemigation permit report. A total of 393 applications were received. Three hundred and eighty-seven permits were issued. The District owes the Department of Environmental Quality \$846 for their share of the permit fees collected in 2002.

It was moved by Brown and seconded by Bruns to pay the Nebraska Department of Environmental Quality \$846.00 for their share of the chemigation permit application fees collected in 2002. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Regier

ITEM 19. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met February 12, 2003 and presented the committee's recommendations.

ITEM 20. 2003 - 2004 COMMITTEE ASSIGNMENTS.

The Executive Committee reviewed the past membership on committees and the requests of board

members for committee assignments. The following list is the Executive Committee's recommendation for committee assignments. The term is for two years; 2003 and 2004. Each committee selects their own chairman and vice-chairman.

PROJECTS COMMITTEE

Douglas Bruns
Douglas Dickinson
Wayne Hansen
Linda Luebbe
Larry Moore
Michael Nuss
Vance Teegerstrom
Merlin Volkmer

BUDGET COMMITTEE

Yvonne Austin
Augustus Brown
Steve Buller
Douglas Dickinson
Curtis Friesen
Wayne Hansen
Jim Jackson
Ken Regier

WATER COMMITTEE

Yvonne Austin
Augustus Brown
Douglas Bruns
Steve Buller
Gary Eberle
Curtis Friesen
Jerl Joseph
Larry Moore

ED & PARKS COMMITTEE

Gary Eberle
Jim Jackson
Jerl Joseph
Linda Luebbe
Michael Nuss
Ken Regier
Vance Teegerstrom
Merlin Volkmer

It was moved by Houdersheldt and seconded by Brown to approve the 2003 and 2004 committee assignments as presented. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Teegerstrom, Houdersheldt

NAY: Moore, Nuss, Volkmer

NOT PRESENT: Regier

ITEM 21. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Budget, Planning & Legislative Committee met on February 18, 2003 and presented the committee's report. There were no items requiring board action.

ITEM 22. FINANCIAL REPORT, JANUARY 1, 2003 THROUGH JANUARY 31, 2003, AND CONSIDERATION OF EXPENDITURES FOR JANUARY 2003.

Turnbull reviewed the financial report for the period January 1, 2003 through January 31, 2003

that we had distributed. It was moved by Dickinson and seconded by Volkmer to accept the financial report for January 2003 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore, Regier

There being no other business the chairman 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 February 20, 2003, 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.

Gary Eberle, Secretary

:nds

BOARD OF DIRECTORS MEETING
March 20, 2003

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, March 20, 2003, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Steve Buller, Douglas Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rod DeBuhr, Ken Feather, Prudence Sadler and Donna Bitner. Houdersheldt called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting March 6, 2003 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

It was moved by Volkmer and seconded by Teegerstrom to excuse the absence of Doug Bruns and Kenneth Regier from the March 20, 2003 Board of Directors meeting as requested. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Regier

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Brown and seconded by Volkmer to adopt the consent agenda. We approved the motion.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Regier

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Brown and seconded by Volkmer to approve the agenda for the March 20, 2003 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Regier

ITEM 6. *APPROVAL OF MINUTES OF THE FEBRUARY 20, 2003 BOARD OF DIRECTORS MEETING.

It was moved by Brown and seconded by Volkmer to approve the minutes of the February 20, 2003 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Regier

ITEM 7. EMPLOYEE RECOGNITION.

Projects Department Manager, Jay Bitner, was presented with a desk clock in appreciation for 25 years with the Upper Big Blue NRD.

ITEM 8. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Education and Parks Committee met on March 11, 2003 and presented the committee's recommendations.

ITEM 9. MARCH 2003 WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS.

The Committee reviewed the March 2003 payments to be made to the cooperators in the Wildlife Habitat Improvement Program and recommended that they be paid.

It was moved by Luebbe and seconded by Jackson that the Upper Big Blue Natural Resources District Board approve payments totaling \$2,038.75 to cooperators in the Wildlife Habitat

Improvement Program for the month of March. We approved the motion.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: Moore

NOT PRESENT: Bruns, Regier

ITEM 10. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Projects Committee met on March 13, 2003 and presented the committee's recommendations.

ITEM 11. LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Nuss and seconded by Jackson that payments totaling \$23,026.18 be made on 14 applications for NRD land treatment program funds, as reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Regier

ITEM 12. NSWCP FUNDING FOR WATER METERS.

The Department of Natural Resources has reallocated the special fund for water meters. The Upper Big Blue NRD's share is \$6,064.83 which must be spent by June 30, 2003. Staff recommends that the board authorize water meter cost share applications to be accepted for the remainder of FY 2003 to utilize as much of the funds as possible.

It was moved by Nuss and seconded by Hansen that staff is authorized to accept water meter cost share applications, up to the amount of the reallocated funds under the NSWCP Water Meter Fund Program, for the remainder of FY 2003 and that program criteria previously approved by the board for water meter funds be implemented. We approved the motion.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Hansen, Jackson, Joseph, Moore, Nuss,
Teegerstrom, Houdersheldt

NAY: Friesen, Luebbe, Volkmer

NOT PRESENT: Bruns, Regier

ITEM 13. *NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Brown and seconded by Volkmer that payments of \$7,241.19 be made on 13 Nebraska Buffer Strip Program contracts reviewed by the committee. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Regier

ITEM 14. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT.

Work in continuing on the phase one engineering report for the Big Blue River Flood Protection Levee at Seward. EA Engineering is preparing the environmental assessment portion of the report, and has submitted invoices in the amount of \$1,476.80 for work completed in January and February 2003. Geotechnical Services is preparing geotechnical engineering for the levees and has submitted an invoice in the amount of \$4,575 for work completed in February. The total of invoices submitted is \$6,051.80. FEMA's share of these expenses is \$4,538.85. The city of Seward share is \$756.48 and the NRDs share is \$756.47. Staff recommends payment of the invoices and that claims be filed with FEMA and the City for their respective shares.

It was moved by Nuss and seconded by Teegerstrom that the District pay EA Engineering \$1,476.80 and pay Geotechnical Services \$4,575 for work completed in January and February on the Big Blue River Flood Hazard Mitigation Project Levee System at Seward and that the District request reimbursement from FEMA in the amount of \$4,538.85 and reimbursement from the City of Seward in the amount of \$756.48. We approved the motion.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Bruns, Regier

ITEM 15. JOHNSON CREEK SITE 10.

Staff presented a summary of engineering alternatives that have been considered for controlling erosion along Sand Creek at the Johnson Creek Site 10 project in Saline County. The original plan, developed by the NRD staff, called for realigning a portion of the Sand Creek channel and construction of several drop structures to control flow velocity. The NRCS and Corps of Engineers determined that 0.9 acres of wetland in the existing channel would be affected, and the Corps rejected the realignment plan. The University of Nebraska Biological Systems Engineering students were given an opportunity to study the problem, and a plan was developed using smaller drop structures within the existing channel alignment, however, this plan did not address the velocity and erosion from high flows.

After reviewing all of the previous recommendations, and considering the federal agencies' concern with wetland impacts, staff recommends that no channel improvements be implemented at this time, and that we focus on land treatment practices for pasture and range management and construct one diversion and two small dams.

Estimated Construction Costs:

Two Erosion Control Dams	\$18,000
Diversion w/mechanical outlets	\$10,000
Pasture and range management	<u>\$12,000</u>
Total Estimated Land Treatment Cost	\$40,000

Estimated Cost Shares:

NRD/NSWCP	\$30,000
Landowner Share (25%)	\$10,000

It was moved by Nuss and seconded by Hansen that the Johnson Creek Site 10 project be developed to include land treatment practices for pasture and range management, dam construction, and diversion construction, and that land treatment funds, not to exceed \$30,000 be targeted to pay the District's share of construction cost.

It was moved by Austin and seconded by Luebbe to amend the motion to strike the wording "and that land treatment funds, not to exceed \$30,000, be targeted to pay the District's share of construction costs." and insert "and that the project be a special project and the district's share of construction cost not exceed \$30,000." We approved the amendment.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Regier

We approved the original motion as amended.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: Friesen

NOT PRESENT: Bruns, Regier

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

Brown reported that the Water Committee met on March 13 and March 20, 2003 and presented the committee's recommendations.

ITEM 17. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Brown and seconded by Volkmer to approve cost-share payments for nine well abandonments as reviewed totaling \$3,209.18. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Buller

NOT PRESENT: Bruns, Regier

ITEM 18. CONFINED AQUIFER STUDY.

Staff reported that the UNL Conservation & Survey Division has billed the District \$3,272 for work completed on January and February on the Upper Big Blue NRD Confined Aquifer Study. According to Mike Jess the data collected from historic water levels and well logs has been compiled and entered into the Conservation & Survey's computer. UNL staff is starting to analyze the data.

It was moved by Brown and seconded by Austin to pay the University of Nebraska-Lincoln Conservation & Survey Division \$3,272 for work completed in January and February 2003 on the Upper Big Blue NRD Confined Aquifer Study. We approved the motion.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Regier

ITEM 19. FINANCIAL REPORT, FEBRUARY 1, 2003 THROUGH FEBRUARY 28, 2003, AND CONSIDERATION OF EXPENDITURES FOR FEBRUARY 2003.

Turnbull reviewed the financial report for the period February 1, 2003 through February 28, 2003 that we had distributed. It was moved by Hansen and seconded by Jackson to accept the financial report for February 2003 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Moore, Regier

There being no other business the chairman adjourned the meeting at 2:47 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on March 20, 2003, 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.

Gary Eberle, Secretary

:nds

BOARD OF DIRECTORS MEETING
April 17, 2003

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, April 17, 2003, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Douglas Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rod DeBuhr, Ken Feather, Prudence Sadler, David Kohls, Aurora NRCS and Richard Jiskra of NNRC. Houdersheldt called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting April 3, 2003 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for the calling of the roll. Luebbe and Austin arrived shortly after roll call.

ITEM 3. *ADOPTION OF CONSENT AGENDA.

It was moved by Brown and seconded by Volkmer to adopt the consent agenda. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt
NAY: None
NOT PRESENT: Austin

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Brown and seconded by Volkmer to approve the agenda for the April 17, 2003 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt
NAY: None
NOT PRESENT: Austin

ITEM 5. *APPROVAL OF MINUTES OF THE MARCH 20, 2003 BOARD OF DIRECTORS MEETING.

It was moved by Brown and seconded by Volkmer to approve the minutes of the March 20, 2003 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin

ITEM 6. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Projects Committee met on April 8, 2003 and presented the committee's recommendations.

ITEM 7. LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Bruns and seconded by Hansen that payments of \$11,705.96 be made on 6 applications as reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 8. 2002 FARM BILL CONSERVATION INNOVATION GRANTS.

Section 1240H of the 2003 Farm Bill was added as a Senate amendment to provide up to \$100 million in EQIP funding for innovative conservation grants for fiscal years 2003 through 2006. Bob Bettger, Congressman Osborne's liaison, said that funding will probably not be available until 2004, and that the USDA NRCS state office will likely be the agency reviewing grant applications. The grant program will require 50% local matching funds. Bob also said that NRCS is preparing a grant application of their own on methane gas processing.

The District staff requested authorization to prepare a grant application for installing drip irrigation on approximately ten parcels of farm land to be converted from gravity irrigation to drip irrigation. The field size for this grant program would be a quarter section, or slightly smaller, to allow for the larger conversions that would otherwise not fit the conventional land treatment program. If the USDA approved the District's grant application, the District would administer the grant and provide 50% cost share to landowners. The landowners would be required to pay the

50% local match.

It was moved by Bruns and seconded by Luebbe that staff is authorized to prepare a “Conservation Grant” application in accordance with provisions of the 2002 Federal Farm Bill.
We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 9. LINCOLN CREEK PARKWAY PEDESTRIAN BRIDGE BIDS.

Bids for construction of the Lincoln Creek Parkway pedestrian bridge at Aurora were received on April 1, 2003. Contractors who submitted bids were required to be pre-qualified with the Nebraska Department of Roads as either General Contractors or Bridge Contractors. Bids were received from Diamond Engineering (\$72,595) and VanKirk Brothers (\$90,500).

The City of Aurora requested that bid items 7, 8 and 9 for placement of earth fill, rock rip-rap and one culvert pipe be deleted from the contract; the City is planning to perform these items on their own. After deleting items 7, 8 and 9 the total bid prices are Diamond Engineering \$68,450 and VanKirk Brothers \$75,500.

Staff recommends that the District accept the bid from Diamond Engineering, adjusted for deleting items 7, 8 and 9 and that Diamond Engineering be awarded a construction contract for \$68,450.

It was moved by Bruns and seconded by Austin that Diamond Engineering be awarded the construction contract for assembling and placing the Lincoln Creek Parkway pedestrian bridge, in accordance with their bid dated April 1, 2003 and that bid items 7, 8 and 9 be deleted from the contract, and that the contract price be \$68,450 after adjustments. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 10. INTERLOCAL AGREEMENT FOR LINCOLN CREEK PARKWAY PEDESTRIAN BRIDGE.

The bid for constructing the Lincoln Creek Parkway pedestrian bridge is \$68,450. The District's share will be \$20,000 and the City of Aurora's share will be \$48,450. Staff recommends that our Interlocal Agreement with the City be amended to require the City to pay the first \$48,450 of construction cost.

It was moved by Bruns and seconded by Luebbe that Article III, Section 3.01, of the Interlocal Agreement between the Upper Big Blue Natural Resources District and City of Aurora, dated February 20, 2003, to construct the Lincoln Creek Parkway pedestrian bridge, be amended such that "The CITY agrees to reimburse the DISTRICT for all construction costs up to \$48,450." We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 11. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Education and Parks Committee met on April 8, 2003 and presented the committee's recommendations.

ITEM 12. VILLAGE OF FAIRMONT NATIVE GRASS PLANTING.

On November 21, 2002 the Upper Big Blue Natural Resources District voted to fund 50% of the community native grass planting on 9.1 acres not to exceed \$364 on lands located in the N ½ NE ¼ of Section 31, Township 8 North, Range 2 West of the 6th P.M., Fillmore County for the Village of Fairmont. The grass has been seeded and the total cost to the Village of Fairmont was \$523.25.

It was moved by Luebbe and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment of \$261.63 to the Village of Fairmont for the grass seed purchased and planted in the N ½ NE ¼ of Section 31, Township 8 North, Range 2 West of the 6th P.M., Fillmore County, Nebraska. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 13. MCNAUGHT WILD NEBRASKA CONTRACT.

Waldon and Joann McNaught wish to reestablish 3.0 acres to a warm season grass mix. The area is located in the S ½ NE ¼ of Section 21, Township 13 North, Range 4 West of the 6th P.M., Polk County, Nebraska. The grass seed is cost shared 75% Game & Parks Commission and 25% by Upper Big Blue NRD, not to exceed \$80 per acre and \$15 per acre for ground preparation. The total cost of the grassland restoration is \$285.

It was moved by Luebbe and seconded by Teegerstrom that the Upper Big Blue Natural Resources District accept the Wild Nebraska contract from Waldon and Joann McNaught for the

restoration of 3.0 acres of grassland for the amount not to exceed \$285. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 14. PRAIRIE PLAINS RESOURCE INSTITUTES REQUEST FOR FUNDING.

The Prairie Plains Resource Institute has requested funding assistance from the Upper Big Blue NRD for their summer nature day camp called SOAR. As in past years, they are asking for \$1500.

The camp is open to any 3rd-6th graders. There are two sessions: July 7-11 and July 14-18. Enrollment is limited to 60 students for each session.

It was moved by Luebbe and seconded by Hansen that the Upper Big Blue NRD make payment of \$1500 to the Prairie Plains Resource Institute to assist with the 2003 SOAR Program. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 15. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

ITEM 16. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Brown and seconded by Volkmer to approve cost-share payments for four well abandonments as reviewed totaling \$1,440.01. The motion was approved as a part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin

ITEM 17. ZONE 5 PHASE II DESIGNATION.

The staff presented a summary of the data reported by the farm operators in management zone 5. Only 6.2% of the continuous corn and sorghum acres were soil sampled to a depth of 3 feet or

more for the 2002 crop. District Rule 5 requires that a management zone be designated a phase II management area if the median nitrate is greater than 9 parts per million and less than 60% of the continuous corn/sorghum acres area soil sampled to a depth of 3 feet.

In a phase II management area each operator is required to do the following:

1. Attend an NRD approved best management practice training session.
2. Collect 3 ft. soil samples on lands where continuous corn/sorghum are grown.
3. Schedule irrigation using an approved method.
4. File an annual report with the District.

It was moved by Brown and seconded by Moore that Ground Water Management Area 2, Zone 5 be designated a Phase II management area and authorize the staff to proceed with implementation of Phase II requirements. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 18. USGS NATIONAL WATER QUALITY ASSESSMENT STUDY.

The United States Geological Survey is currently doing a ground water quality study involving the City of York's water wells. This study is funded under the federal program called the National Water-Quality Assessment Program (NAWQA). USGS intends to install several monitoring wells in and near the city. Matt Landon, from the USGS office in Lincoln is heading up this study. He has requested that the NRD grant permission for construction of a well on the NRD's property in York. Staff has a potential site in mind behind the NRD's storage building. USGS would like to begin construction in May. There is no cost to the NRD.

It was moved by Brown and seconded by Austin to authorize the General Manager to sign an agreement with USGS for the construction of a monitoring well on the District's property in York, provided that the location of the well and terms of the agreement are acceptable to the General Manager. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 19. BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT.

Austin reported that the Budget, Planning & Legislative Committee met on April 15, 2003 and presented the committee's report.

ITEM 20. EXECUTIVE COMMITTEE REPORT.

Regier reported that the Executive Committee met on April 15, 2003 and presented the committee's recommendations.

ITEM 21. DIRECTORS' PER DIEM & EXPENSES.

The Executive Committee reviewed the first quarter directors' per diem and expenses and recommended payment.

It was moved by Brown and seconded by Volkmer to approve payment of first quarter directors per diem of \$12,740 and expenses of \$3,473.81. We approved the motion as a part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin

ITEM 22. INTERLOCAL AGREEMENTS AND ACCOUNTING.

Staff reviewed the Plum Creek Trail project accounting. In order to comply with the board motions setting separate maximums on engineering and construction, it is necessary to track the two NRD cost share items separately. It is further complicated by the number of agencies involved in funding the project and the different ways we have to account for their shares of the costs. Some funding was received in a lump sum while the remaining funds are not reimbursed until the District submits a claim to that agency. On more than one occasion we have had to adjust the percentage of project total paid by each agency to keep everyone within the total maximums they have agreed to pay. This makes filing the claims more difficult than it needs to be.

In order to simplify things in the future, staff is recommending that once the board determines the maximum NRD contribution for a project that the maximum apply to all items covered by the interlocal agreement.

It was moved by Regier and seconded by Brown that in all future projects and agreements that have a maximum contribution established, the NRD apply that maximum on the sum of all items and services that are included in the project or agreement, not on the individual items or services. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Volkmer

ITEM 23. LOWER PLATTE NORTH NRD SALARY REIMBURSEMENTS.

The Upper Big Blue NRD has been invoiced \$5,525.68 it's share of the Butler County NRCS secretary's salary and \$522.16 for technician's salary for the period July 1 to December 31, 2002. The total amount due is \$6,047.84.

It was moved by Regier and seconded by Hansen to approve payment of \$6,047.84 to the Lower Platte North NRD for NRCS office salaries for the first half of FY 03. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Nuss, Regier, Teegerstrom, Volkmer

NAY: Buller, Friesen, Luebbe, Moore, Houdersheldt

ITEM 24. MAY BOARD MEETING DATE.

Because of the Blue River Compact meeting scheduled for May 15 in Manhattan, Kansas and the Platte Basin Meeting in North Platte the following day it is recommended that the May board meeting be held one week later than normal, but that the committee meetings remain the week of May 5.

It was moved by Regier and seconded by Moore that the May board meeting be held on May 22 instead of May 15. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 25. FINANCIAL REPORT, MARCH 1, 2003 THROUGH MARCH 31, 2003, AND CONSIDERATION OF EXPENDITURES FOR MARCH 2003.

Turnbull reviewed the financial report for the period March 1, 2003 through March 31, 2003 that we had distributed. It was moved by Volkmer and seconded by Regier to accept the financial report for March 2003 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

There being no other business the chairman adjourned the meeting at 10:05 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on April 17, 2003, 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.

Gary Eberle, Secretary

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BOARD OF DIRECTORS MEETING
May 22, 2003

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, May 22, 2003, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Gary Eberle, Wayne Hansen, Roger Houdersheldt, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rod DeBuhr, Prudence Sadler, James Atmore and Jacky Nichols from Fairmont and David Kohls, Aurora NRCS. Houdersheldt called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting May 8, 2003 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Twelve directors were present for the calling of the roll. Austin, Jackson and Luebbe arrived a short time later.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

Curt Friesen and Doug Dickinson requested that their absence from the board meeting be excused.

It was moved by Teegerstrom and seconded by Volkmer to excuse the absence of Curtis Friesen and Doug Dickinson from the May 22, 2003 board of directors meeting as requested. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Joseph, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Friesen, Jackson, Luebbe

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Brown and seconded by Regier to adopt the consent agenda. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Joseph, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Friesen, Jackson, Luebbe

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Brown and seconded by Regier to approve the agenda for the May 22, 2003 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Joseph, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Friesen, Jackson, Luebbe

ITEM 6. *APPROVAL OF MINUTES OF THE APRIL 17, 2003 BOARD OF DIRECTORS MEETING.

It was moved by Brown and seconded by Regier to approve the minutes of the April 17, 2003 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Joseph, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Friesen, Jackson, Luebbe

ITEM 7. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Projects Committee met on May 6, 2003, and presented the committee's recommendations.

ITEM 8. VILLAGE OF FAIRMONT DRAINAGE IMPROVEMENTS.

At the March 2003 Committee meeting, representatives from the Village of Fairmont presented their plan to improve drainage within the village. Lalit Jha, JEO consulting engineer for the village, presented the detailed planning that has been done. Jacky Nichols, president of the Village Council, explained the need for drainage improvements and made a request that the NRD

consider providing financial assistance to the village. The Committee requested the village prepare a time line and budget for the project, and provide the District with an estimate of construction cost per year, as well as an estimate of the portion of the cost to be paid by the village.

On April 21, 2003, the village submitted their proposed budget and time line for construction. The village estimates that project construction will be done over a five-year period, beginning in March 2003, and will be completed in August 2009. The total estimated construction cost is \$466,272 and the village is requesting the District contribute \$233,136 (50%) toward construction costs.

After reviewing the village's proposal, and considering intergovernment cost share provided to other communities, staff recommends that the District provide 25% cost share to the Village of Fairmont.

It was moved by Bruns and seconded by Volkmer that the District provide intergovernment cost share assistance to the Village of Fairmont for construction of drainage improvements to be constructed in accordance with the time line, budget, and engineering plan presented by the Village and JEO Engineers and that the District share project costs at the rate of 25% of actual expenditures, not to exceed \$117,000, subject to the Village agreeing to act as lead agency for the project and be responsible for operation and maintenance of completed facilities at their expense, and that the Village and District enter into an Interlocal Agreement for the project.

It was moved by Austin and seconded by Hansen to amend the motion to read 25% of the local share of actual expenditures. We approved the amendment.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Joseph, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Friesen, Jackson, Luebbe

We approved the original motion as amended.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Joseph, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Friesen, Jackson, Luebbe

ITEM 9. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Bruns and seconded by Hansen that payments of \$31,503.37 be made on 17 applications for NRD land treatment program funds, as reviewed by the committee. We approved

the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Joseph, Moore, Nuss, Regier, Teegerstrom,
Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Friesen, Jackson, Luebbe

ITEM 10. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Bruns and seconded by Austin that payments of \$2,958.79 be made on 8 applications for NSWCP water meter funds, as reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Joseph, Moore, Nuss, Regier, Teegerstrom,
Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Friesen, Jackson, Luebbe

ITEM 11. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT.

Work is continuing on the Phase I engineering report for the Big Blue River Flood Protection Levee at Seward. EA Engineering is preparing the Environmental Assessment portion of the report, and has submitted an invoice in the amount of \$6,081.78 for work completed through April 2003. Geotechnical Services has completed the drilling, testing and final report for levee foundation and slope stability, and has submitted a final invoice in the amount of \$2,205.00. The total of invoices submitted is \$8,286.78. FEMA's share of these claims is \$6,215.09, the City of Seward share is \$1,035.85 and the NRD's share is \$1,035.84. Staff recommends that the invoices be paid and that claims be filed with FEMA and the city for their respective shares.

It was moved by Bruns and seconded by Austin that the district pay EA Engineering \$6,081.78 and pay Geotechnical Services \$2,205.00 for work completed through April 2003 on the Big Blue River Flood Hazard Mitigation Project Levee System at Seward, and that the District request reimbursement from FEMA in the amount of \$6,215.09 and reimbursement from the City of Seward in the amount of \$1,035.85. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Joseph, Moore, Nuss, Regier, Teegerstrom,
Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Friesen, Jackson, Luebbe

ITEM 12. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Joseph and Luebbe reported on the April 8, 2003 Education and Parks Committee meeting and presented the committee's recommendations.

ITEM 13. CITY OF SUTTON COMMUNITY TREE RESOURCES PROGRAM.

The City of Sutton wants to plant 13 pear trees along the Ash Street right-of-way near the swimming pool area at a cost of \$130 per tree for a total cost of \$1,560. The population of the City of Sutton is 1,447. The district's policy is to provide a 50 percent matching grant on the local share not to exceed \$1,000, or a minimum of \$200.

It was moved by Joseph and seconded by Volkmer that the Upper Big Blue NRD fund the tree planting along Ash Street in the City of Sutton in the amount not to exceed \$780. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Joseph, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Luebbe

NOT PRESENT: Dickinson, Friesen, Jackson

ITEM 14. PAYMENT TO A & R CONSTRUCTION FOR THE PLUM CREEK TRAIL.

A & R Construction Company of Plainview, Nebraska has resumed construction of the Plum Creek Hiking & Biking Trail located along Plum Creek on the east side of Seward. Approximately 30% of the project is completed. The payment of \$144,223.21 entails the cost of four bridges and bridge abutments. The total amount earned by the contractor is \$160,248.01. A 10% retainage in the amount of \$16,028.80 has been withheld, leaving \$144,223.21 to be paid to A & R Construction Company.

It was moved by Luebbe and seconded by Austin that the Upper Big Blue Natural Resources District make a payment of \$144,223.21 to A & R Construction Company for work completed from March 24 to April 30, 2003 on the Plum Creek Hiking & Biking Trail located east of Seward. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Friesen, Jackson

ITEM 15. PAYMENT TO GEOTECHNICAL SERVICES.

Geotechnical Services, Inc. has submitted a bill for construction material testing that was

conducted on the Plum Creek Trail Pedestrian Bridge from March 30, 2003 to April 26, 2003 for a total of \$923.50.

It was moved by Luebbe and seconded by Hansen that the Upper Big Blue NRD make payment to Geotechnical Services, Inc. in the amount of \$923.50 for the concrete and soil testing done on the Plum Creek Trail Pedestrian Bridges from May 30 to April 26, 2003. We approved the motion.

AYE: Austin, Brown, Bruns, Eberle, Hansen, Joseph, Luebbe, Moore, Nuss, Regier,
Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Jackson

NOT PRESENT: Dickinson, Friesen

ITEM 16. CITY OF HENDERSON LAKEVIEW PARK RESTORATION PROJECT.

It was moved by Luebbe and seconded by Austin that the Upper Big Blue Natural Resources District fund the Lakeview Park lake restoration project located in Henderson in the amount not to exceed \$34,564.

Volkmer expressed his concerns that the proposed restoration project includes O & M on a structure that the NRD cost-shared on in the past. He asked whether the City of Henderson was required to maintain the structure at their own expense. Volkmer asked whether or not the General Manager had researched the matter as requested.

Turnbull indicated he had not yet done that, but he thought the lake in Henderson was originally constructed sometime around 1976 or 1978, which would have been just shortly before or after the time he and Bitner began working for the NRD. Bitner and Turnbull said they knew that the district put some money into the project, but couldn't say how much cost share was paid, or what the agreement with City of Henderson said without doing some further study.

Bitner did say that the project in general is not considered operation & maintenance. The spillway and the dam are all new construction and not rehabilitation of the old dam. The sediment basin upstream is also new. The project does include dredging the lake but in addition we would be placing riprap for erosion control and providing fish habitat.

Hansen thought the expected design life of the project and the amount of cost-share provided by NRD should be looked at since the original project was put in nearly 30 years ago.

It was moved by Volkmer and seconded by Austin to refer the matter back to the Education & Parks Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Hansen, Jackson, Joseph, Luebbe, Regier, Teegerstrom,
Volkmer

NAY: Eberle, Moore, Nuss, Houdersheldt
NOT PRESENT: Dickinson, Friesen

ITEM 17. A & R CONSTRUCTION COMPANY SEMIMONTHLY PAY REQUEST.

A & R Construction Company has requested that they be paid on a semimonthly basis for any progress payment that exceeds \$10,000. This would be in agreement with the Nebraska Department of Roads state specifications as stated in subsection 108.07 for the construction of the Plum Creek Trail.

It was moved by Luebbe and seconded by Brown to approve semimonthly progress payments to A & R Construction for the Plum Creek Trail project as per the Nebraska Department of Roads contract specifications; to direct staff to submit semimonthly claims to Department of Roads for reimbursement; and further, to authorize the General Manager to approve and make those semimonthly payments which come due prior to the regularly scheduled board meetings provided that (1) the progress payment request exceeds \$10,000, (2) the payments do not exceed the original contract amount without change orders, (3) the payments do not constitute the final payment or release of retainage; and (4) the Department of Roads reimburses the District semimonthly and (5) funds do not have to be borrowed in order to make the semimonthly payment.

It was moved by Buller and seconded by Bruns to amend the motion to read "...to direct staff to submit semimonthly claims to Department of Roads and City of Seward for reimbursement"
We approved the amendment.

AYE: Austin, Brown, Bruns, Buller, Eberle, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt
NAY: Hansen, Jackson
NOT PRESENT: Dickinson, Friesen

We approved the motion as amended.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt
NAY: None
NOT PRESENT: Dickinson, Friesen

ITEM 18. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on May 6, 2003 and presented the committee's recommendations.

ITEM 19. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Brown and seconded by Regier to approve cost-share payments for ten well abandonments as reviewed totaling \$3,636.17. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Joseph, More, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Friesen, Jackson, Luebbe

ITEM 20. ON-FARM DEMONSTRATION/RESEARCH.

Andy Christiansen requested that the District provide moisture blocks for demonstration sites in Fillmore, Hamilton and York counties. He estimated that 35-40 blocks would be needed.

It was moved by Brown and seconded by Regier to donate forty moisture blocks to the Cooperative Extension for the 2003 on-farm irrigation demonstration and research activities.

Following the May 6 Water Committee meeting Rod received a written request for 140 moisture blocks. Staff recommends that we provide a total of 140 blocks for demonstrations.

It was moved by Moore and seconded by Eberle to amend the motion to read 140 moisture blocks. We approved the amendment.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Friesen

We approved the motion as amended.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Friesen

ITEM 21. EXECUTIVE COMMITTEE REPORT.

Regier reported that the Executive Committee met on May 8, 2003 and presented the committee's report. There were no items that required board action.

ITEM 22. FINANCIAL REPORT, APRIL 1, 2003 THROUGH APRIL 30, 2003, AND CONSIDERATION OF EXPENDITURES FOR APRIL 2003.

Turnbull reviewed the financial report for the period April 1, 2003 through April 30, 2003 that we had distributed. It was moved by Regier and seconded by Brown to accept the financial report for April 2003 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Friesen

There being no other business the chairman adjourned the meeting at 8:50 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 May 22, 2003, 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.

Gary Eberle, Secretary

:nds

BOARD OF DIRECTORS MEETING
June 19, 2003

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 19, 2003, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curt Friesen, Wayne Hansen, Roger Houdersheldt, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier and Vance Teegerstrom.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Rod DeBuhr, Prudence Sadler, Ken Feather, Jeff Ball, Teresa Ball and Bryan Euse, York NRCS. Houdersheldt called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting June 13, 2003 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Thirteen directors were present for the calling of the roll. Luebbe and Moore arrived a short time later.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

Austin and Volkmer requested that their absence from the June 19, 2003 board meeting be excused.

It was moved by Regier and seconded by Brown to excuse the absence of Austin and Volkmer from the June 19, 2003 board of directors meeting as requested. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Luebbe, Moore, Volkmer

ITEM 4. *ADOPTION OF CONSENT AGENDA.

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

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Nuss, Regier,
Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Luebbe, Moore, Volkmer

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Hansen and seconded by Dickinson to approve the agenda for the June 19, 2003 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Nuss, Regier,
Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Luebbe, Moore, Volkmer

ITEM 6. *APPROVAL OF MINUTES OF THE MAY 22, 2003 BOARD OF DIRECTORS MEETING.

It was moved by Hansen and seconded by Dickinson to approve the minutes of the May 22, 2003 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Nuss, Regier,
Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Luebbe, Moore, Volkmer

ITEM 7. EMPLOYEE RECOGNITION.

Jeff Ball, the lead engineering technician for the Upper Big Blue NRD, was presented with a walnut desk clock in appreciation of 25 years of service to the district.

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

Bruns reported that the Projects Committee met on June 10, 2003, and presented the committee's recommendations.

ITEM 9. NRD LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Bruns and seconded by Hansen that payments totaling \$86,017.50 be made on 62 applications for NRD land treatment program funds, as reviewed by the committee. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 10. NSWCP WATER METER FUND PAYMENTS.

It was moved by Bruns and seconded by Teegerstrom that payments totaling \$2,744.94 be made on 7 applications for NSWCP water meter funds, as reviewed by the committee. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 11. NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Dickinson that payments totaling \$13,795.07 be made on 25 Nebraska buffer strip contracts as reviewed by the committee. We approved the motion as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Nuss, Regier,
Teegerstrom

NAY: None

NOT PRESENT: Austin, Luebbe, Moore, Volkmer

NOT VOTING: Houdersheldt, Joseph

ITEM 12. LINCOLN CREEK PARKWAY PEDESTRIAN BRIDGE PAYMENT.

Construction on the Lincoln Creek Parkway Pedestrian Bridge is approximately 30% completed. Staff recommends payment of \$24,100 to the contractor, Diamond Engineering, for work completed in May 2003.

It was moved by Bruns and seconded by Brown that Diamond Engineering be paid \$24,100 and that \$2,410 be withheld as retainage in accordance with the construction contract, for construction work completed in May 2003 on the Lincoln Creek Parkway Pedestrian Bridge at Aurora. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 13. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT.

Work is continuing on the phase I engineering report for the Big Blue River Flood Protection Levee at Seward. EA Engineering is preparing the environmental assessment portion of the report, and has submitted an invoice in the amount of \$4,822.34 for work completed through May 2003. FEMA's share of this invoice is \$3,616.76. The City of Seward and NRD shares are both \$602.79. Staff recommends that EA Engineering be paid in accordance with their invoice and that claims be filed with FEMA and the City of Seward for their respective shares.

It was moved by Bruns and seconded by Regier that the District pay EA Engineering \$4,822.34 for work completed through May 2003 on the Big Blue River Flood Hazard Mitigation Project Levee System at Seward and that the district request reimbursement from FEMA in the amount of \$3,616.76 and reimbursement from the City of Seward in the amount of \$602.79. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 14. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Education and Parks Committee met on June 10, 2003 and presented the committee's recommendations.

ITEM 15. WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS.

The Wildlife Habitat Improvement Program contracts that are scheduled for June payments have been reviewed by the committee. The areas have been inspected for compliance and staff recommends payments be made.

It was moved by Luebbe and seconded by Regier that the Upper Big Blue Natural Resources District make payments totaling \$1,047.50 to the cooperators of the Wildlife Habitat Improvement Program for the month of June. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Dickinson

NOT PRESENT: Austin, Volkmer

ITEM 16. CORNERS FOR WILDLIFE PAYMENTS.

These 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 through the Pheasants Forever Chapters.

It was moved by Luebbe and seconded by Teegerstrom that the Upper Big Blue Natural Resources District make payments totaling \$1,488.18 to the cooperators of the Corners for Wildlife Program, as reviewed. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 17. WILD NEBRASKA PROGRAM PAYMENTS.

Craig Weedin has developed a 2.3 acre parcel of ground into habitat for wildlife. He has seeded the area to warm season grass and has been reimbursed for that. He has just planted 350 shrubs in the area and is entitled to \$15 per acre for ground preparation. Seventy-five percent of the total cost is reimbursed by Nebraska Game and Parks.

It was moved by Luebbe and seconded by Regier that the Upper Big Blue NRD make a payment of \$349.50 to Weedin Farms, Inc for the planting of 350 shrubs and ground preparation on 2.3 acres on his wildlife habitat area developed through the Wild Nebraska Program. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 18. PAYMENT TO GEOTECHNICAL SERVICES.

Geotechnical Services Inc has submitted a bill for construction material testing on the Plum Creek Trail pedestrian bridges for the period April 27 to May 24, 2003.

It was moved by Luebbe and seconded by Bruns that the Upper Big Blue Natural Resources District make payment to Geotechnical Services, Inc for the amount of \$794.50 for the concrete and soil testing done on the Plum Creek Trail pedestrian bridges from April 27, 2003 to May 24, 2003. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 19. VILLAGE OF STAPLEHURST PARKS & RECREATION PROGRAM.

On February 20, 2003 the board agreed to fund the tree planting around the community building and fire hall in the village of Staplehurst in the amount not to exceed \$775.00, which is 25% of the estimated cost of \$3,100. The project was completed for a total cost of \$1,706.51. The NRD share is \$426.63.

It was moved by Luebbe and seconded by Moore that the Upper Big Blue Natural Resources District make a payment of \$426.63 to the village of Staplehurst for the planting for trees and shrubs around the community building and fire hall in the village of Staplehurst. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 20. CITY OF HENDERSON LAKE RESTORATION PROJECT.

At the May 22, 2003 board meeting the motion to help fund the Lakeview Park lake restoration project was sent back to committee for clarification regarding responsibility for O&M on the dam which was construction in 1978. In July 1977 the District signed an agreement with the City of Henderson to fund 25% of the estimated project cost of \$18,000 to construct a small dam. The NRD's share was not to exceed \$4,500. No mention was made regarding responsibility for project O&M.

On November 16, 1978 the UBBNRD board voted to make the first and final payment on the project in the amount of \$2,219.75. It was also agreed that upon payment of \$2,219.75 by the district the agreement between the NRD and City of Henderson, dated July 1977, would be terminated.

Staff recommends funding the Lakeview Lake Restoration Project located in the City of Henderson in an amount not to exceed \$34,546.00, which is 25% of the local share of \$138,255.

It was moved by Luebbe and seconded by Friesen that the Upper Big Blue Natural Resources District enter into an agreement and fund the Lakeview Park Lake Restoration Project located in the City of Henderson in the amount of 25% of the local share, not to exceed \$34,564. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 21. PAYMENT TO NARD FOR TREES.

The District purchased 32,350 trees and shrubs from the Nebraska Association of Resources Districts for windbreak, wildlife, timber and riparian plantings.

It was moved by Luebbe and seconded by Regier that the Upper Big Blue Natural Resources District make payment of \$13,234.92 to the Nebraska Association of Resources Districts for the purchase of 32,350 trees and shrubs. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 22. NEBRASKA GAME & PARKS COMMISSION'S EDUCATION SMALL GRANT PROGRAM.

The District has been awarded a \$500 grant from the Nebraska Game and Parks Commission to encourage schools to develop outdoor classrooms. This is a pass through grant with all of the money going to the school. A \$167 match from the school or the district is required.

It was moved by Luebbe and seconded by Hansen to accept the Nebraska Game and Parks Commission's Education Small Grant for the Upper Big Blue NRD School Yard Habitat Project and director the chairman to sign the Education Small Grant Program Service Agreement. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 23. PAYMENT TO A&R CONSTRUCTION FOR PLUM CREEK TRAIL.

A & R Construction Company submitted a claim for work on the Plum Creek Trail project in the amount of \$57,409.14 for the period May 1-15, 2003. Ten percent retainage in the amount of \$6,553.25 was deducted leaving a payment of \$50,855.89 to be made to A & R Construction Company. Approximately 38% of the project has been completed. Under the terms of the contract the contractor has requested that a semi monthly progress payment be made whenever earnings exceed \$10,000 in the first or second half of the month. The board has authorized the General Manager to approve any semi monthly payments to the contractor which are due prior to

the board meeting. This was a semi monthly payment and therefore doesn't require committee or board action.

The board reviewed the following summary of expenditures on the Plum Creek Trail project which includes the semi monthly payment (claim 8) approved by the General Manager.

Turnbull showed the board that the NRD share of funds remaining to be spent includes \$19,545.35 for construction and \$20,139.95 for engineering. The total NRD share of funds remaining to be spent on the project is \$39,685.30.

According to our agreement with the City of Seward the District was to contribute up to \$37,000 for construction and \$56,690 for engineering, the Department of Roads would pay 59% of eligible expenses up to \$500,000, Nebraska Game & Parks Commission would contribute a grant of \$100,000 and the balance would be paid by the City of Seward.

We received the \$100,000 grant from Game & Parks last fiscal year and purchased a certificate of deposit in order to earn interest on the money until it was needed to pay claims. The certificate just recently matured and was cashed. When we began filing claims for reimbursement we did not charge a percentage of the funds from Game & Parks against the claim amounts because the funds were still invested and earning interest. Instead, we applied funds from NDOR, City of Seward and the District toward those claims. This caused the percentages for each sponsor to get out of balance. We attempted to correct the percentages when filing claim six. We ran into a problem with NDOR because they pay a straight 59% of expenses regardless of any other funding received by the District. As a result the District cannot adjust the claims to get at all of the funds allocated for engineering. The Manager is recommending that staff be allowed to continue to file claims to utilize all funds from other sponsors, and be allowed to allocate expenses to the NRD share of construction or engineering funds as needed, provided we do not exceed the total of \$93,690.

	Department of Roads Share Claimed	NDOR Retainage Withheld	Department of Roads Share Paid	Game and Parks Share	City of Seward Share	Upper Big Blue NRD Share	Totals
CONSTRUCTION							\$ 751,200.29
Cost Share Not to exceed	n/a			n/a	n/a	\$37,000.00	
Previous payment requests	140,727.43	7,036.38	133,691.05	0.00	63,804.09	17,454.65	221,986.17
Current payment request # 8	30,004.98	1,500.24	28,504.74	20,850.91	0.00	0.00	50,855.89
Totals	170,732.41	8,536.62	162,195.79	20,850.91	63,804.09	17,454.65	272,842.06
NRD Construction Funds Remaining						\$19,545.35	
ENGINEERING							\$147,525.83
Cost Share Percentage						50%	
Cost Share Not to exceed	n/a			n/a	n/a	\$56,690.00	
Previous payment requests	67,884.96	3,394.25	64,490.71	0.00	29,845.96	33,863.22	131,594.14
Current payment request # 8	3,866.42	193.33	3,673.09	0.00	0.00	2,686.83	6,553.25

Totals	71,751.38	3,587.58	68,163.80	0.00	29,845.96	36,550.05	138,147.39
NRD Engineering Funds Remaining							\$20,139.95
TOTALS							\$ 898,726.12
Cost Share percentages (planned)	59%			12%	20%	9%	
Cost Share percentages (to date)	59%			5%	23%	13%	
Not to exceed limits	\$500,000.00			\$100,000.00	n/a	\$93,690.00	
Previous payment requests	208,612.39	10,430.63	198,181.76	0.00	93,650.05	51,317.87	353,580.31
Current request Claim # 8	33,871.40	1,693.57	32,177.83	20,850.91	0.00	2,686.83	57,409.14
Totals	242,483.79	12,124.20	230,359.59	20,850.91	93,650.05	54,004.70	410,989.45
Construction & Engineering Remaining							487,736.67
Cost Share Funds Remaining	\$257,516.21			\$79,149.09	\$111,386.07	\$39,685.30	\$487,736.67

It was moved by Hansen and seconded by Brown to authorize staff to file claims to utilize all funds from other sponsors, and allow them to allocate expenses to the NRD share of construction or engineering funds as needed, provided the NRD share does not exceed the total of \$93,690.

We approved the motion.

AYE: Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Buller

NOT PRESENT: Austin, Volkmer

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

Brown reported that the Water Committee met on June 12, 2003 and presented the committee's recommendations.

ITEM 25. LATE WELL PERMIT.

A well located in the NE 1/4 of Section 20-T8N-R10W in Adams County was drilled without a permit. The well registration was filed with DNR at the time of drilling. The registration showed the well was located in the Little Blue NRD. The error was just recently discovered by DNR. At the time the well was drilled, the owner was Richard Burr, Sr. The current owner is Richard's son, Todd Burr. In order for this well to be a legal well by statute, a late permit is required. Todd Burr requested that the NRD waive the \$250 filing fee because this was an oversight that occurred 12 years ago when he was not the owner of the well.

It was moved by Brown and seconded by Jackson to waive the \$250 filing fee and authorize the staff to approve a late permit for the well located in the NE 1/4 Section 20-T8N-R10W, Adams County (G-73030) owned by Todd Burr. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: Hansen

NOT PRESENT: Austin, Volkmer

ITEM 26. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Dickinson to approve cost-share payments for nine well abandonments as reviewed totaling \$2,816.51. The motion was approved as a part of the consent agenda.

AYE: Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Buller

NOT PRESENT: Austin, Luebbe, Moore, Volkmer

ITEM 27. WEATHER STATION MAINTENANCE PAYMENT.

The District has been billed \$1,000 for the July 1, 2002 through June 30, 2003 maintenance of the Recharge Lake weather station according to our agreement with the UNL High Plains Climate Center.

It was moved by Brown and seconded by Hansen to pay the University of Nebraska High Plains Climate Center \$1,000 for maintenance of the Recharge Lake weather station for the period July 1, 2002 through June 30, 2003. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 28. GROUND WATER MANAGEMENT COALITION.

Staff reported on the status of the Ground Water Management Coalition. Because of current and pending litigation regarding Nebraska water law, the staff recommends that the District enter into the interlocal agreement to become a member of the Ground Water Management Coalition.

It was moved by Brown and seconded by Moore that the Upper Big Blue NRD enter into the Ground Water Management Coalition Interlocal Agreement; authorize an initial payment of \$10,000; authorize the General Manager to sign the Interlocal Agreement; and further, to designate the General manager as the District representative on the Board of Directors of the Nebraska Ground Water Management Coalition. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 29. EXECUTIVE COMMITTEE REPORT.

Regier reported that the Executive Committee met on June 12, 2003 and presented the committee's recommendations.

ITEM 30. LIABILITY INSURANCE RENEWAL.

The liability, fire and casualty insurance package is provided by INSPRO Insurance through York Insurance Agency. INSPRO writes insurance for over half of the districts, with Employers Mutual as the principal carrier. The renewal quote for the policy is \$44,522. The existing policy expires on July 1, 2003.

It was moved by Regier and seconded by Hansen to approve the renewal of the York Insurance and INSPRO package of liability, fire and casualty insurance for FY 2004 for \$44,522 and make payment to York Insurance. We approved the motion.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Houdersheldt

NAY: Dickinson, Nuss

NOT PRESENT: Austin, Volkmer

ITEM 31. PAYROLL DIRECT DEPOSIT.

Treasurer Gus Brown recommended that the District go to direct deposit of payroll. Staff researched the costs involved with Cornerstone Bank and our accounting firm, Mierau & Company. If the recommendation is approved, the NRD would provide the payroll data electronically to the accountant for review and processing. The NRD would continue to provide each employee with a pay stub each pay period. Deposits would be made into all employees accounts on the regularly scheduled payday for the month. The direct deposit will prevent lost checks or late deposits on checks. The cost to the district will be \$15.00 per month.

It was moved by Regier and seconded by Brown that the Upper Big Blue NRD use direct deposit

for all payroll, and that it be mandatory for all employees, effective with the pay period ending July 31, 2003. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

ITEM 32. FINANCIAL REPORT, MAY 1, 2003 THROUGH MAY 31, 2003, AND CONSIDERATION OF EXPENDITURES FOR MAY 2003.

Turnbull reviewed the financial report for the period May 1, 2003 through May 31, 2003 that we had distributed. It was moved by Jackson and seconded by Luebbe to accept the financial report for May 2003 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Austin, Volkmer

There being no other business the chairman 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 June 19, 2003, 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.

Gary Eberle, Secretary

:nds

BOARD OF DIRECTORS MEETING
July 17, 2003

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 17, 2003, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curt Friesen, Wayne Hansen, Roger Houdersheldt, James Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather and Bryan Euse, York NRCS. Acting Chairman, 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 of the board of directors' meeting July 3, 2003 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for roll call. Nuss arrived at 7:42 p.m. and Houdersheldt arrived at 9:05 p.m.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

Regier requested that he be excused from the July 17 and August 21, 2003 board meetings due to out-of-state travel.

It was moved by Volkmer and seconded by Austin to excuse the absence of Ken Regier from the July 17 and August 21, 2003 board of directors meetings as requested. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Nuss, Regier

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Austin and seconded by Brown to adopt the consent agenda. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe,

Moore, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Nuss, Regier

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Austin and seconded by Brown to approve the agenda for the July 17, 2003 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Nuss, Regier

ITEM 6. *APPROVAL OF MINUTES OF THE JUNE 19, 2003 BOARD OF DIRECTORS MEETING.

It was moved by Austin and seconded by Brown to approve the minutes of the June 19, 2003 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Nuss, Regier

ITEM 7. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Projects Committee met on July 8, 2003 and presented the committee's recommendations.

ITEM 8. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Bruns and seconded by Hansen that payment of \$3,047.74 be made on two applications for NRD land treatment program funds, as reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Nuss, Regier

ITEM 9. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Bruns and seconded by Volkmer that a payment of \$1,526.00 be made on one application for NSWCP land treatment program funds, as reviewed by the committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Nuss, Regier

ITEM 10. NEW LAND TREATMENT PROGRAM PRACTICES.

In June 2003, the Water Committee recommended that the Projects Committee consider amending the Land Treatment Program policy to include cost share on water meters and sprinkler irrigation systems. The Projects Committee considered the staff recommendation to include water meters and sprinkler irrigation systems (pivot and lateral move systems) as part of the NC-17 Irrigation Water Management group practices. The Projects Committee tabled the matter until their August meeting.

ITEM 11. PROGRESS PAYMENT ON LINCOLN CREEK PARKWAY PEDESTRIAN BRIDGE.

Construction on the Lincoln Creek Parkway pedestrian bridge is approximately 58% completed. Staff recommends payment of \$16,912.50 to Diamond Engineering for the work completed in June 2003.

It was moved by Bruns and seconded by Hansen that Diamond Engineering be paid \$16,912.50 and that \$1,691.25 (10 percent) be withheld as retainage. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Nuss, Regier

ITEM 12. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT.

Work has been completed on the phase one engineering and environmental assessment report for the Big Blue River flood protection levee at Seward. Final invoices for EA Engineering in the amount of \$3,993.35 and Johnson Appraisal Co. for \$300 have been submitted for work completed in June 2003. District staff engineering cost for the phase one report is \$21,067.92. Staff recommends that the invoices for EA Engineering and Johnson Appraisal be paid and that the District file claims in the amount of \$19,020.95 for the FEMA share and \$3,170.16 for the city

of Seward share.

It was moved by Bruns and seconded by Luebbe that the payments of \$3,993.35 to EA Engineering, Science and Technology, Inc. and \$300 to Johnson Appraisal, LLC, be made as final payments for their work on the levee system phase one report and that the District request reimbursement of \$19,020.95 from FEMA and \$3,170.16 from the city of Seward, including \$21,067.92 for District engineering staff costs, for work completed through June 2003 on the Big Blue River Flood Hazard Mitigation Project Levee System at Seward. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Eberle

NAY: None

NOT VOTING: Nuss

NOT PRESENT: Houdersheldt, Regier

ITEM 13. VILLAGE OF FAIRMONT INTERLOCAL AGREEMENT.

At the March 2003 and May 2003 Projects Committee meetings, representatives from the Village of Fairmont presented their plan to improve drainage within the Village. Lalit Jha, JEO Consulting Engineers for the Village, presented the detailed planning that has been done. Jackie Nichols, president of the Village Council, explained the need for drainage improvements and made a request that the NRD consider providing financial assistance to the Village. As requested by the District, the Village has submitted a time-line and budget for the project, and has provided the District with an estimate of construction cost per year. The Village estimates that project construction will be done over a period of five years, beginning in March 2004, and will be completed in August 2009. The total estimated construction cost is \$466,272.

In May 2003, the District agreed “. . . to provide inter-government cost share assistance to the Village of Fairmont for construction of drainage improvements to be constructed in accordance with the time-line, budget, and engineering plan presented by the Village and JEO Engineers, and that the District share project costs at the rate of 25% of actual expenditures, not to exceed \$117,000, subject to the Village agreeing to act as lead agency for the project and be responsible for operation and maintenance of completed facilities at their expense, and that the Village and District enter into an Interlocal Agreement for the project.”

Phase	Construction Period	Estimated Cost	Fairmont Share	NRD Share
1 & 2	03/04 to 04/05	\$110,272	\$82,704	\$27,568
3 & 4	05/06 to 08/09	\$356,000	\$267,000	\$89,000
Total		\$466,272	\$349,704	\$116,568

It was moved by Bruns and seconded by Hansen that the District enter into the Interlocal Agreement, as reviewed by the Village of Fairmont and Upper Big Blue Natural Resources District, and in accordance with the District's May 2003 authorization to provide inter-government cost share assistance to the Village, for construction of drainage improvements. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Regier

ITEM 14. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Education and Parks Committee met on July 8, 2003 and presented the committee's recommendations.

ITEM 15. CITY OF SUTTON COMMUNITY RESOURCES PROGRAM.

On May 22, 2003, the Upper Big Blue Natural Resources District Board of Directors voted to fund the planting of trees along Ash Street right-of-way in the City of Sutton. The total cost of the tree planting was \$1,729.82. The City of Sutton is only requesting cost-share for the Chanticleer Pear trees which cost \$959.88 total. We agreed to fund this project at 50% of the project cost not to exceed \$780.00.

It was moved by Luebbe and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment of \$479.94 to the City of Sutton for the planting of trees along Ash Street right-of-way in the City of Sutton. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Regier

ITEM 16. VILLAGE OF ULYSSES PARKS & RECREATION PROGRAM.

On February 20, 2003, the Upper Big Blue Natural Resources District Board of Directors voted to fund the tree and shrub planting around the well house at the Village of Ulysses in the amount of 25% of the estimated cost of \$1,100.00 not to exceed \$275.00. The final cost was \$809.92.

It was moved by Luebbe and seconded by Austin that the Upper Big Blue Natural Resources

District make payment of \$202.48 to the Village of Ulysses for the planting of trees and shrubs around the village well house located at 2nd & C Street in Ulysses, Nebraska. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Regier

ITEM 17. PLUM CREEK TRAIL PROGRESS PAYMENT TO A & R CONSTRUCTION COMPANY.

A & R Construction Company submitted a claim for the Plum Creek Hiking & Biking Trail Project for work completed from May 17 - June 15, 2003. Approximately 45% of the project is completed. The total amount earned by the contractor is \$19,026.14. As is customary the District will withhold 10% retainage in the amount of \$1,902.61, leaving a payment of \$17,123.53 to be made to A & R Construction Company.

	Department of Roads Share Claimed	NDOR Retainage Withheld	Department of Roads Share Paid	Game and Parks Share	City of Seward Share	Upper Big Blue NRD Share	Totals
CONSTRUCTION							\$746,866.20
Cost Share Not to exceed	n/a			n/a	n/a	\$37,000.00	
Previous payment requests	170,732.41	8,536.62	162,195.79	20,850.91	63,804.09	17,454.65	272,842.06
Current payment request # 9	10,102.89	1,010.29	9,092.60	7,020.64	0.00	0.00	17,123.53
Totals	180,835.30	9,546.91	171,288.39	27,871.55	63,804.09	17,454.65	289,965.59
						NRD Construction Funds Remaining	\$19,545.35
ENGINEERING							\$147,525.83
Cost Share Percentage						50%	
Cost Share Not to exceed	n/a			n/a	n/a	\$56,690.00	
Previous payment requests	71,751.38	3,587.58	68,163.80	0.00	29,845.96	36,550.05	138,147.39
Current payment request # 9	256.65	25.67	230.98	0.00	0.00	178.35	435.00
Totals	72,008.03	3,613.25	68,394.78	0.00	29,845.96	36,728.40	138,582.39
						NRD Engineering Funds Remaining	\$19,961.60
TOTALS							\$ 894,392.03

Cost Share percentages (planned)	59%			12%	20%	9%	
Cost Share percentages (to date)	59%			7%	22%	13%	
Not to exceed limits	\$500,000.00			\$100,000.00	n/a	\$93,690.00	
Previous payment requests	242,483.79	12,124.20	230,359.59	20,850.91	93,650.05	54,004.70	410,989.45
Current request Claim # 9	10,359.54	1,035.96	9,323.58	7,020.64	0.00	178.35	17,558.53
Totals	252,843.33	13,160.16	239,683.17	27,871.55	93,650.05	54,183.05	428,547.98
Construction & Engineering Remaining							465,844.05
Cost Share Funds Remaining	\$247,156.67			\$72,128.45	\$107,051.9	\$39,506.95	\$465,844.05

It was moved by Luebbe and seconded by Austin that the Upper Big Blue Natural Resources District make payment of \$19,026.14 to A & R Construction Company, and that \$1,902.61 be withheld as retainage, for the work completed May 17, 2003 to June 15, 2003 on the Plum Creek Hiking & Biking Trail located along Plum Creek east of Seward. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Eberle
 NAY: None
 NOT PRESENT: Houdersheldt, Regier

ITEM 18. PAYMENT TO GEOTECHNICAL SERVICES, INC.

Geotechnical Services, Inc. submitted a bill for \$435.00 for construction material testing done on the Plum Creek Trail pedestrian bridges for the period from May 25, 2003 to June 28, 2003.

It was moved by Luebbe and seconded by Hansen that the Upper Big Blue Natural Resources District make payment to Geotechnical Services, Inc. for the amount of \$435.00 for the material testing done on the Plum Creek Trail pedestrian bridges from May 25, 2003 to June 28, 2003. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Eberle
 NAY: None
 NOT PRESENT: Houdersheldt, Regier

ITEM 19. NEBRASKA DEPARTMENT OF ROADS LAND ACQUISITION AT RECHARGE LAKE.

The Nebraska Department of Roads is in the process of purchasing right-of-way for the construction of the York bypass. The Nebraska Department of Roads offered to purchase .21 of

an acre for road right-of-way adjacent to the southeast entrance to Recharge Lake. The land is located in Irregular Tract 22 in the S ½ NE ¼ of Section 2, Township 10 North, Range 3 West of the 6th P.M., York County, Nebraska.

It was moved by Luebbe and seconded by Teegerstrom that the Upper Big Blue Natural Resources District accept the offer of \$345.00 from the Nebraska Department of Roads for the purchase of .21 of an acre and a temporary easement on .15 of an acre and a small wooden sign which are all located in Irregular Tract 22 in the S ½ NE ¼ of Section 2, Township 10 North, Range 3 West of the 6th P.M., York County, Nebraska. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Regier

The Nebraska Department of Roads requires the Upper Big Blue Natural Resources District to sign documents such as the Warranty Deeds and Acquisition Contract, as well as to adopt the following Resolution.

RESOLUTION

BE IT RESOLVED, that Roger Houdersheldt, Chairman and Gary Eberle, Secretary of the Upper Big Blue NRD are hereby authorized and directed for, and on behalf of the Board of Directors, to execute all necessary documents to convey title to corporate property for highway purposes to the State of Nebraska, Department of Roads.

I further certify that the Board of Directors of the Upper Big Blue Natural Resources District has, and at the time of the adoption of said resolution, had full power and lawful authority to adopt the foregoing resolution and to confer the powers therein granted to the persons named who have full power and authority to exercise the same.

Duly executed this 17th day of July 2003.

It was moved by Luebbe and seconded by Austin that the Upper Big Blue Natural Resources District adopt the Resolution and authorize the Chairman of the Board of Directors to sign the necessary documents to complete the land transactions between the Upper Big Blue Natural Resources District and the Nebraska Department of Roads pertaining to the lands located in Irregular Tract 22 in the S ½ NE ¼ of Section 2, Township 10 North, Range 3 West of the 6th P.M., York County, Nebraska. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Regier

ITEM 20. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on July 10, 2003 and presented the committee's recommendations.

ITEM 21. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Austin and seconded by Brown to approve cost-share payments for eleven well abandonments, as reviewed by the committee, totaling \$3,733.05. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Eberle

NAY: None

NOT VOTING: Buller

NOT PRESENT: Houdersheldt, Nuss, Regier

ITEM 22. CONFINED AQUIFER STUDY.

It was moved by Brown and seconded by Austin to pay the University of Nebraska \$3,272.00 for the work done from March 1 to May 31, 2003 on the phase I study of confining aquifer conditions. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Regier

ITEM 23. SOURCE WATER PROTECTION GRANT.

The staff reported that the Department of Environmental Quality has issued a request for proposals for a source water protection grant. The RFP indicates that the projects must address quality, quantity and/or security of public water supplies. The staff has sent an inquiry to several communities and other interested parties to see if a project can be developed in this area. One possibility would be part of phase II of the confined aquifer study. The staff has contacted the Village of Shelby. There appears to be some interest. Unfortunately, applications must be submitted by August 13. The committee directed the staff to pursue the grant for the confined aquifer research.

ITEM 24. JULIANA BOHLKE LATE WELL PERMIT.

Fairbanks Irrigation Inc. drilled a well this spring for Juliana Bohlke in the NW1/4 of Section 34-T8N-R9W, Adams County. According to a representative of Fairbanks Irrigation, the tenant was to take the completed application to the landlord for signature and then submit it to the NRD. The driller discovered that it didn't get done when completing the registration. Fairbanks have paid the \$250 late fee and the well does not violate any other regulations.

It was moved by Brown and seconded by Austin that the District approve the late permit for a well owned by Juliana Bohlke in the NW1/4 of Section 34-T8N-R9W, Adams County. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Regier

ITEM 25. RICHARD LABRIE LATE WELL PERMIT.

Last fall and winter the staff identified the location of wells in the area of the district that could be affected by the Platte River Agreement. An unregistered/unpermitted well was found in the NE1/4 of Section 2-T9N-R8W. According to the current owner, the well was drilled in 1981 or 1982. The current owner's father, Glen LaBrie, purchased the land in 1988. Mr. LaBrie has requested that the late permit fee be waived.

It was moved by Brown and seconded by Volkmer that the District waive the late permit fee and authorize the staff to approve a late permit for a well owned by Richard LaBrie in the NE1/4 of Section 2-T9N-R8W, Hamilton County. We approved the motion.

AYE: Brown, Bruns, Buller, Dickinson, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Eberle

NAY: Austin, Friesen

NOT PRESENT: Houdersheldt, Regier

ITEM 26. EXECUTIVE COMMITTEE REPORT.

Brown reported that the Executive Committee met on July 10, 2003 and presented the committee's recommendations.

ITEM 27. *SECOND QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Austin and seconded by Brown to approve payment of second quarter directors' per diem of \$10,010.00 and expenses of \$2,229.92. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Nuss, Regier

ITEM 28. FY2004 SALARIES.

Turnbull reviewed the July 2003 Salary Classifications & Salary Survey Report with the board. Based on this information, Turnbull recommends that two Upper Big Blue NRD job classifications increase from 1% to 5% depending on the job market, but that the rest remain the same as last year. The salary schedules set the minimum, midpoint, and maximum for each position. Individual salaries and wages are set within those limits.

It was moved by Brown and seconded by Hansen to approve the changes in the midpoints of the salary schedules as listed to stay in line with the job market, and that such changes and adjusted salary schedules are retroactive to July 1, 2003. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Eberle

NAY: None

NOT PRESENT: Houdersheldt, Regier

Turnbull recommended that the board authorize \$14,720 for salary increases for the staff, which is an overall change of 2.75%. The change for last year was 3.5% or \$17,827.

It was moved by Brown and seconded by Hansen to adjust the annual salaries, effective July 1, 2003, of the District staff, with the exception of the General Manager, by an amount not to exceed \$14,720; and to authorize the General Manager to determine and make the salary and wage adjustments, in accordance with the Operating Policy. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Regier

It was moved by Brown and seconded by Hansen to increase the General Manager's salary 3.0% (from \$75,555 to \$77,822), effective July 1, 2003.

It was moved by Moore and seconded by Luebbe to go into Executive Session at 9:17 p.m. for the purpose of discussing the General Manager's salary. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Regier

It was moved by Moore and seconded by Hansen to go back into regular session at 9:42 p.m. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Regier

The motion to increase the general managers salary was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Moore, Nuss, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Luebbe, Volkmer

NOT PRESENT: Regier

ITEM 29. LOWER BIG BLUE NRD SALARIES REIMBURSEMENT.

A bill for \$4,274.48 was submitted by the Lower Big Blue NRD for salaries for the Saline County NRCS clerk and part time technician work for the past 12 months ended June 30, 2003.

It was moved by Brown and seconded by Hansen to approve payment of \$4,274.48 to the Lower Big Blue NRD for NRCS office salaries for FY2003 (July 1, 2002 - June 30, 2003). The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Teegerstrom, Volkmer

NAY: Austin, Houdersheldt

NOT PRESENT: Regier

ITEM 30. BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT.

Austin reported that the Budget, Planning & Legislative Committee met July 15, 2003 and reviewed the committee recommendations.

ITEM 31. FISCAL YEAR 2004 BUDGET.

It was moved by Austin and seconded by Bruns to schedule the FY 2004 Budget Hearing for 7:30 p.m., Thursday, August 20, 2003 and further to schedule a Special Hearing for the FY 2004 Tax Request for 7:30 p.m., Thursday, September 18, 2003. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Regier

It was moved by Austin and seconded by Bruns to adopt the FY2004 Budget for the purpose of public hearing.

Turnbull reviewed the proposed FY 2004 Budget, including the computations for the lid limit, interlocal agreements and capital expenditures.

At their July 15 meeting the Budget Committee instructed the General Manager to prepare estimated costs for NRD to take over design and inspection of both the NRD and NSWCP land treatment programs. Turnbull and Bitner reviewed the information provided to the Projects Committee for consideration in April and reviewed Turnbull's updated summary. It was estimated that it would cost between \$211,00 and \$225,000 per year, including overhead, to hire three additional full time and one part time NRD technicians and to increase the part time secretary to full time here in the NRD office. This estimate does not include any changes to the current field office clerks' positions. If the NRD decided not to fund field office clerks in Fillmore, Hamilton, Polk, Seward and York Counties the estimated cost would be between \$135,000 and \$148,000 per year.

Buller wanted to know if we used the \$135,000 - \$148,000 cost estimate and took the \$50,000 proposed transfer to the sinking fund and the \$5,000 budgeted for the Platte River economic study and applied them to the estimate what percent increase we would be looking at. Turnbull estimated it would be roughly a 7-8% tax increase.

Moore said despite the lack of work being done by NRCS staff on the districts land treatment program, due to federal programs such as EQIP, CREP, etc., he questioned the advisability of adding additional staff when we may be faced with water shortage problems in the near future and the costs of implementing programs to manage those problems.

Bryan Euse, Liaison District Conservationist at the York NRCS, reviewed the current workload for NRCS staff. He said that since he started work on May 5 he has spent 70-80 percent of his time on EQIP. Bryan feels that the EQIP program and the NRD and NSWCP land treatment programs need to work together. Many landowners are currently waiting to find out if they will receive EQIP funding before signing up for the NRD or NSWCP cost-share programs. Bryan

also said that when he had worked with other NRDs in the past it was not necessary for the cost-share practices to be designed before they were submitted to the NRD and before funding would be authorized. In his opinion this requirement is partly responsible for the slow down in the appropriation of land treatment funds. There was some discussion about design requirements and ways to streamline the design process. Bryan suggested that he meet with John and Jay and discuss possible solutions to get the necessary work done.

Turnbull said that even though Bryan has only been here a short time he has some good ideas he wants to try and implement in the field offices. We are also still waiting to hear the outcome of the technical service providers and competitive outsourcing bidding. Turnbull suggested that we leave things as they are for now and that he and Jay work with Bryan to streamline the processes to make them work better.

The motion to adopt the FY 2004 Budget for public hearing was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Regier

It was moved by Austin and seconded by Hansen to approve an increase in the total budgeted restricted funds authority by an additional 1%. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Houdersheldt

NAY: Volkmer

NOT PRESENT: Regier

ITEM 32. FINANCIAL REPORT, JUNE 1, 2003 THROUGH JUNE 30, 2003, AND CONSIDERATION OF EXPENDITURES FOR JUNE 2003.

Turnbull reviewed the financial report for the period June 1, 2003 through June 30, 2003 that we had distributed. It was moved by Hansen and seconded by Austin to accept the financial report for June 2003 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Regier

There being no other business the chairman adjourned the meeting at 11:00 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on July 17, 2003, 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.

Gary Eberle, Secretary

:nds

**BOARD OF DIRECTORS MEETING
AND
FY 2004 BUDGET HEARING
August 21, 2003**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 21, 2003, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Doug Dickinson, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Rod DeBuhr, Marie Ebel, Russ Gierhart, Bryan Euse, York NRCS, Ken Franzen, Hastings NRCS, Pam Norquest, Sandra Browitt, Boyd Miller, Brian White, Vanee Holtmeier, Stan Johnson, Jim Green, Pam Aulrich, Frank A. Aulrich and Art Hovey, Lincoln Journal Star. Houdersheldt called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting August 7, 2003 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Thirteen directors were present for roll call. Volkmer arrived at 7:40 p.m.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

The Chairman received requests from Buller, Eberle and Regier for excused absences from the August 21, 2003 Board of Directors meeting.

It was moved by Brown and seconded by Teegerstrom to excuse the absence of Steve Buller, Gary Eberle and Ken Regier from the August 21, 2003 board of directors meetings as requested.
The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss,
Teegerstrom, Houdersheldt

NAY: Friesen

NOT PRESENT: Buller, Eberle, Regier, Volkmer

Chairman Houdersheldt appointed Jim Jackson to act as Secretary in Eberle's absence.

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Brown and seconded by Hansen to adopt the consent agenda. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore,
Nuss, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier, Volkmer

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Brown and seconded by Hansen to approve the agenda for the August 21, 2003 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore,
Nuss, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier, Volkmer

ITEM 6. *APPROVAL OF MINUTES OF THE JULY 17, 2003 BOARD OF DIRECTORS MEETING.

It was moved by Brown and seconded by Hansen to approve the minutes of the July 17, 2003 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore,
Nuss, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier, Volkmer

ITEM 7. FY 2004 BUDGET HEARING.

Chairman Houdersheldt opened the budget hearing at 7:37 p.m. He informed those present that the Notice of Budget Hearing and Budget Summary was published in the York News-Times on August 6, 2003 for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the District's FY 2004 Budget. Houdersheldt appointed the General Manger, John Turnbull, to act as Hearing Officer and to present the proposed FY 2004 Budget.

Turnbull reviewed the 2003-2004 State of Nebraska NRD Budget Form and advised the board that no changes have been made to the document since the board approved it for the purpose of public hearing. The total property tax request is \$1,277,733.15. Total funds available are \$3,559,990.95 and operating expenses are \$1,309,981.87. Capital improvements including sinking fund are \$2,030,709.08 and other capital outlay of \$19,300. Total disbursements are \$3,359,990.95 with a \$200,000 cash reserve. The tax needed is \$1,205,408.63 plus 1 percent County Treasurers' Commission of \$12,054.09 and 5 percent delinquent tax allowance of \$60,270.43 for a total of \$1,277,733.15.

Turnbull asked if there were any questions or comments. There were none. Houdersheldt closed the hearing at 7:50 p.m.

ITEM 8. ADOPT FY 2004 BUDGET.

It was moved by Austin and seconded by Moore to adopt the FY 2004 Budget, as presented. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier

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

Bruns reported that the Projects Committee met on August 12, 2003 and presented the committee's recommendations.

ITEM 10. VILLAGE OF McCOOL JUNCTION DRAINAGE IMPROVEMENTS.

Stan Johnson with Miller & Associates presented his firm's plan to improve drainage within the Village of McCool. The Village of McCool is requesting that the NRD provide financial assistance for the drainage improvement project. The total estimated project cost is \$486,200 which includes street paving, stormwater drainage, and project administration. The Village has obtained a \$249,600 Community Development Block Grant from the State. The engineer's estimate of project cost is shown in the table below.

Item	CDBG Grant	Local Share	Total Cost
Street Paving	\$60,000	\$60,000	\$120,000
Stormwater Drainage	\$176,600	\$176,600	\$353,200

Project Administration	\$13,000	\$0	\$13,000
Total	\$249,600	\$236,600	\$486,200

It was moved by Bruns and seconded by Luebbe that the District provide inter-government cost share assistance to the Village of McCool Junction for construction of drainage improvements to be constructed in accordance with the time-line, budget, and engineering plan presented by the Village and Miller & Associates Engineers, and that the District's share of project cost be 25% of actual expenditures for the local share of the stormwater drainage component, and that the District's share of cost not become due before July 1, 2004, subject to the Village agreeing to enter into an interlocal agreement with the District and act as lead agency for the project and be responsible for operation and maintenance of completed facilities at the Village's expense.

Volkmer expressed concern that a maximum dollar limit on NRD cost share wasn't stated in the motion. Twenty-five percent of the local share of the stormwater drainage component would be \$44,150. The figures provided for the project are only estimates and could increase and Volkmer felt we needed to put a limit on the financial assistance the NRD would be expected to contribute.

It was moved by Volkmer and seconded by Hansen to amend the motion to read "... and that the District's share of project cost be 25% of actual expenditures, not to exceed \$44,150, for the local share of the stormwater drainage component."

It was moved by Austin and seconded by Moore to amend the amendment to say not to exceed \$50,000. The amendment was approved.

AYE: Austin, Brown, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Houdersheldt

NAY: Bruns, Teegerstrom, Volkmer

NOT PRESENT: Buller, Eberle, Regier

The question was called on the amendment. The amendment was approved, as amended.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt,

NAY: None

NOT PRESENT: Buller, Eberle, Regier

The question was called on the original motion as amended to read "That the District provide inter-government cost share assistance to the Village of McCool Junction for construction of drainage improvements to be constructed in accordance with the time-line, budget, and engineering plan presented by the Village and Miller & Associates Engineers, and that the District's share of project cost be 25% of actual expenditures, not to exceed \$50,000, for the local

share of the stormwater drainage component, and that the District's share of cost not become due before July 1, 2004, subject to the Village agreeing to enter into an interlocal agreement with the District and act as lead agency for the project and be responsible for operation and maintenance of completed facilities at the Village's expense." The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore,
Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier

ITEM 11. LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Bruns and seconded by Dickinson that payment of \$3,820.53 be made on 4 applications for NSWCP land treatment program funds, as reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore,
Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier

ITEM 12. NEW LAND TREATMENT PROGRAM PRACTICES.

In June 2003, the Water Committee recommended that the Projects Committee consider amending the Land Treatment Program policy to include cost share on water meters and sprinkler irrigation systems. At the July 2003 meeting, the Projects Committee considered a recommendation to include water meters and sprinkler irrigation systems (pivot and lateral move systems) as part of the NC-17 Irrigation Water Management practices. The Committee tabled this item until their August meeting. At the August Projects Committee meeting the item was removed from the table and forwarded to the board for approval with recommended changes.

It was moved by Bruns and seconded by Dickinson that the Land Treatment Program policy be amended in accordance with staff recommendations to include cost share for water meters and sprinkler irrigation systems.

It was moved by Brown and seconded by Volkmer to divide the question to vote separately on the matter of cost share for water meters and sprinkler irrigation systems. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Joseph, Luebbe, Moore, Teegerstrom

NAY: Jackson, Nuss, Houdersheldt

NOT VOTING: Volkmer

NOT PRESENT: Buller, Eberle, Regier

ITEM 12a. LAND TREATMENT PROGRAM COST SHARE ON WATER METERS.

The motion being considered “That the Land Treatment Program policy be amended in accordance with staff recommendations to include cost share for water meters.”

Friesen questioned cost sharing for water meters when, because of the declining water table, meters may soon become mandatory in the UBBNRD. He wanted to know if all land owners would be entitled to cost share on meters, or just a select few would get the cost share funds. He stated that water meters don't save water unless used as a management tool to schedule irrigation. Currently the NRD requires water use reporting for all NC-17 practices for a three-year period. Friesen suggested that if we cost share on water meters we might want to consider requiring an Irrigation Management Short Course instead of reporting data for three years.

Dickinson asked what the maximum cost share amount was on water meters and the maximum cost share if the person applied for more than one meter. Bitner stated the maximum cost share per meter is \$600 and the total maximum cost share for any NC-17 practice, or combination of practices, is \$5,000.

It was moved by Friesen and seconded by Brown to limit cost share to one water meter per landowner per year.

Dickinson didn't want to see the cost share on meters be limited to just landowners. He felt the operator should be able to get cost share funds as well. There was some discussion about how the cost share limits would apply to landowners and operators. Friesen said he wanted to spread the cost share money out to as many individuals as possible, and not have a landowner get cost share on four or five meters.

Bitner advised the board that according to the committee recommendation either the landowner or operator could apply for NRD cost share funds on NC-17 practices. However, under the state program only the landowner may apply for NSWCP cost share funds, unless special approval is given by the NDNR. Bitner suggested that if the intent of the amendment is to limit the number of meters that an applicant could receive, it would be better to limit the cost share to one meter per year and not specify whether the applicant is the landowner or operator.

The question was called on the amendment. The amendment failed.

AYE: Austin, Brown, Friesen, Joseph, Luebbe, Volkmer

NAY: Bruns, Dickinson, Hansen, Jackson, Moore, Nuss, Teegerstrom, Houdersheldt

NOT PRESENT: Buller, Eberle, Regier

The question was called for on the motion. The motion was approved.

AYE: Brown, Bruns, Dickinson, Hansen, Jackson, Joseph, Moore, Nuss
NAY: Austin, Friesen, Luebbe, Teegerstrom, Volkmer, Houdersheldt
NOT PRESENT: Buller, Eberle, Regier

ITEM 12b. LAND TREATMENT PROGRAM COST SHARE ON SPRINKLER IRRIGATION SYSTEMS.

The motion being considered “That the Land Treatment Program policy be amended in accordance with staff recommendations to include cost share for sprinkler irrigation systems.”

Hansen asked whether we would cost share on used pivots. Bitner said according to the Land Treatment Program guidelines we do not cost share on used equipment. Someone asked whether that was a state policy for NSWCP funds or an NRD policy. Bitner informed them that it applies to both, since we have always followed the state guidelines. He also pointed out that pivot and lateral move sprinklers are not eligible for NSWCP cost share. If we approve the amendment to the NC-17 practices, cost share on sprinkler irrigation systems would be paid from NRD funds.

The question was called for. The motion was approved.

AYE: Friesen, Hansen, Joseph, Luebbe, Moore, Nuss, Volkmer, Houdersheldt
NAY: Austin, Brown, Bruns, Dickinson, Jackson, Teegerstrom
NOT PRESENT: Buller, Eberle, Regier

ITEM 13. LINCOLN CREEK PARKWAY PEDESTRIAN BRIDGE PAYMENT.

Construction on the Lincoln Creek Parkway pedestrian bridge is approximately 67% completed. Staff recommends payment of \$8,080 (\$808 of which is to be withheld as retainage) to Diamond Engineering for work completed in July 2003.

It was moved by Bruns and seconded by Luebbe that Diamond Engineering be paid \$8,080, \$808.00 (10%) of which is to be withheld as retainage, for construction work completed in July 2003 on the Lincoln Creek Parkway pedestrian bridge in Aurora, in accordance with the construction contract. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Teegerstrom, Volkmer, Houdersheldt
NAY: None
NOT PRESENT: Buller, Eberle, Moore, Regier

ITEM 14. BOARD ACTION ON IRRIGATION RUNOFF COMPLAINT.

Following the formal hearing in the matter of Hinrichs vs. Aulrich, staff presented the following

cease and desist order for the board's consideration.

WHEREAS, a complaint was filed against Franklin A. Aulrich on July 17, 2003 by Lyndell Hinrichs, alleging that irrigation runoff was occurring from the SE 1/4 of Section 27, Township 8 North, Range 9 West, Adams County.

WHEREAS, Chapter 46-656.11 of the Nebraska Revised Statutes, grants the Upper Big Blue Natural Resources District the authority and responsibility to control or prohibit surface runoff of water derived from ground water irrigation, and:

WHEREAS, the District has adopted District Rule 4 for the enforcement of said statute, and:

WHEREAS, a formal adjudicatory hearing was held on August 21, 2003, in accordance with District Rule 3, in the matter of this complaint, and:

WHEREAS, the evidence presented at said hearing clearly shows that Franklin A. Aulrich did, on July 17, 2003 allow irrigation runoff from ground water irrigation to occur, in violation of 46-656.11 N.R.S. and District Rule 4.

NOW THEREFORE BE IT RESOLVED THAT the Upper Big Blue Natural Resources District Board of Directors hereby orders Franklin A. Aulrich to cease and desist from allowing irrigation runoff to continue from the SE 1/4 of Section 27, Township 8 North, Range 9 West, Adams County, and

BE IT FURTHER RESOLVED THAT Franklin A. Aulrich submit a Schedule of Compliance in accordance with the District Rule 4, Chapter 10 and that said schedule include permanent structural measures to prevent irrigation runoff in the future, and:

BE IT FURTHER RESOLVED THAT the required measures to prevent future irrigation runoff shall be in place and functional not later than June 15, 2004.

THE UPPER BIG BLUE NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS adopts and approves this CEASE AND DESIST ORDER on August 21, 2003.

It was moved by Austin and seconded by Brown to adopt the resolution as follows:

WHEREAS, a complaint was filed against Franklin A. Aulrich on July 17, 2003 by Lyndell Hinrichs, alleging that irrigation runoff was occurring from the SE 1/4 of Section 27, Township 8 North, Range 9 West, Adams County.

WHEREAS, Chapter 46-656.11 of the Nebraska Revised Statutes, grants the Upper Big Blue Natural Resources District the authority and responsibility to control or prohibit surface runoff of

water derived from ground water irrigation, and:

WHEREAS, the District has adopted District Rule 4 for the enforcement of said statute, and:

WHEREAS, a formal adjudicatory hearing was held on August 21, 2003, in accordance with District Rule 3, in the matter of this complaint, and:

WHEREAS, the evidence presented at said hearing clearly shows that Franklin A. Aulrich did, on July 17, 2003 allow irrigation runoff from ground water irrigation to occur, in violation of 46-656.11 N.R.S. and District Rule 4.

NOW THEREFORE BE IT RESOLVED THAT the Upper Big Blue Natural Resources District Board of Directors hereby orders Franklin A. Aulrich to cease and desist from allowing irrigation runoff to continue from the SE 1/4 of Section 27, Township 8 North, Range 9 West, Adams County.

Turnbull advised that the last paragraph which reads “THE UPPER BIG BLUE NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS adopts and approves this CEASE AND DESIST ORDER on August 21, 2003.” needs to be included in the motion. With the approval of the second the paragraph was added to the motion.

Houdersheldt asked if the paragraph which reads “BE IT FURTHER RESOLVED THAT the required measure to prevent irrigation runoff shall be in place and functional not later than June 15, 2004” wasn’t needed as well. Austin didn’t wish to include it.

DeBuhr said that if the board doesn’t want to make it mandatory at this time for Mr. Aulrich to have to put in permanent structural measures he would suggest they adopt the cease and desist order as it was proposed, but strike the words ‘permanent structural’ from the order. He explained that according to the District’s Rule 4, if the board issues a cease and desist order, a schedule of compliance is required.

It was moved by Moore and seconded by Dickinson to amend the motion to include the following: “BE IT FURTHER RESOLVED THAT Franklin A. Aulrich submit a Schedule of Compliance in accordance to the District Rule 4, Chapter 10 and that said schedule include measures to prevent irrigation runoff in the future, and; BE IT FURTHER RESOLVED THAT the required measures ro prevent future irrigation runoff shall be in place and functional no later than June 15, 2004.” The amendment was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller, Eberle, Regier

The question was called on the motion, as amended. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore,
Nuss, Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller, Eberle, Regier

**ITEM 15. REPORT OF EDUCATION AND PARKS COMMITTEE AND
CONSIDERATION OF RECOMMENDATIONS.**

Luebbe reported that the Education and Parks Committee met on August 12, 2003 and presented the committee's recommendations.

**ITEM 16. PAYMENTS TO A & R CONSTRUCTION COMPANY FOR PLUM
CREEK HIKING & BIKING TRAIL.**

A & R Construction Company submitted a claim for the Plum Creek Hiking & Biking Trail Project for the work completed from July 1, 2003 to July 16, 2003. The total amount earned by the contractor was \$55,863.55. The District withheld 10% retainage in the amount of \$5,586.36 leaving a payment of \$50,277.19 to be made to A & R Construction Company. This is a semimonthly payment made by the General Manager and requires no board action.

A & R Construction Company submitted a second claim for work completed from July 17, 2003 to July 31, 2003. The total earned by the contractor was \$40,301.62. The District withheld 10% retainage in the amount of \$4,030.16 leaving a payment of \$36,271.46 to A & R Construction.

It was moved by Luebbe and seconded by Volkmer that the Upper Big Blue Natural Resources District approve a payment of \$40,301.62 to A & R Construction Company, and that \$4,030.16 be withheld as retainage, for the work completed from July 17, 2003 to July 31, 2003 on the Plum Creek Hiking & Biking Trail located along Plum Creek east of Seward. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore,
Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier

ITEM 17. PAYMENT TO GEOTECHNICAL SERVICES, INCORPORATED.

Geotechnical Services, Inc. submitted a bill for \$555.00 for construction material testing on the Plum Creek Trail.

It was moved by Luebbe and seconded by Hansen that the Upper Big Blue Natural Resources District make payment to Geotechnical Services, Inc. for the amount of \$555.00 for the material testing done on the Plum Creek Trail from June 29, 2003 to July 26, 2003. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier

ITEM 18. CORNERS FOR WILDLIFE PROGRAM FY 2004.

It was moved by Luebbe and seconded by Volkmer that the Upper Big Blue NRD participate in the Corners for Wildlife Program in FY 2004. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier

ITEM 19. PHEASANTS FOREVER.

Pete Berthelsen, Regional Biologist for Pheasants Forever, contacted the District about providing labor and materials to plant 250 trees or shrubs within the Upper Big Blue NRD. The recipient would be recommended by a Pheasants Forever Chapter within the District boundaries.

It was moved by Luebbe and seconded by Volkmer that the Upper Big Blue Natural Resources District provide 250 trees, shrubs and planting to the Pheasants Forever organization for the benefit of wildlife within the Upper Big Blue Natural Resources District boundaries. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier

ITEM 20. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on August 14, 2003 and presented the committee's recommendations.

ITEM 21. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Brown and seconded by Hansen to approve cost-share payments for eleven well abandonments, as reviewed by the committee, totaling \$3,613.73. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier, Volkmer

ITEM 22. AQUIFER QUALITY WELL ABANDONMENT COST SHARE ASSISTANCE PROGRAM ELIGIBILITY CLARIFICATION.

The current program policy for AQWACAP provides that the program is to follow the same criteria as the NRD's policy on other cost-share programs. Under NRD policy, municipalities are not eligible for land treatment cost-share so it has been the policy that municipalities are not eligible for AQWACAP cost-share. It was recently brought to the staff's attention that neighboring NRDs do cost-share on municipal wells. After reviewing the requirement of eligibility to receive state water well decommissioning funds, it appears the NRDs cannot exclude any category of wells from their decommissioning program.

The staff recommends that the District amend the AQWACAP program to clarify that cost-share assistance is available to all categories of wells.

It was moved by Brown and seconded by Hansen that the District amend the AQWACAP program to clarify that cost-share assistance is available to all categories of wells. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier

ITEM 23. USGS RECORDER WELL JOINT FUNDING AGREEMENT.

The US Geological Survey joint funding agreement for the operation and maintenance of the recorder wells at Aurora, Burress, Rising City and Seward is due for renewal. The total cost is \$3,360 to be divided 50/50 with USGS. The NRD's share would be \$1,680. Last year the cost to the NRD was \$1,600.

It was moved by Brown and seconded by Jackson that the District approve the joint funding

agreement with the US Geological Survey for Fiscal Year 2004 for the operation and maintenance of the Aurora, Burress, Rising City and Seward recorder wells. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore,
Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier

ITEM 24. EXECUTIVE COMMITTEE REPORT.

Brown reported that the Executive Committee met on August 14, 2003 and presented the committee's recommendations.

ITEM 25. COHYST PAYMENT.

The Central Platte NRD submitted an invoice for the annual payment of \$15,666.67 for the COHYST (Cooperative Hydrology Study).

It was moved by Brown and seconded by Austin to approve payment of \$15,666.67 to the Central Platte NRD for the Cooperative Hydrology Study. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore,
Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier

ITEM 26. FISCAL YEAR 2004 NARD DUES.

The District received an invoice for \$15,730 from the Nebraska Association of Resources Districts for fiscal year 2004 dues. There was no increase from last year's dues.

It was moved by Brown and seconded by Hansen to approve payment of \$15,730.00 to the Nebraska Association of Resources Districts for FY 2004 dues and special assessment. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore,
Nuss, Teegerstrom, Houdersheldt

NAY: Volkmer

NOT PRESENT: Buller, Eberle, Regier

ITEM 27. SALARY REIMBURSEMENTS.

Lower Platte North NRD submitted an invoice for \$5,525.68 for the Butler County NRCS clerk's salary for the past six months and \$182.04 for 19 hours of technician time for a total of \$5,707.72. An invoice totaling \$5,424.13 was received for salaries for the Adams County NRCS Clerk (\$1,183.52) and Clay County NRCS Clerk (\$4,240.61).

It was moved by Brown and seconded by Hansen to approve payments of \$5,707.72 to the Lower Platte North NRD for NRCS office salaries for half of FY 03 (January 1 to June 30, 2003) and \$5,424.13 to the Little Blue NRD for NRCS office salaries for FY 03 (July 1, 2002 to June 30, 2003). The motion was approved.

AYE: Brown, Bruns, Dickinson, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer

NAY: Austin, Friesen, Houdersheldt

NOT PRESENT: Buller, Eberle, Regier

ITEM 28. ATTORNEY'S FEES.

It was moved by Brown and seconded by Austin to approve payment of \$150.00 to Crosby Guenzel LLP, for Steve Seglin's work through July, 2003. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier

ITEM 29. NARD FALL CONFERENCE VOTING DELEGATE AND ALTERNATE.

The Committee recommendation was to appoint Doug Dickinson as the voting delegate and Yvonne Austin as the alternate for the fall NARD Conference. Austin said she would be unable to attend the conference and asked that her name be withdrawn.

It was moved by Brown and seconded by Hansen to appoint Doug Dickinson as the NARD Voting Delegate and let Dickinson appoint the Alternate for the fall NARD conference. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier

ITEM 30. STAFF REORGANIZATION.

Turnbull is recommending that the two vacant public information positions be eliminated and two new positions be created, and that the budget for public information be split between Administration and the Water Department.

One of the new positions would be a Public Relations Specialist that would report right to the General Manager. The job would entail the promotion of the District's programs through public contacts, presentations, and publications. The responsibilities would be to coordinate and conduct information and education programs and activities and advise the General Manager on public relations matters.

The other new position would be a Conservationist in the Water Department. It would be much like an extension agent's work, only concentrating on water and water quality. The job would be to conduct the water quality training sessions, and advise farm owners and operators on irrigation water management and practices, as well as, other land treatment conservation programs. The job would include a lot of one on one work with farm operators, as well as group presentations. The individual would not be a technician and would not be expected to design or layout practices, but rather to coordinate between the farmer and our staff or other agencies.

Neither position would be an entry level job. Marketing of the District programs, as well as promotion of the Board of Director's philosophies, would be of prime importance.

The Executive Committee discussed the immediate need for changing the direction of the District's public relations efforts. The committee also discussed the projected workload of the Water Department with the implementation of ground water quantity regulations on top of the Phase II work of the ground water quality management area. The importance of a conservationist dealing with water users was pointed out.

Turnbull presented a Staff Organization Chart with proposed changes to streamline the organization. The office is shown in a true support role, rather than a separate department. The public relations effort is absorbed into Administration and the Water Department.

The question was asked about committee structure reorganization to match the new staff organization. Turnbull presented a draft committee structure which streamlines the committees. The Budget and Legislative Committee functions would be handled by a strengthened Executive Committee. The forestry, parks, and wildlife functions of the Ed and Parks Committee would be picked up by the Projects Committee. The general public information functions would be overseen by the Executive Committee, while the conservation position would fall under the Water Committee. The new structure would have three committees: Executive, Projects & Programs, and Water & Regulations. If the Board decision is to reorganize the committees, Operating Policies 14, 15 & 16 will need to be amended in the near future to reflect those changes.

It was moved by Brown and seconded by Austin that the staff reorganization be approved with

the creation of a Public Relations Specialist position and a Conservationist position, in place of the current Public Information Specialist and Public Information Department Manager; and that the reorganization be effective September 1, 2003. Further, that the Board Committees be reorganized into an Executive Committee, Projects & Programs Committee, and a Water & Regulations Committee, effective January 1, 2004.

Moore requested that since this motion would effect existing district policy it be held over for 30 days.

ITEM 31. FINANCIAL REPORT, JULY 1, 2003 THROUGH JULY 31, 2003, AND CONSIDERATION OF EXPENDITURES FOR JULY 2003.

Turnbull reviewed the financial report for the period July 1, 2003 through July 31, 2003 that we had distributed. It was moved by Hansen and seconded by Dickinson to accept the financial report for July 2003 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle, Regier, Volkmer

There being no other business the chairman adjourned the meeting at 10:58 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 21, 2003, 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.

Gary Eberle, Secretary

:nds

**BOARD OF DIRECTORS MEETING
AND
FY 2004 PROPERTY TAX REQUEST HEARING
September 18, 2003**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 18, 2003, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Doug Dickinson, Gary Eberle, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Rod DeBuhr, Russ Gierhart, Bryan Euse of the York NRCS and Richard Jiskra, NNRC. Houdersheldt called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Vice Chairman Regier reported that we published the legal notice of the board of directors' meeting September 4, 2003 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for roll call. Houdersheldt arrived at 7:35 p.m.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

A request was made by Steve Buller for an excused absence from the September 18, 2003 Board of Directors meeting.

It was moved by Volkmer and seconded by Brown to excuse the absence of Steve Buller from the September 18, 2003 board of directors meetings as requested. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer

NAY: Friesen

NOT VOTING: Houdersheldt

NOT PRESENT: Buller, Moore

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Hansen and seconded by Luebbe to adopt the consent agenda. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Hansen and seconded by Luebbe to approve the agenda for the September 18, 2003 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 6. *APPROVAL OF MINUTES OF THE AUGUST 21, 2003 BOARD OF DIRECTORS MEETING & FY 2004 BUDGET HEARING.

It was moved by Hansen and seconded by Luebbe to approve the minutes of the August 21, 2003 Board of Directors Meeting and FY 2004 Budget Hearing. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 7. *APPROVAL OF MINUTES OF THE AUGUST 21, 2003 FORMAL HEARING FOR HINRICHS V. AULRICH.

It was moved by Hansen and seconded by Luebbe to approve the minutes of the August 21, 2003 Formal Hearing for Hinrichs v. Aulrich. The motion was approved as part consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 8. FISCAL YEAR 2004 PROPERTY TAX REQUEST HEARING.

Houdersheldt opened the fiscal year 2004 Property Tax Request Hearing at 7:37 p.m. He informed those present that notice of this hearing was published in the York News-Times on September 4, 2003 as required by law. The purpose is to hear support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request.

Turnbull explained that every year the district sets a recommended tax rate and submits it to the York County Clerk who verifies the information and certifies the tax levy to be collected by all nine counties. The Upper Big Blue NRD's fiscal year 2004 budget has a property tax request of \$1,277,733.15. The final valuations for the district total \$4,829,015,761. Last years tax request was \$1,261,847.37 with a tax rate of 0.02694. The current year's property tax rate would be 0.026131 to generate \$1,261,847.37. The property tax rate needs to be 0.026459 to generate the \$1,277,733.15 to fund the FY 2004 budget. Turnbull recommended the board adopt the following resolution to set the tax request for FY 2004.

Resolution

WHEREAS the FY 2004 Budget for the Upper Big Blue NRD, as adopted by this board of directors on August 21, 2003, has a property tax requirement of \$1,277,733.15;

WHEREAS the final total valuation of the NRD is \$4,829,015,761;

WHEREAS the FY 2003 Budget (prior year) required a tax request of \$1,261,847.37 and a property tax rate of \$0.02694;

WHEREAS the FY 2004 (current year) property tax rate would be \$0.026131 to generate \$1,261,847.37.

THEREFORE BE IT RESOLVED by this Board of Directors on September 18, 2003, to set the FY 2004 tax request at \$1,277,733.15 for the Upper Big Blue Natural Resources District which will require a property tax rate of \$0.026459.

Houdersheldt asked for comments from the public. There were none. The hearing was officially closed at 7:45 p.m.

It was moved by Regier and seconded by Friesen to adopt the resolution to set the FY 2004 Property Tax Request. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,

Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 9. FISCAL YEAR 2003 AUDIT.

The Upper Big Blue NRD's accountant, Randy Mierau of Mierau & Company, presented the FY 2003 Audit. He reviewed the report for the board and advised them that no reportable conditions relating to the audit of the districts financial records were found.

It was moved by Austin and seconded by Dickinson to accept the FY 2003 audit as presented by Mierau & Company. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 10. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Projects Committee met on September 9, 2003 and presented the committee's recommendations.

ITEM 11. PAYMENTS FROM LAND TREATMENT PROGRAM FUNDS.

It was moved by Nuss and seconded by Luebbe that payments of \$6,094.40 be made on 2 applications for NSWCP Land Treatment Program funds, as reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 12. *NEBRASKA BUFFER STRIP PROGRAM.

It was moved by Hansen and seconded by Luebbe that payments totaling \$16,834.43 be made on 17 Nebraska Buffer Strip Program contracts, as reviewed by the Committee. The motion was

approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 13. VILLAGE OF McCOOL JUNCTION DRAINAGE IMPROVEMENTS.

At the August 2003 board meeting, the NRD Board of Directors agreed to provide up to \$50,000 cost share to the Village of McCool Junction for storm sewer and drainage improvements within the Village. An interlocal agreement was prepared by the District staff and reviewed by the Village Council. Staff recommends that the NRD Board Chairman be authorized to sign the agreement.

The total estimated project cost is \$486,200, and includes street paving, stormwater drainage, and project administration. The Village has obtained a \$249,600 Community Development Block Grant from the State. The engineer's estimate of project cost is shown in the following table:

Item	CDBG Grant	Local Share	Total Cost
Street Paving	\$60,000	\$60,000	\$120,000
Stormwater Drainage	\$176,600	\$176,600	\$353,200
Project Administration	\$13,000	\$0	\$13,000
Total	\$249,600	\$236,600	\$486,200

The interlocal agreement limits NRD cost share to 25% of the local share of the stormwater drainage component.

It was moved by Nuss and seconded by Teegerstrom that the District adopt the Interlocal Agreement between the Upper Big Blue NRD and Village of McCool Junction to provide intergovernment cost share assistance to the Village for construction of drainage improvements, and that the Upper Big Blue NRD Chairman is authorized to sign the Agreement. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 14. LINCOLN CREEK PARKWAY PEDESTRIAN BRIDGE AT AURORA.

Construction of the Lincoln Creek Parkway pedestrian bridge is 70% completed. Work completed during the past month includes grouting and application of the primer coat of paint. The amount due to the contractor is \$3,500.

It was moved by Nuss and seconded by Hansen that Diamond Engineering be paid \$3,500.00, \$350.00 (10%) of which is to be withheld as retainage, for construction work completed in August 2003 on the Lincoln Creek Parkway Pedestrian Bridge in Aurora, in accordance with the construction contract. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 15. PIONEER TRAILS FISHING LAKE DEVELOPMENT.

Staff recommends that the District proceed with development of a fishing lake at the Pioneer Trails Project. Since the Nebraska Game and Parks Commission staff declined the District's request for cost share assistance, it is recommended that the fishing jetties, gravel spawning beds, and sediment basin be deleted to reduce cost. Staff recommends that 17 acres of the lake bed be treated by tilling, treating with 0.5% Soda Ash, and compacting with sheep's foot roller to reduce seepage, and that a 1,000 g.p.m. well be installed to recycle recharged ground water to maintain lake level. Staff is requesting authorization to obtain detailed proposals from several contractors for the Board to review.

It was moved by Nuss and seconded by Austin that staff is authorized to obtain proposals from contractors for installing one groundwater well and sealing 17 acres of the lake bed at the Pioneer Trails Project, in accordance with the engineering report dated February 2003.

There was some discussion regarding the cost of operating the well to maintain the lake level. Staff estimated that the cost the first year would be about \$7,800. The cost would decrease over a five-year period to about \$1,400. Concern was expressed about drilling a well to maintain the lake for recreation, when we are experiencing drought conditions across the district.

It was moved by Friesen and seconded by Bruns to amend the motion to strike the words "installing one groundwater well and." The amendment was approved.

AYE: Brown, Bruns, Dickinson, Friesen, Hansen, Joseph, Luebbe, Teegerstrom, Volkmer

NAY: Austin, Eberle, Jackson, Nuss, Regier, Houdersheldt

NOT PRESENT: Buller, Moore

The motion was approved as amended.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Joseph, Luebbe, Nuss, Regier,
Teegerstrom, Houdersheldt

NAY: Jackson, Volkmer

NOT PRESENT: Buller, Moore

ITEM 16. PRELIMINARY DESIGN OF KEZAN CREEK DAM.

Staff reviewed the status of the proposed Kezan Creek Dam near the Village of Garrison. Two potential sites have been considered by the Board. It is recommended that staff be authorized to prepare preliminary design of the Kezan Creek Dam at the downstream site. Preliminary design will include detailed mapping, dam site location and grading plan, identification of roads, land areas, and landowners affected by the dam and reservoir, collection of rainfall and runoff data, watershed hydrology, and preliminary geotechnical engineering. Drilling and testing will be conducted to determine embankment stability, foundation stability, reservoir seepage rate, and soil suitability. Staff will prepare a preliminary design report, including engineering recommendations, project cost estimate, and benefit vs. cost calculation. If the preliminary design is acceptable to the Board, staff will request authorization to seek grant funds to help with building the project.

It was moved by Nuss and seconded by Hansen that staff is authorized to prepare preliminary design of the Kezan Creek Dam, downstream site, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Hansen, Jackson, Nuss, Regier, Houdersheldt

NAY: Eberle, Friesen, Joseph, Luebbe, Teegerstrom, Volkmer

NOT PRESENT: Buller, Moore

ITEM 17. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Education and Parks Committee met on September 9, 2003 and presented the committee's recommendations.

ITEM 18. PLUM CREEK HIKING & BIKING TRAIL - PAYMENTS TO A & R CONSTRUCTION COMPANY.

A & R Construction Company submitted a claim for the Plum Creek Hiking & Biking Trail Project for the work completed from August 1-16, 2003. Approximately 64% of the project is completed. The total amount earned by the contractor is \$47,809.60. The District will withhold 10% retainage in the amount of \$4,780.96 leaving a payment of \$43,028.64 to be made to A & R

Construction Company. This is a semimonthly payment made by the General Manager which requires no committee or board action.

A & R Construction Company has submitted a claim for the Plum Creek Hiking & Biking Trail Project for work completed from August 17-31, 2003. Approximately 66% of the project is completed at this point in time. The total amount earned by the contractor is \$14,477.00. The District will withhold a 10% retainage in the amount of \$1,447.70 leaving a payment of \$13,029.30 to be made to A & R Construction Company.

It was moved by Luebbe and seconded by Regier that the Upper Big Blue Natural Resources District approve a payment of \$14,477.00 to A & R Construction Company, and that \$1,447.70 be withheld as retainage, for the work completed from August 17, 2003 to August 31, 2003 on the Plum Creek Hiking & Biking Trail located along Plum Creek east of Seward. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 19. PAYMENT TO GEOTECHNICAL SERVICES, INC.

Geotechnical Services, Inc. submitted a bill for \$895.00 for construction material testing on the Plum Creek Trail from July 27, 2003 to August 23, 2003

It was moved by Luebbe and seconded by Regier that the Upper Big Blue Natural Resources District make payment of \$895 to Geotechnical Services, Inc. for the material testing on the Plum Creek Trail from July 27, 2003 to August 23, 2003. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 20. PAYMENT TO FILLMORE CENTRAL HIGH SCHOOL FOR OUTDOOR CLASSROOM.

On November 18, 2001, the District entered into an Interlocal Agreement with Fillmore Central High School to provide assistance to help construct an outdoor classroom which would also be shared with the Heritage Nursing Home. Since the total project cost exceeded \$800.00, the Board of Directors voted to make this a special project. The Board voted to fund the project at 25% of the local share not to exceed \$10,000. On July 18, 2002, the District made a partial payment of

\$2,000.00. On January 16, 2003, the District made another partial payment of \$5,463.50 leaving a balance of \$2,536.50. Fillmore Central High School has submitted their final bill in the amount of \$2,536.50 for the work completed on the outdoor classroom. The bills for the work completed amounted to \$19,594.50. The amount of work and material donated by community sponsors amounted to \$9,447.69 leaving the school with a total cost of \$10,146.87 to pay.

It was moved by Luebbe and seconded by Volkmer that the Upper Big Blue Natural Resources District make a final payment of \$2,536.50 to Fillmore Central High School for the work completed on their outdoor classroom. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 21. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on September 11, 2003 and presented the committee's recommendations.

ITEM 22. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Luebbe to approve cost-share payments for ten well abandonments, as reviewed by the committee, totaling \$2,739.55. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 23. NITRATE TEST RESULTS FOR 2003.

In 2003 wells in zones 1, 2, 5 and 6 were sampled. Test results show that the median nitrate level in zone 1 dropped from 7.1 to 5.1 ppm, while the levels in the other zones increased. The largest increase was in Zone 6, where the median level went from 7.7 ppm to 9.0 ppm.

ITEM 24. POTENTIAL PHASE II MANAGEMENT AREA.

The results of the Summer 2003 nitrate sampling indicate that the median nitrate level in

management zone 6 is 9.0 mg/l. The trigger level for a potential phase II management area is 9.0 mg/l. The other criteria for determining if phase II management is needed are; 1) less than 60% of the corn and sorghum acres are soil sampled for nitrogen to a depth of 3 feet, and 2) less than 60% of the irrigation is being scheduled using an approved irrigation scheduling method. The NRD's regulations call for reports to be filed by the operators of land in zone 6 to determine if these criteria are being met.

Management Zone 6 includes the following townships in Hamilton County, T9N-R5W (Farmers Valley), and T10N-R5W (Beaver) and the following townships in York County; T9N-R3W (Hays), T9N-R4W (Henderson), T10N-R3W (Baker) and T10N-R4W (Brown).

The staff recommends that the Board declare Management Zone 6 a "Potential Phase II Management Area" and authorize the staff to proceed with the potential Phase II reporting as required by NRD Rule 5, Chapter 19, ¶ 5.01.

It was moved by Brown and seconded by Austin that the Board declare Management Zone 6 a "Potential Phase II Management Area" and authorize the staff to proceed with the potential Phase II reporting as required by NRD Rule 5, Chapter 19, ¶ 5.01. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 25. REVIEW OF UPPER BIG BLUE NRD RULE 5 REGULATIONS.

The staff reviewed changes recommended by the Department of Natural Resources, including typographical errors and minor clarifications.

The Water Committee changed the allocation from 38 inches to 65 inches for the first ground water use period and changed the length of the first ground water use period from three years to five years. They also removed any language from Rule 5 that would allow the carryover of unused allocation or acres reduction allotment. They changed the schedule for the installation of flow meters from a four-year schedule to a two-year schedule. The reporting trigger level in Chapter 8, paragraph 04 was changed from six feet above the 1978 level to three feet above the 1978 level.

It was moved by Brown and seconded by Dickinson to adopt the September draft of Rule 5, as amended by the Water Committee, for the purpose of holding a public hearing.

There was considerable discussion about flow meter maintenance. It was noted that the draft did not specify how long a meter could remain in place without routine maintenance and calibration

of the meter.

It was moved by Friesen and seconded by Austin to amend the motion to direct the staff to come up with a periodic schedule for maintenance and calibration of flow meters. The amendment was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Houdersheldt

NAY: Nuss, Volkmer

NOT PRESENT: Buller, Moore

It was moved by Friesen and seconded by Brown to move section 03.02 which reads “Newly developed ground water use acres irrigated by a water well constructed on or after January 1, 2004 are not eligible for the ground water use acres reduction option.” from Chapter 15A - Allocation to Agricultural Users to Chapter 13 - Annual Ground Water Use Reports and to amend section 03.02 to strike the words “January 1, 2004” and replace with “after the reporting trigger is reached.”

After a great deal of discussion it was moved by Jackson and seconded by Volkmer to send the matter back to Committee for further consideration. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 26. BUDGET, PLANNING & LEGISLATIVE COMMITTEE REPORT.

Austin reported that the Executive Committee met on September 11, 2003 and presented the committee’s recommendations.

ITEM 27. NARD RESOLUTIONS.

It was moved by Austin and seconded by Jackson that the Upper Big Blue NRD Board of Directors take the following positions on the NARD Resolutions which are to be presented at the 2003 NRD Annual Conference.

Support Resolution 2003-1

Development Below Existing Dams
Lower Platte South

Support Resolution 2003-2

Ground Water Management and Protection Act
2.5% Lid Exemption

Upper Elkhorn

Support Introduction
& Resolution

Nebraska Department of Natural Resources Director
Central Platte

Support Introduction
& Resolution

Encourage the Development and Rehabilitation of
Surface Water Storage in Nebraska
Lower Loup

Oppose Introduction
& Resolution

Amend Statutes on Surface Water Storage Permits
Lower Elkhorn

Support Introduction
& Resolution

Penalty Section - Ground Water Management and
Protection Act
Middle Republican

Neutral on Introduction
& Resolution

Registered Well Information
Little Blue

Support Introduction

Eliminate the Need to Permit Small Dams Used to
Water Livestock
Nemaha

The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 28. EXECUTIVE COMMITTEE REPORT.

Regier reported that the Executive Committee met on September 11, 2003 and presented the committee's recommendations.

ITEM 29. FURNACE AND AIR CONDITIONER REPLACEMENT.

Turnbull requested quotes from three firms in York for replacement furnaces and air conditioners in the main building. Even after follow up calls to York Heating and Air Conditioning and William F. McCormick, Inc., only one firm submitted a quote, J & R Heating and Air Conditioning.

J & R Heating and Air Conditioning's quote is for the installation of three Lennox 92.5% high efficiency gas furnaces and three high efficiency air conditioners (410A refrigerant instead of Freon), including the removal and disposal of the old equipment, for \$ 14,270. J & R also submitted an alternate with air conditioners with a lower efficiency rating for \$13,107. J & R is able to have the work completed by the end of October. The Committee felt that over the long run the high efficiency air conditioners would be better.

It was moved by Regier and seconded by Austin to accept the quote from J & R Heating and Air Conditioning of York, Nebraska, for the purchase and installation of three Lennox 92.5% high efficiency gas furnaces and three Lennox high efficiency air conditioners (model numbers as per the written quote) for a total cost of \$ 14,270. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 30. AUTOCAD SOFTWARE UPGRADES.

Our current AutoCAD software will no longer be supported by AutoCAD after October 1. If the District upgrades the software now, the cost will be \$5,800. After October 1 the District would have to buy new software without an upgrade and the cost would be several thousand dollars more.

The AutoCAD Map, Land Desktop, Civil Design, and Survey Design components all need to be upgraded. DLT Solutions of Herndon, Virginia has quoted GSA pricing of \$5,800 for AutoCAD and the needed components. The funds are in the FY 2004 budget.

It was moved by Regier and seconded by Brown to approve the purchase of the AutoCAD upgrade for the AutoCAD Map, Land Desktop, Civil Design, and Survey Design components from DLT Solutions of Herndon, Virginia for \$5,800. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 31. PURCHASE OF DRAFTING PLOTTER.

The current drafting plotter needs to be replaced because it does not have enough memory to handle large complicated drawings and air photos. Additional memory can't be installed on the current plotter. The Water and Projects Departments both use the plotter for reproducing

drawings, maps, and graphics. Bitner proposes that the current plotter be kept for use, for simpler drawings and maps.

DLT Solutions has quoted \$6,301 for a 42" HP Design Jet 800 PS Printer. That is GSA pricing. The funds are in the FY 2004 budget.

It was moved by Regier and seconded by Austin to approve the purchase of the 42" HP Design Jet 800 PS Printer from DLT Solutions, Herndon Virginia for \$ 6,301. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

ITEM 32. STAFF & STANDING COMMITTEE REORGANIZATIONS.

At the August 21, 2003 Board of Directors meeting management presented a recommendation to restructure the office staff and committee organization.

The current Public Information Department would be eliminated. Two new positions would be created. One of the positions would be a Public Relations Specialist who would report directly to the General Manager. Their job would be to promote the district's programs, present information and education programs and advise the General Manger on public relations matters. The other education position would be a Conservationist in the Water Department. The conservationist would conduct water quality training sessions, advise farm owners and operators on irrigation water management and practices and land treatment conservation programs.

The Office Department would no longer be a separate department, but would move to a support role.

The board of directors' committee structure would be reconfigured to coincide with the changes in staff organization. The current Education & Parks Committee would be eliminated. The Parks Committee programs would be combined with the Projects Committee and become the Projects & Programs Committee. The Education Committee functions would be split between the Executive Committee and Water Committee. The Water Committee would become the Water & Regulations Committee. The Budget Committee would be eliminated and the committee's responsibilities would be incorporated into a newly structured Executive Committee.

The matter was held over until the September 18, 2003 board meeting for consideration.

It was moved by Regier and seconded by Brown that the staff reorganization be approved with the creation of a Public Relations Specialist position and a Conservationist position, in place of

the current Public Information Specialist and Public Information Department Manager; and that the reorganization be effective October 1, 2003. Further, that the Board Committees be reorganized into an Executive Committee, Projects & Programs Committee and a Water & Regulations Committee effective January 1, 2004. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Hansen, Volkmer

NOT PRESENT: Buller, Moore

ITEM 33. FINANCIAL REPORT, AUGUST 1, 2003 THROUGH AUGUST 31, 2003, AND CONSIDERATION OF EXPENDITURES FOR AUGUST 2003.

Turnbull reviewed the financial report for the period August 1, 2003 through August 31, 2003 that we had distributed. It was moved by Brown and seconded by Regier to accept the financial report for August 2003 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Moore

There being no other business the chairman adjourned the meeting at 11:15 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on September 18, 2003, 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.

Gary Eberle, Secretary

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BOARD OF DIRECTORS MEETING
October 16, 2003

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 16, 2003, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Steve Buller, Doug Dickinson, Gary Eberle, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Rod DeBuhr, Russ Gierhart and Bryan Euse of the York NRCS. Houdersheldt called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting October 2, 2003 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Thirteen directors were present for roll call. Friesen, Joseph and Nuss arrived late.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

A request was made by Doug Bruns for an excused absence from the October 16, 2003 Board of Directors meeting.

It was moved by Volkmer and seconded by Hansen to excuse the absence of Doug Bruns from the October 16, 2003 board of directors meetings as requested. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Hansen, Jackson, Luebbe, Moore, Regier,
Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Friesen, Joseph, Nuss

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Jackson and seconded by Hansen to adopt the consent agenda. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Hansen, Jackson, Luebbe, Moore, Regier,

Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Joseph

NOT PRESENT: Bruns, Friesen, Nuss

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Jackson and seconded by Hansen to approve the agenda for the October 16, 2003 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Hansen, Jackson, Luebbe, Moore, Regier,
Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Joseph

NOT PRESENT: Bruns, Friesen, Nuss

ITEM 6. *APPROVAL OF MINUTES OF THE SEPTEMBER 18, 2003 BOARD OF DIRECTORS MEETING & FY 2004 PROPERTY TAX REQUEST HEARING.

It was moved by Jackson and seconded by Hansen to approve the minutes of the September 18, 2003 Board of Directors Meeting and FY 2004 Property Tax Request Hearing. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Hansen, Jackson, Luebbe, Moore, Regier,
Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Joseph

NOT PRESENT: Bruns, Friesen, Nuss

ITEM 7. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Hansen reported that the Projects Committee met on October 7, 2003 and presented the committee's recommendations.

ITEM 8. NRD LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Moore that payments of \$ 4,345.88 be made on five applications for NSWCP Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore,
Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Friesen, Nuss

ITEM 9. SUSPENSION OF JOHNSON CREEK SITE 10 PROJECT.

Dr. Jerry Burkey, the landowner at Johnson Creek Site 10, has decided to participate in the NRCS program for construction of a diversion and reconstruction of two erosion control dams. The NRCS will provide design, and the landowner will receive federal cost share funds for this work. Staff recommends that the Johnson Creek Site #10 project be suspended, since NRD funds and staff time will not be used on this project.

It was moved by Hansen and seconded by Luebbe that the Johnson Creek Site #10 project, located in the SE 1/4 of Section 3, Township 8 North, Range 2 East be suspended. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Nuss

ITEM 10. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Education and Parks Committee met on October 7, 2003 and presented the committee's recommendations.

ITEM 11. PAYMENTS TO A & R CONSTRUCTION COMPANY FOR WORK ON THE PLUM CREEK HIKING & BIKING TRAIL.

A & R Construction Company submitted a semimonthly claim for the Plum Creek Hiking & Biking Trail Project for work from September 1-15, 2003. The total earned for the period was \$52,108.30. The District withheld 10% retainage in the amount of \$5,210.83, for a payment of \$46,897.47 to A & R Construction Company. Semimonthly payments are approved by the General Manager and require no board action.

A & R Construction Company submitted a claim for the Plum Creek Hiking & Biking Trail Project for work completed from September 16-30, 2003. The total amount earned by the contractor was \$84,105.52. The District will withhold a 10% retainage in the amount of \$8,410.55 leaving a payment of \$75,694.97 to be made to A & R Construction Company.

It was moved by Luebbe and seconded by Hansen that the Upper Big Blue Natural Resources

District approve a payment of \$84,105.52 to A & R Construction Company, and that \$8,410.55 be withheld as retainage, for the work completed from September 16, 2003 to September 30, 2003 on the Plum Creek Hiking & Biking Trail located along Plum Creek east of Seward. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Nuss

ITEM 12. PAYMENT TO GEOTECHNICAL SERVICES, INC.

Geotechnical Services, Inc. submitted a bill for \$1,008.00 for construction material testing on the Plum Creek Trail from August 24, 2003 to September 27, 2003.

It was moved by Luebbe and seconded by Teegerstrom that the Upper Big Blue Natural Resources District make payment of \$1,008.00 to Geotechnical Services, Inc. for the material testing on the Plum Creek Trail from August 24, 2003 to September 27, 2003. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Nuss

ITEM 13. FISCAL YEAR 2004 TREE PROGRAM.

After reviewing the costs for purchasing trees and shrubs through the NARD it is recommended that the customer price for trees and shrubs increase to \$.60 per tree and the planting price increase to \$.40 per tree.

It was moved by Luebbe and seconded by Hansen that the Upper Big Blue Natural Resources District set the planting cost for FY2004 at \$.40 per tree and the cost of the trees and shrubs at \$.60 per tree. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Nuss

ITEM 14. CITY OF AURORA WALKING TRAIL ENHANCEMENT PROJECT.

Jim Nietfeld, the Parks and Recreation Manager for the City of Aurora, presented the committee a

plan for planting approximately 67 trees East of Hwy. 14 along the North side of the hiking trail. They want to develop a wooded area along the trail just East of Hwy. 14. Trees to be planted include Autumn Flame Maple, Sun Valley Maple, Prairiefire Crabapple, Greenspire Linden, Autumn Gold Ginkgo, Bur Oak, White Pine, Chinquapin Oak, Patmore Ash, Kentucky Coffee Tree and Concolor Fir.

The estimated cost of the trees and labor for planting is \$5,300.00. The District's policy is to cost share 25% of the total cost not to exceed \$10,000.

It was moved by Luebbe and seconded by Regier that the Upper Big Blue Natural Resources District fund the tree and shrub planting along the walking trail East of Hwy 14 located on the North edge of Aurora in the amount of 25% of the total estimated cost of \$5,300.00 not to exceed \$1,325.00. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Nuss

ITEM 15. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on October 9, 2003 and presented the committee's recommendations.

ITEM 16. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Jackson and seconded by Hansen to approve cost-share payments for nine well abandonments, as reviewed by the committee, totaling \$1,406.55. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Dickinson, Eberle, Hansen, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Buller, Joseph

NOT PRESENT: Bruns, Friesen, Nuss

ITEM 17. GROUND WATER MANAGEMENT AREA 1 FOR WATER QUANTITY. REVIEW OF REGULATIONS - RULE 5.

Brown reviewed the proposed changes, including the appellation of Rule 5 from wells of 100

G.P.M. or more to wells of 50 G.P.M. or more to be consistent with state law, adding criteria for meter maintenance, and adding criteria for designation of ground water use reduction acres.

It was moved by Brown and seconded by Hansen to adopt the October draft of Rule 5, as amended by Committee, for the purpose of holding a public hearing.

DeBuhr told the board that the draft needed to be changed to reflect changes made by the Water Committee that were mistakenly left out of the draft. The Committee changed the allocation for the first water use period from sixty-five inches to thirty-nine inches.

On page 5-23, Chapter 15A, Paragraph 01 needs to be corrected to read “Amount of ground water allocated - The allocation for the first ground water use period shall be thirty-nine (39) acre inches for each certified ground water use acre.”

On page 5-27, Chapter 16, Paragraph 01 needs to be corrected to read “A municipal user shall limit ground water use to two hundred seventy-four thousand (274,000) gallons per capita served, plus thirty-nine (39) inches per acre for one-third (1/3) of the non-agricultural lands within the municipal jurisdictional limits for the ground water use period.”

Subparagraph 01.01 should read “A municipal user shall receive an allocation of thirty-nine (39) inches per acre for the ground water use period for irrigated agricultural lands that it serves. This allocation shall be added to municipal user’s total allocation.”

On page 5-29, Chapter 17, Paragraph 01 should read “An other user shall limit his or her ground water withdrawal during the ground water use period to one hundred (100) percent of his or her withdrawal for the three (3) year period prior to the first ground water use period.”

DeBuhr also told the Board that the Water Committee had instructed staff to work on page 5-15 to add language to explain what was meant by “average ground water level” and “1978 level.” He reviewed the proposed changes with Committee members prior to the board meeting. He explained the changes to the Board and asked that they amend page 5-15 to include the changes.

It was moved by Austin and seconded by Hansen to amend Rule 5 by adding the words “The base is assumed to be zero (0)” to Chapter 9, Paragraph 02.01 and adding the following paragraph “02.02a. The 1978 level was determined to be 6.33 feet below the base level.” The amendment was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Luebbe, Volkmer

NOT PRESENT: Bruns, Nuss

It was moved by Volkmer and seconded by Hansen to go into Executive Session at 8:02 p.m. to discuss personnel matters. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Moore

NOT PRESENT: Bruns, Nuss

It was moved by Moore and seconded by Brown to return to regular session at 8:22 p.m. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Bruns, Nuss

It was moved by Austin and seconded by Hansen to amend the motion to change the Rule 5 draft so that anywhere in the draft where the phrase "ground water level change" is used it will read "average annual ground water level change" and anywhere it says "ground water level" it will read "District ground water level." The amendment was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: Volkmer

NOT PRESENT: Bruns

It was moved by Luebbe and seconded by Volkmer to send the draft back to committee. The motion failed.

AYE: Luebbe, Nuss, Volkmer

NAY: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Jackson, Joseph, Moore, Regier, Houdersheldt

NOT VOTING: Hansen, Teegerstrom

NOT PRESENT: Bruns

The question was called on the original motion to adopt the October draft of Rule 5 for the purpose of public hearing, as amended. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Regier, Teegerstrom, Houdersheldt

NAY: Nuss, Volkmer

NOT VOTING: Luebbe

NOT PRESENT: Bruns

It was moved by Moore and seconded by Regier to set the hearing for Monday, November 17, 2003 at 1:30 p.m. in the USO Room at the York City Auditorium. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: Nuss

NOT PRESENT: Bruns

ITEM 18. EXECUTIVE COMMITTEE REPORT.

Regier reported that the Executive Committee met on October 9, 2003 and presented the committee's recommendations.

ITEM 19. * THIRD QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Jackson and seconded by Hansen to approve payment of third quarter directors' per diem of \$9,590.00 and expenses of \$2,492.90. We approved the motion as a part of the consent agenda.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Hansen, Jackson, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Joseph

NOT PRESENT: Bruns, Friesen, Nuss

ITEM 20. AMENDMENTS TO OPERATING POLICIES.

Turnbull reviewed proposed changes to Operating Policies 14, 15, and 16 dealing with the standing committees and committee membership. These are necessary to carry out the intent of last month's board action on committee restructuring.

It was moved by Regier and seconded by Brown to approve the amendments to *Operating Policy 14 - Executive Committee, Operating Policy 15 - Board Standing Committees and Operating Policy 16 - Board of Directors and Committee Responsibilities*, as presented. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: Moore

NOT VOTING: Volkmer

NOT PRESENT: Bruns

ITEM 21. FINANCIAL REPORT, SEPTEMBER 1, 2003 THROUGH SEPTEMBER 30, 2003, AND CONSIDERATION OF EXPENDITURES FOR SEPTEMBER 2003.

Turnbull reviewed the financial report for the period September 1, 2003 through September 30, 2003 that we had distributed. It was moved by Regier and seconded by Eberle to accept the financial report for September 2003 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns, Buller

There being no other business the chairman adjourned the meeting at 9:25 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 October 16, 2003, 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.

Gary Eberle, Secretary

:nds

PUBLIC HEARING
UPPER BIG BLUE NATURAL RESOURCES DISTRICT
GROUND WATER MANAGEMENT AREA REGULATIONS (RULE 5)
NOVEMBER 17, 2003

A public hearing was called to order by the Chairman Roger Houdersheldt, at 1:30 p.m. on Monday, November 17, 2003 in the USO Room at the York City Auditorium, 612 Nebraska Avenue, York, Nebraska. The purpose of the hearing is to receive comments on proposed changes to the NRD's Ground Water Management Area Regulations, Rule 5.

BOARD MEMBERS PRESENT:

Yvonne, Austin
Augustus M. Brown
Douglas Bruns
Steve Buller
Douglas Dickinson
Gary Eberle
Curtis Friesen
Wayne Hansen
Roger Houdersheldt
James Jackson
Jerl Joseph
Larry Moore
Michael Nuss
Kenneth Regier
Vance Teegerstrom
Merlin Volkmer

STAFF PRESENT:

Rodney DeBuhr
Marie Krausnick
Lori Hoemann
Russ Gierhart
Nancy Schneider
John Turnbull

LEGAL NOTICE OF HEARING.

Houdersheldt advised those present that the Notice of Public Hearing was published on October 24, October 30 and November 6, 2003 as required by law in the York News-Times.

APPOINTMENT OF HEARING EXAMINER.

Chairman Houdersheldt appointed Rodney DeBuhr, NRD Water Department Manager, to act as Hearing Examiner.

Rod DeBuhr:

This chart that you see in front of you is an average ground water level chart for the Upper Big Blue NRD. That same chart is also on the back of the blue summary that was handed out, so if you're having a hard time seeing this far away from it, it is on there. The Upper Big Blue Natural Resources District has been a groundwater management area for quantity, for control of ground water quantity, since 1977. The first rules and regulations were adopted in 1979 and those, or revisions of those, have been in effect the whole time. What we are proposing, what we're talking about and taking testimony about here, are amendments to those regulations. On the blue sheet you have a summary of what the major changes in these rules are. Everyone here should have that, they were handed out as you came in. Also, there were a limited number of complete regulations available. If you're having a hard time sleeping at night and you need something to read, you can read the complete set. Some of the changes - up until a few years ago the Legislature said that wells of 100 g.p.m. or more were regulated by ground water management area laws. That recently changed, a few years ago to 50 g.p.m. and while we're doing this update we changed that portion of it. So any well that pumps more than 50 g.p.m. is subject to these regulations. That includes irrigation wells, industrial wells, municipal wells and so on. If wells pump less than 50 g.p.m. and you have more than one well and the combined total is over 50 for one purpose and one location, like say a feedlot has three 49 g.p.m. wells, that's considered one well. You can't get around the regulations by having a well less than 50 gallons per minute. On well spacing we are not proposing any changes. The existing regulations are 1,000 feet between neighboring wells and if you have an existing well that was drilled before the regulations first went into effect in 1979, and it's less than 1,000 feet from a neighbor's well, it can be replaced. You just can't get any more than 50 feet closer than you were before. Ground water transfer regulations. We have existing regulations, but we are not proposing to change any of those. They allow you to transfer water to an adjacent section, but limit that transfer to an equal number of acres, as are in the tract where the well is located. If, for example, you have an 80-acre tract in one section and want to pump water across the road to another 80-acre tract that's acceptable, but you are limited to 80. If you have 80 to start with, or 160 if you have 160 on the other tract. That is an existing rule, there is no proposed change. The change for transfers are now that industrial, municipal and other users would also be subject to transfers with some exemptions that are provided for in state law. Currently the Upper Big Blue NRD's regulations have two triggers. We refer to them as the reporting trigger and an allocation trigger. The reporting trigger - when that level is met then all ground water users would be required to report acres, wells and that sort of thing. And that currently is this green line, or the middle line, on the chart that you have on the blue paper. These regulations are proposing to raise that line one foot to the red, or purple line here. The purpose for that primarily is to give us more time to complete the reporting and implement installation of flow meters, if it's necessary. It was felt that there may not be enough time between these two lines to get all of that accomplished because of the number of people and number of wells that we're working with. Also, at that time, if the water level were to fall to that reporting level, it would require that the producer make a choice between an allocation or an acreage reduction option that is proposed in these regulations, and I'll talk a little bit more about those in a minute, when I get to that section. Once the water level falls to this reporting trigger, if

that occurs, and that is approximately 3.71 feet below where we were this spring. So the water level would have to drop another 3.71 feet to trigger the first phase, the reporting phase. At that time, anyone who chose the allocation option, who owned a well in the north half of a section, would be required to install a meter. The following year anyone owning a well in the south half of a section would be required to install a meter. Those who chose the acreage reduction option would not be required to have meters. Under the allocation and acreage reduction option – let me back up. If the water level were to drop an additional 3 feet, this three feet between the purple and the read line, then we would reach the allocation trigger. Once that begins, once we reach the allocation trigger, the allocation and acreage reduction options would begin the following calendar year. So from the spring of a given year, say the spring of 2006, or whatever the year is that we hit this, if we hit it, then the following January we would start, that restriction would start. The first allocation set in the proposed change is 39 inches for three years, or an average of 13 inches per year. The existing rules are 48 inches, which was the allocation that was set back in 1979 initially. If you choose the acreage reduction option, you would be required to not irrigate 10 percent of your irrigated acres, as an option to the allocation. Irrigated acres will be based on county assessor's records, those that are taxed as irrigated. Also, the regulations, it's not in the summary, but they do allow for pooling. In other words the water use, or the acres reduction, does not have to be field by field. If you have three pivots and two gravity fields for example, you can average the water use over the entire acreage. The same would be true of the acreage reduction. You could take all of it out of one field or whatever you chose, with some minor limitations. There have to be minimum blocks, block sizes. I believe that concludes the summary. Just for your information, I failed to say that the people that are sitting up front here are the board of directors of the NRD. They're here to hear your comments. They should all have name tags in front of them. What we will do now is accept testimony. We will not be answering questions as you give your testimony. If you wish to pose a question for the board to consider that's great, but it's not a question and answer session, it's a public hearing for the purpose of receiving testimony. As you come forward, we would ask that you come forward and sign your name and address so that we can — print it please - so we can get it in the record properly. All of the testimony will be transcribed and typed out so the board has an opportunity to review it and read it. Also, if you have written comments with you if you could turn them in that would be wonderful. They will be included with the transcript. We will also, I'll repeat this at the end, but we will also leave the record open for additional written comments through the 26th of November, the day before Thanksgiving, through the close of business on the 26th. I would also ask whoever, after the first person has come up, if the next person who wants to testify can come up and sit in the chair and get signed in so we keep this flowing as smoothly as we possibly can. So with that, when you come up state your name clearly and spell it if you would also, so if we can't read somebody's handwriting, or whatever, we get it right. We want to get everything right. So with that I invite whoever wants to be first to testify to come on up.

Dennis Richters:

My name is Dennis Richters. I've got a cold so I might have trouble talking as long as I would

like. You guys have got a terrific job to do here. You're responsible for a tremendous resource, you're not responsible to me as an irrigator, or any other irrigator of any other segment, it's a resource for the citizens of the state that you're responsible for. Now, I'm not sure any of you should get reelected, because if you do your job right, you're gonna have everybody so damn mad at you, you're not going to get reelected. But again, it's the resource that you need to protect. I think everything you're doing is fine. You're on top of things, but when we get to the acreage reduction option, I have a problem with that. We're looking for a painless way to do this. And it's just like a tax, and there's no painless tax. And when you drop 10 percent of the acres, and we can pool our acres, for instance my son and I farm together, and say we've got 10 pivots, anywhere from 850 to 500 g.p.m. Now which pivot do you think I'm going to give you? I'm going to give you the one that's got 500 g.p.m. I'm not going to cut back much, I'm probably going to irrigate with the other ones another 10 percent, maybe even 20, and so the goal of saving water isn't going to happen. So I'm opposed to doing it that way. I don't think we can check it, I don't think it treats everybody the same in fairness and equitable – it's part of your job. You're also talking about moratoriums. I think they're counter productive. They're unfair. I was born in the 30's. I've irrigated since the 50's so what I'm telling somebody is I used your water, you've helped me out by not irrigating, but I'm never going to let you use any. So I'm opposed to moratoriums and if you suggest there's going to be a moratorium you're going to have a whole bunch of wells come in ahead of time. It's happened in every other NRD. It creates more wells than it saves and I just don't think that's fair. As for me, you bite the bullet and we meter everybody. And I know there would be a lot of bureaucracy, a lot of money involved, but you allocate. If we're at a certain level and we're still mining the water, which we have no right to do, we pump less. And if the water table comes up, we pump more, or we're allowed to pump more. But we can talk about pivots, economics, fuel price, everything, but the water table is going down. We've all got a right to use it. We don't have a right to abuse it. We've all seen cases of water running away, end guns and that, and if we run that through a meter everybody's going to see that number, and we're going to do a lot better than we're doing now. A lot of improvement has been made. I'm proud of agriculture. But I'm sure we can do a lot better than we're doing now. And when that number goes by and we look ahead two years we're going to say 'I can find a way to do with less'. Maybe we'll look west for a thunderhead, I don't know, but we'll find a way to do a better job. And, again, you meter and you allocate. It's in my mind the only fair way to do it. You guys have got a heck of a job to do. I've got a friend, Clayton Luekow at Holstein, and Clayton has a saying "I can live with less water. I cannot survive with no water". So the water table going down isn't the NRDs fault, it isn't the board's fault, it's the weather. If we do meter and allocate and if it rains and we didn't have to, we've wasted some time, some money, some effort, and that's a mistake. If it doesn't rain, or we keep pumping this thing dry, then that is a terrible mistake, so I'm more than willing to meter and allocate and like I said I know there will be bureaucracy and money spent on it, and it will be a pain, and you're going to have a hell of a lot of people mad at you, but in a way that's your job. The greatest risk that NRDs have is failing to act, to have the courage to act. And there's going to be a lot of people like me who say we should act and they're not going to look you up and say thanks. But the ones that don't think we should act are going to look you up. I'm probably not telling you anything you don't know

already. But that's my feeling, be fair, treat everybody the same. The 10 percent acreage reduction doesn't mean we'll save one drop of water. I'm just opposed to that. And I would like sometime, on this other users thing, 100 percent of historic use based on the last three years, I'd like to have somebody give me notice and say what other users are. I'm a little – I don't want to lose another step on the ladder. I need that defined sometime. Anybody got any questions or anything? Evidently I'm going to be the only speaker, because there's nobody in the other chair here.

Rod DeBuhr: Thank you.

Roger Siebert:

My name is Roger Siebert and I suppose you all know who I am. I'm from Henderson, Nebraska. And I remember in about 1977 we had a meeting like this and I think it was John Turnbull's first day on the job. Am I correct? And I was sitting right beside him and we had quite a meeting. Well anyway the moral of the story is I think, I get the feeling from some of the board members that they're not in favor of the 10 percent allocation. I personally am in favor of the allocation of the 10 percent. The number one reason why the one power line that goes through the district, which is a big main one, I drove up and down that power line, and I would guess, and you can probably contradict the acres, but there's about 20,000 acres underneath the power lines that are subject to no pivots. We have Lincoln Creek, Beaver Creek, and the Blue River and all three of those have approximately 10,000 acres each on both sides that are basically subject to no pivots because of power lines, small fields, little fields, big fields. And so for that particular reason I hope that the board leaves that on the agenda. It's in there now, but I understand that it could be taken out after the meeting. I think the rules that we have right now are a good set of rules. I think that there was a lot of thought put into them. I sometimes feel that we shouldn't try to fix something that isn't broke. We are right now, today, at prehistoric levels on water table. We have one particular farm that we rent from a lady that's got a power line through it, it's got two 30 acre fields, there's no way you could put a pivot on there. So we irrigate more than 15 inches every year. So I took the opportunity to take the water table on that well that was drilled in 1955, it was 21 feet. We've pumped for 40 years, more than 15 inches on that farm. That water table is exactly at 21 feet today, yet. So we're asking this lady, basically to farm her ground dryland or try to irrigate sandy soil on 15 acres of water, and she can't. We know she can't. But where did our water stay? Our water didn't get wasted. The corn only uses 15 inches so basically our water went right down to the ground level where it came from. We've had our nitrate level checked on these wells. And the nitrate levels on these particular wells are in perfect shape. So I don't know how you feel that you're treating this lady fair when she has not made the water decline one inch. But she is willing to go on the 10 percent allocation. Farm 10 acres of dryland wheat or whatever it may be, so I hope that we leave that in there for all the land, it comes to a total of probably 60,000 acres in the district, just off the top of my hat, that cannot have a meter, I mean cannot have a pivot on it. I think sometimes that a particular farm like that, that irrigates by gravity, that has a reuse pit, where all the water table never leaves the farm, I'm not so sure that he's wasting

any more water at 20 inches than the pivot is at 13. Because a pivot at 13 inches is some of it evaporating in the air, where I think that the gravity, it goes right back into the soil where it came from. And I remember one time when I was on the board we argued for six months to a year about whether we should buy directors' chairs. And it took quite a hassle to buy a bunch of directors' chairs. Now we want to spend, according to the figures, at least 13 million on meters. I check with the underground pipe that I had on my particular pivots, and granted I've got mostly pivots, over half of my wells will have to have new underground pipe. And I know when we touch the old one, it's going to be rusty, it's going to break, so it needs a new one. It's going to cost me about \$1000 per well, besides the meter. I wish that the board would do an impact study of what we are really going to spend. How many people are we really going to employ? How many pickups are we going to buy? How many 4-wheelers are we really going to buy? Because when we bought the chairs, we went through that ten times, how much were they really going to cost and what we were going to do. But here we're talking about spending ten to twenty million dollars and not even have a study done. At least I haven't seen the figures of how much this program is going to cost to implement. How much is the program going to cost to run? So I think the program that is on this board is a very good program. The only thing that I think we should change on that program is add the 10 percent set aside for these 60,000 acres. Somebody put in underground, what they call soaker lines, underneath the ground just on a lawn. And it doesn't even work on the lawn. The hoses are already plugged up. So these small fields are not proven to be taken lightly by going to a soaker hose type irrigation system in there. And so I hope you leave the program basically the way it is and add the 10 percent set aside and give me a cost of what this program is really going cost before you vote on it. Thanks for your time.

Stan Buehr:

My name is Stan Buehr from Henderson. Does this work?

Rod DeBuhr:

That's hers.

Stan Buehr:

I talk pretty loud and my voice carries pretty well. I too am opposed to these changes. I think the rules that were put in 1978 or 1979, whatever it was, were excellent rules, with a lot of time put into them. I know one of the reasons why they want to raise the level by one foot is because they do not think they will have time to put meters on for all the additional wells that we've had. But back in 1979 surely the foresighted people that put in the rules realized that by time 2003 would come around there would be a lot more wells. So if they thought it was doable then, it's probably doable now. The reason I'm against raising it a foot (there are a couple of reasons for you to think about) one, it's going to be an economic, I hate to say the word disaster, but economic hardship. Because agriculture already is on a tight budget. We're already on a real slim budget

and it's not making a lot of money. So this would be a real deficit. For instance every farmer probably has about twelve wells and each one would cost at least \$1000 to put meters on. So that's \$12,000 that you spend with no return, and that would be tough for the farmers to do. And it's also a negative impact on the local economy. I think if we can avoid the meters that would be a great way to do it. I think the rules that were put in were good. Let's live with them and keep it up and see what happens. Pray for rain. And maybe we'll never need meters. So to spend the money and not need them would be bad, in my opinion. And the money that would need to be spent, it's like Roger (Siebert) pointed out. It's the 4-wheelers you'd need to buy. The personnel. The pickups, the 4-wheel drive pickups, etc. It would have a real negative impact on the local economy. The other thing I have is that we're looking at this thing after a three year, approximately three year drought. It's like me looking at a corn market. Let's say the corn markets been around \$1.90 and \$2.00 for two years. And then I say 'corns never going to go higher'. So I'm going to sell two years production for \$1.95, because it's never going to go higher. That's the same thing we're doing here. We've had three years of drought and some people say we're going to have drought for 15 more years. So we got to do something. Well, we're three years closer to a lot of rain. That can happen. You know it could rain tomorrow. It's raining in Lincoln today. So I think it's dangerous, it'd be dangerous for me to make those long term decisions when the corns been down at \$2.00. Just like it's dangerous to make this long term decision when we've had a three-year drought. Then I'm concerned. Another concern I have is the young farmers. You hear all kinds of farm organizations speaking about they want to support young farmers, encourage young farmers, because we're an aging population. And what are we doing by putting in regulations? We're telling them your freedom is gone. Some of your freedom is gone. It's making it tougher economically for them. And so we are not encouraging young farmers. What we are encouraging is what I call the Wal-Mart society. Or the Ted Turner society. Where you make things tough and so you have bigger and bigger farmers. And what happens then? Smaller and smaller schools. Schools can't handle it. The businesses can't handle it. So it's a long term big economic impact it the point I'm trying to make. The other thing I want to talk about is what happens after we reach allocation. Do you realize that going from 16 inches per year down to 13 is a 19 percent reduction? That is huge. That's a huge reduction. From a plan that was made 20 or 30 years ago with great scientific background, now to reduce it by 19 percent like that. I don't know, maybe you've done a lot of study on it, I don't know. But to me that's a huge drop from 16 to 13. And again, who would it affect? The smaller farmers who are living on a tight budget. And they would have to leave and so you have bigger and bigger farmers, etc. So I'm concerned. I think the rules that were put in were good. We should live with them. It's like changing rules in the middle of the game; we don't do it. Let's stay with what we have. They'll work and we'll live with them and everybody will be a lot happier. The other thing on the allocation, I forgot this one point. On the domestic well thing, I'm concerned about that. Let's say you have some young farmers that get excited about farming and they can't get enough land to make a living. So they want to get into raising turkeys or any kind of livestock production. They'd have a hard time getting another well. And I am concerned about those restrictions for the domestic wells. I'll check my notes, but I think I've covered everything I wanted to cover. Thank you very much.

Luke Jacobsen:

First of all I'd like to thank the board for this opportunity that you've given everybody to present what they have to say. And as a former director, oh, I'm sorry, my name is Luke Jacobsen from Marquette. I'd like to say, as a past director of the Upper Big Blue NRD I know what it's like on that side of the table too. And I appreciate the challenges that you're going through. And I would like to compliment the board. I think, probably opposed to Stan (Buehr) there a little bit, that I think it's a proactive move on the board's part to recognize the situation that we're in. There's been some comments that things have gone along pretty good. That we really haven't affected our water table too much and we're still in pretty good shape, so why do any changing. I would say that in my area, east of Marquette, we're already there. We're at the point where we have impacted irrigation. I've got a neighbor north of me that is running three wells on one pivot. And this year he had about half the pivot that didn't even have water coming out of the nozzles. And that's a sad situation to have a virtually new pivot there. Three wells, and I know they're not all bad. I've got a well that was put in about 1965 that originally pumped 1,000 g.p.m. It pumped that way until the mid 70's. Irrigation development in our neighborhood has depleted that to the point where I was running out of water the last two years. So this spring we added a second well on that pivot. At this point, with two wells, I finished the season pumping less than 500 g.p.m., with two wells. So we have significant cost there. The problem is this notion that we can continue. We're contracting irrigation to the point where we've got fringe areas that are going to keep withdrawing. I've got a lot of neighbors that are pulling out of irrigated corn and they're putting wheat in. Now you could say that's not strictly due to loss of water, but I think that has a very strong impact, because wheat is not as thirsty a crop as what corn is. And it uses it at a different time. So early in the season when they have the water we tend to run out in August. I think you're going to help the tax assessor of this district if you try to spread this water out. I think one thing about Nebraskans in times of shortage we should pitch in and share. And if we contract our irrigated acres it's going to diminish the taxing ability, ultimately, of our assessors. And I think eventually that will happen. They're going to have to recognize, for example, that all irrigated land is not the same. At this point in Hamilton County if it's irrigated, it's taxed one way, if it's dryland it's taxed another way, and there's nothing in between. So that's been my experience. I'm afraid at some point if we keep going down this path there's going to have to be recognition that one piece of irrigated land, if you can pump 10 g.p.m. per acre on one farm, that is not equal to a farm that pumps 3 g.p.m. per acre. So you have a difficult time producing the same kind of crop. Regarding the 10 percent, when I first heard this idea I thought maybe that's a good option. But I would agree with the first speaker. I don't think this is going to be a significant, going to make a significant difference. If you consider and 80 acre piece of ground that's gravity irrigated and somebody puts on 24 inches, which is not unreasonable that they could use that much, without runoff, really without wasting water. Let's assume that 24 inches, if you use that same number of acre inches and put it on the 72 acres, that is 90 percent of what you started out with, you would be putting on 26.7, roughly, inches. So if they use the same amount of water, is that conceivable? In a dry year I think that's very conceivable that those wells would not be slowed, they would not be stopped. And it could easily use the same amount of water on

90 percent of the acres. Even under a pivot situation, if you opted 10 percent out of a pivot, maybe you take a couple pivot corners out what you were formerly irrigating, and the pivot would continue to run. It's doubtful that it's going to stop just because those acres are withdrawn. So I think this is, I applaud the board's efforts to try to have some impact here, if you insist on giving this option of acreage reduction, I would suggest you need to consider upping that percent. I'm not sure where the 10 percent came from, but it does not look like an equitable type of acreage reduction, based on going from say 20 to 24 inches down to 13 inches. That's a very severe reduction. I don't know why anybody would opt into this, the allocation, if they can reduce acres. Thank you.

Joe McCarthy:

My name's Joe McCarthy, I live at 1114 Road 8, York. I've resided in section 26 since 1937. Two items here that I wish to address. The first one is flow meters. Run this by you. I have a meter on the REA pole out in the yard. I've got a meter on my natural gas line across the road and you know what I do once a month? I pay a bill. Now you put water meters on all those wells and guess what. Don't say this isn't in the program, because I don't think you'll have anything to say about it. And right down that Platte River – Scottsbluff, North Platte, Kearney, Columbus, Fremont, Lincoln, Omaha. Who owns the Nebraska Legislature? Those people all pay a water bill every month and nothing they'd like better than to see you do the same. So look before you leap. Do not put meters on those wells. Another issue I'd like to address is water allocation. One of my wells was dug in 1956. Now you're going to allocate me the same amount of water as the one that was drilled two miles west of me last week? That's discrimination. If you're using a bench mark of 1978, well use the bench mark. How about I suggest that all the wells prior to that be grandfathered? If you're going to use water allocation, use on the wells that's been drilled since. Don't blanket the whole area. That ends my comments. Thank you.

William Plock:

My name's William Plock. I live in Hastings, Nebraska. One thing I'd like to address – I feel like this other guy, that the rules were set and not to be changing the rules in the middle of a football game. But I also want to go through some things here on your chart about the water table. Your water table and the number of wells you had in 1961, when this data was started, you had 3,500 wells. In 1978 when you had the lowest possible that year you had approximately 9,100 wells. Then you move over here to 1987 when there's a lot of rain again, you had 10,000 wells and you move across over here to 1991 was the all-time high. You had 11,200 wells approximately, and as far as I can figure out you got about 13,221 wells by Nebraska Department of Resource. I went down to check out some of their data. Then I took some of your charts to kind of put it together. To me if you take a 40-year cycle your right back where you started 40 years ago on you water table and rainfall. Plus you've got over 10,000 more wells today that you had in 1961 when this data was accumulated. So the overall district has not really gone down, outside of the last three to four years we've had bad, dry years. So if you go through a 40-year

cycle, to me it's not anything to really get excited about, because you're going to have your rain and go back up. Even though we've got more wells. We've got 7,000 more wells in 1999 and the water table still went up. But you had years in there when you had good rain and then the years you didn't. Well just like now, we've had since, a bad two or three years of lower rain fall than normal. So the chart doesn't tell the whole story. But you look at the wells and the well water hasn't really significantly dropped. Even with 10,000 more wells than you had 40 years ago. You had a 40-year cycle there. So we do have good underground recharge so I don't think it's a crisis situation where you got to go in and start putting a lot of this stuff in the overall district. But I think one thing you're a little slow in doing is, you need subdistricts like in Eldorado Township over in Clay County and School Creek, where you've already got significant water loss. You need to go in and start doing your studies now. And you got water loss up in Butler County. Let's see, there's about 170 wells that I can figure out in Eldorado Township and 170 wells in School Creek that are active, there's more, but the active wells. There's only about 66 up in Butler County in the two townships up there that I can come up with that were a problem with the water table dropped already significantly. Those areas ought to be addressed now and start the studies and monitoring more wells. My understanding that you do about four to 5 percent wells for an area like over there in Eldorado Township. I think there's four or five wells. I think the monitoring ought to be moved up to 5 percent which would be almost 10 wells. And the same thing with School Creek, to move up the monitoring, to more of them and then start looking at meters in those areas and not treat the whole NRD as one unit. Narrowing down your subdistrict where you've already got problems and start addressing those problems, before you start a whole area, like I said, an impact study where you're going to start implementing everything. Okay, and the next thing, I'm against a moratorium on well drilling because it doesn't give people the opportunity down the road once it's triggered you can't come back and drill wells. If you trigger it next year there's no way anybody can develop land or put in water, future pivots. So that is a hardship on the well drillers along with the farmers. If you should inherit land or anything down the road that you want to develop, or you trade land and you want to develop some of it, there's no way in the future, once that's triggered, any provision whatsoever to go ahead and do that. And also the gravity guy, there's no way that a gravity farmer, like this year, can get by on that allocation. They're going to run 30 inches of water primarily on those, like this year. There's no question a pivot can do it on 13 inches if they really want to and still produce 200 bushel corn. But then the gravity guy, he's going to have to leave his land lay idle every other year or every third year to meet that allocation. Then the real kicker comes as your overuse penalty. You're going to kill the gravity guy. You're just going to slaughter him to death. You're going to put him out of business. You're going to break him, because you're going to take the water at twice the rate he was using to begin with. So that penalty - must have been somebody in Lincoln that dreamed that up. I don't think any farmer would do that, because they're your neighbors. You know they've got pivots and they've got gravity, pretty much everybody's got some of both. So you've got to treat the gravity guy, give him a little, give him a change. Any young guy, or guys who want to farm, there's no way they can do it, because you're going to put them out of business once you activate that. And then, also, on these wells like we've talked about, young farmers want to go out and put in house wells. One thousand feet between house wells is too far, but 1,000

feet to me between a house well and an irrigation pump should be that far apart. Because there are a lot of house wells going dry, but if you've got a house well against a house well I can see 500 feet maybe, but 1,000 feet is a long way between a house well on one side of the road and the other. But if you've got an irrigation well there then you need to have that protection for a house well. I think almost 1,000 feet away from any pumping, major irrigation pumping. I want to thank the board for their time. Thank you very much.

Norman Luebbe:

I'm Norm Luebbe. I've heard the glad and I've heard the sad here today, and there's probably a little of both. I was on the water conservation boards when they were created. I think Rod probably could fill me in on years on that. I'm sure. But I was on that water conservation board for over 30 years in Seward County. And there were a lot of inroads made back then. There was a pilot project we had at Polk, Nebraska. You remember that Rod? And that particular project it hasn't been talked about, but its profile in the soil is basically full, 90 percent full. At that time it was a very dry year, I can't tell you what year it was, but it was prior to 1978. And with 13 inches we raised a bumper crop up there. So we started the year with a full profile. I guess the point is we're talking about different kinds of soils. You've heard from all over the watershed. And there's all kind of land. Now in the area where I'm at we have heavy soil. A lot of soils around York and Hamilton County, there's a lot of light soils that don't hold the moisture. Five years ago I bought a farm and it's 155 acres on the land. Half of it was irrigated from one well and the other half from the other well. Those wells, and these wells are not in deep water here we're talking 125 feet deep, and they put out 1,000 g.p.m. Each one of them would in the area where I'm at, which is good water. That's the way that piece of land was irrigated, with two wells. When I bought it, I put a pivot on it. I run one well. I run 750 g.p.m. and this year I've never seen the corn, in my life, as I have this year. We didn't have a lot of rain, by the way. Had very little rain and I'm about four miles south of Seward. Very little rain down in that area. But I've never seen the corn so good and I know I didn't pump 13 inches on that soil. One other thing that feeds into this, and I know a lot of guys are probably conscious of this, and a lot of them are doing this practice, no-till. No-till has done wonders for us, in dryland and in irrigated. So I think sometimes we have to look at what's happening around us. Are we ruining our moisture by the tilling that we're doing? So these are just some of the things that I wanted to talk about. And I'm not in favor of putting, or leaving a 10 percent lay, and going with no meters on those particular wells. I don't know how you're going to make an adjustment there for the fellows that have problems like that, but I think that if we're talking about conserving water we have to work on this together, it's a project that we all have to look at. It is a resource that's God given and it's something that we have to look at. After we got to the lowest level in 1981, in Seward County, we saw four wet years after that. And our water came right back up to where it was in 1953. And that's really all it takes. If we get rain, things will turn around. But I want to commend you fellows for being on the board, for doing the things you're doing. It's a thankless job, but I think it's necessary and we're on the right track. With that I guess I'll let somebody else speak. Thank you.

David Richert:

My name is David Richert. I farm down in the southwest corner of Butler County. I just had a couple comments I wanted to make. One of the speakers mentioned we're mining our water. Well, the last 40 years we've seen just a slight increase in water. We've got basically no net change in the water level. So I don't really see how we're mining it if it's just the same as when you first started monitoring it. Also, I'm one of those young farmers they've been referencing. I've only been out of the University a few years. And I hear some of these guys talking about having 12 wells per farmer, well I don't know how many times I'd have to multiply before I'd get anywhere near that level. But, you put a 10 percent reduction allocation, how am I going to do that? Go to one landlord and tell him 'well I think we'll take a little bit off yours, because the other landlord, I can't take anything off his very well'. That's going to be kind of tough to do. And also, another point I want to make is the new objective that they list in this newsletter is "to encourage, promote and regulate the efficient management and conservation of ground water." Well I've been dealing with government for a little while and if I ever heard of an oxymoron it's regulate and efficient. You've put an allocation of water. Just for an example of what inefficiencies can be induced by increased regulations, you put a specific allotment, how many inches I can use in three years. Well if it gets to year three and I haven't used up my allocation I'm going to pump heavy and get that subsoil profile as full as I can and get that allotment used up. That isn't really going to conserve much water. And another thing, when I was at the University they, in one of the ecology classes they talked about a tree ring study of the droughts for the last 1,000 years in the Great Plains. And whether or not that's accurate, my professor thought it was accurate. He said the average drought cycle from rain to drought to rain again for the last 1,000 years in the Great Plains is 12 years. We're looking at, we're three years into it, if this is average we're through the worst of it by now. We're going to be working back up. I think that's the main points I wanted to make. There are natural cycles and they come and go. We haven't changed our water level. We're just on the down side of the up-cycle. We're still where we've been. And increased regulations – I've never heard of any example where that ever increased efficiency. Thank you for your time.

Don Petersen:

I'm Don Petersen from Exeter. There's a couple of things I'd like to comment on. First being flow meters. I don't remember. Somebody will have to help me out, but 15 or 18 years ago a couple of the offices here in York, the Soil Conservation Office or somebody, supplied water meters. I don't remember too much about the statistics, if they were cost-shared or what. I know we had to keep track of the rainfall for a couple of years. But my comment on those water meters is they were very short lived. Maybe today they have improved them, but after I don't know how many people in York County would have taken advantage of this, but after they were all out, everybody found out that they were manufactured for a certain inside diameter pipe. Well I bet you if you went to all the wells here in this district you might have a hundred or more sizes diameter pipe. And there all close, within a fraction, but fractions count when you're counting

gallons of water over a three-year period. So I guess what I'm trying to say is if we're going to be stuck with flow meters I think a little bit of money should be invested to start out every well in the district on a fair footing. And these flow meters should already be inserted in a pipe suitable for an 8 inch well or 6 inch well, or whatever. And everybody have a certain length of pipe, be it stainless steel or whatever. And cost share that. I'm sure the NRD has enough money in their kitty. They could help the farmers out on that. I hope you understand my proposal. Because I think it's really necessary that everybody has that same pipe. I know I've talked to one well driller who also told me that it depends on where you install them. He said they will not read the same vertical pipe as if you install them horizontally. I don't know a thing about that. I've also heard that if a pipe isn't quite full they don't register accurately compared to a pipe that's full. My second comment is I think if you're going to water restrictions or allow so many inches of water for three years, to give you an example I think that if somebody had five pivots and he wanted to plant milo on one of them and he only used five inches of water that particular year on that pivot of milo, that he be allowed to use the remainder of those gallons on the other four pivots. Maybe that is your intention, because I think in the long run that will curtail water usage because there's always a possibility that if a rain did come you wouldn't need all of your 39 inches, or whatever's recommended. The last comment I'd like to make is the fact that I got a distant cousin who lives in Tampa, Florida, been there most of his life. I don't know if any of you are familiar with it, in the last few years it's basically gotten really dry there. But this took place several years ago. They had all sorts of water restrictions. In town they couldn't water their lawns and all this and that. And he drove by a large cemetery there in the suburbs of Tampa. They had all sorts of sprinklers going. It made him angry and he got a hold of the right authorities, it took about three days, but they didn't pump any more water on the cemetery. So I think maybe there are places here, even in our district, where there are some things that are more important than others. And I think that should be looked at. I thank you fellows.

Greg Buehr:

My name is Greg Buehr. I farm in York County. And I thought it would be important that the younger generation say something at this hearing. The first thing I notice when I look at this chart, and I look where we are, average ground water level. We're at the average level. I just hope we're not doing something too soon or we're doing something too emotional. But there are some other things that we need to consider. I start feeling like the bad guy. As a young farmer I'm putting atrazine in the water. I'm putting nitrates in the water. I'm using up all the water. After awhile you start feeling like 'Well what am I do? Am I destroying this thing?'. Then when I look at it, I myself don't use atrazine because it's not cost effective. I don't use any more nitrogen than what I need, because I can't afford to. And the same thing with water. And I just wonder if some of these things, there might be some things that can be done, for example what's being done with the nitrates. Forcing people to do soil tests and so forth. I wonder if some of those things couldn't be done with water. For instance, I hire a crop consultant. Why do I pay the \$7.00 per acre for a crop consultant? So he tells me how much water I need. He saves me more water. There are more times he tells me to shut off than he tells me to pump. Another field

I have has a lot of runoff that comes down through the field. I wanted to put a reuse pit in to catch this runoff. I was told I could not get assistance because it was not my runoff. It was a neighbor's runoff. There's a few loopholes like that. And another thing is incentives for pivots. I've got 80 acres of land. I rent it. I can't afford to buy a pivot to irrigate 80 acres. I would love to have a pivot on there. And I wonder if there aren't some incentives maybe the NRD could put forth to encourage pivot use, even on 40 acre tracts. You know, like Roger says, there's a lot of land underneath pivots, well in some cases there's places where a 40-acre pivot or even an 80-acre pivot would work. Not only do you save the water, but look, if you don't irrigate the corners you've got 5-7% set aside. You're accomplishing two things at one time. And the thing that really bothers me, having young kids, I like the trees, I like the outdoors, I want the water to be around. I want the trees to be around. I want the habitat to be around. And then I have neighbors who take land by the creeks and pull the trees. Beautiful areas. Level them off and sink wells. I always wonder if some type of regulations couldn't be done to prevent some of these things. I've had two different pieces next to the farms I own that have been destroyed. Beautiful trees have been destroyed. Land that shouldn't be farmed, because of the severity of the slopes, and so forth. I wonder if some type of regulation couldn't stop some of that needless drilling. It's land that shouldn't be producing corn anyway. And here you got new wells being sunk and corner systems being put on there. It seems like the water could be better spent somewhere else. The more regulations that come into farming, the less fun it is. Just like my four-year-old. He wants to play a game and I tell him all the rules. All of a sudden he says this isn't fun anymore. I don't over irrigate because I want to. I don't put on more fertilizer because I want to. I can't afford to. If you want to stay competitive in this game you've got to cut your costs everywhere you can. I would love to have all pivots. I'd love to spend less money on water. But you can't justify some of those things. I wonder if the money could be better spent on getting people to put in pivots. Low interest loans. Grant money. I don't know what it would take. But I think there are some other alternatives that could be considered. Thanks.

Don Adams:

Good afternoon. My name is Don Adams. I'm the Executive Director of Nebraskans First. Which is a statewide coalition of ground water irrigators dedicated to protecting Nebraska's ground water for agriculture. I'd like to comment on Greg's testimony which hit the nail on the head. The problem now that is being falsely created in this state, in the Omaha World Herald and Lincoln Journal-Star and newspapers like that in the editorial page are facilitating this myth that somehow ground water irrigation is a problem in this state. And somehow irrigators are abusing our resources, damaging water levels, damaging endangered species and there's got to be some strict restrictions put on it. The fact of the matter is that ground water irrigation is the salvation of this state. And we've got to come to terms and defend it and recognize that. But for ground water irrigation, and that irrigates 85 percent of all irrigated acres in this state, eight million I believe, this state would be a desert just like it was back in the 1800's. Instead because of ground water irrigation the state is a world class producer. It has a lot to due with sustaining the communities of Lincoln and Omaha. If they'd only come to grips with that. Now, you guys on

the NRD have a tough job. Nebraskans First has always supported the NRD system and local control of ground water. Unlike any other state that I'm aware of we regulate ground water at the local level and not the state level. It's a tough job, and probably right now tougher than being on the school board. What we don't want is the state to creep in and gain more and more control, and ultimately end up in a situation that Kansas now has to endure, where they have a water czar who with the stroke of a pen can end ground water irrigation and shut down a well with threat of criminal penalties. I will say that this NRD, and the farmers in this NRD, are actually lucky, because you're not in this critical habitat area along the Central Platte, that the endangered species act has created an ultimate nightmare for us with programs looming on the horizon, such as the Cooperative Agreement and others that seek to hand over control of the Platte River, border to border in this state, to the U.S. Fish and Wildlife Service for them to manage under what they call adaptive management. The Upper Big Blue NRD is outside of that area and you should be thankful that you're not ensnared in this endangered species act stuff, that's on the verge of killing us. The drought has created the feeling that life as we know it is over. And the fact of the matter is, the drought will end, rivers will fill, streams will fill, dams will fill, reservoirs will fill. Water levels will rise back to the historic high levels. This is a fact that will happen. We are very leery of meters. An individual who testified before said that once you get the meters you have a mechanism to tax. I have heard this down in Lincoln many times. I deal with the Legislature on a regular basis. And now with the state's budget problems, believe me, they are looking at that as a source of revenue. You get meters that will come next. We oppose moratoriums absolutely. Temporary suspensions are one thing, but an absolute moratorium is another. It sends a chilling signal to farmers and producers that the beginning of the end is at hand. And it sends a chilling message to their children and grandchildren that their future in agriculture is dim. Moratoriums are also contrary to the correlative rights doctrine that governs this state's ground water regulations. Which is a share and share alike concept. And it times of shortage, unlike surface water irrigators, ground water irrigators bear the brunt equally until the problem is resolved. So we oppose a moratorium. Again, this drought is creating this frenzy out there. Fortunately, you're not the situation of the Republican River NRDs. All three of those NRDs are under very strict regulations and moratoriums now, but that's because of the 1943 interstate compact that was entered into with Kansas, Colorado and the Department of the Interior. And the reason those NRDs have a moratorium is because of that situation. That's not to be confused in any way with what's happening here, or even in the Central Platte. I had a lobbyist of the League of Municipalities come up to me and tell me in Lincoln a year or two ago that Nebraskans First wouldn't be happy until people in the cities turn on their faucets and dust comes out. This is what we're dealing with down in Lincoln. And this is why we need to do what we can to inform the people of this state how important irrigation is. I would say if you have problems in this NRD, isolate the problems, the problem areas and subdistricts, rather than a blanket regulatory scheme covering the entire NRD. Water experts have told me that the responsible management of a ground water reservoir is in times of drought and dry years to draw down the reservoir, so in wet years you can recharge the reservoir. That is proper management of a ground water resource. And that's why we're so fortunate to be blessed with it, because it will rise. One last thing. I pulled out a map, a USGS map of the High Plains Aquifer, for the period 1980 - 1999. And it

shows in Texas and in Kansas that the ground water tables are really falling. You can see the red and the yellow. But when you come up to Nebraska, and really in this NRD, for that twenty-year period the ground water levels have actually risen ten to twenty feet, or more. This is the big picture that I believe needs to be looked at when planning for increased regulation of ground water irrigation. I think that should sum up my comments. This is a big thing. I ask that you carefully analyses this, carefully listen to everybody that has testified. And I'm sure that if more people would come up and testify you'd probably learn that it's probably 85 to 90 percent that are opposed to this. One last thing. I've worked with John Turnbull a number of years. Right now he's on the Water Policy Task Force, which is a massive state program, with forty-nine members; environmentalists, city people, and government bureaucrats. John is a strong outspoken defender of ground water irrigator's rights. It's not a real popular position in this task force that is put together. I attend every meeting and I will vouch that I know he is doing all that he can to support and defend ground water irrigation rights in this NRD. I would like to commend him for that. Thank you very much.

Delayne Eberspacher:

Good afternoon. My name is Delayne Eberspacher from Cordova, Nebraska. According to the graph that you gave us I'd like to speak on some trend lines first. From 1961 to 1981 you can see a definite trend line down as to where you imposed these regulations. And then from 1981 to 1999 there is a definite trend line up in the ground water levels. And as one of the previous speakers said before, the number of wells has tripled, at least, in those years. In your graph, in the drought years that I see here. I count no more than three years of a continual trend line down. Excuse me, four years with a trend line down. And then in that four years one of those years was flat. I fear this NRD is feeling pressure from the state and other sources to great bureaucracy in what the meters and new regulations are going to impose. And I feel that this doesn't apply to this NRD. As the previous speaker said, the Republican River Valley where all the water restrictions are on, that dates back to a compact which has nothing to do with up here. I fear that we're just going to be creating more bureaucracy and a lot more headaches. Number two is the money issue. How much money is this going to cost us? And where is it going to come from with the state in the financial position that it's in? Who's going to play Peter because the NRD wants to be Paul? We want to create more jobs and buy a lot of new machinery to regulate us. And we already have those in check from 1978. And I don't feel we should be changing anything. I definitely oppose the moratorium, because, as was said before, this is going to spur on a whole new waive of well drilling really fast. And I can attest to that from the Republican River Valley where the well restrictions are now in. Last fall at this time we were waiting for two new wells to get put in. And we were put off two months because the well drilling company had all their rigs south putting in as many as fast as they could before those came on. And it's going to do the same thing here. Ultimately who's going to benefit from this? The meter companies? That's talking big dollars for a few people. And they have a lot at stake here and I'm sure they would like to see all this go into effect. Where as I said, we're basing this on a trend line that really hasn't established itself yet. Yes, we're going down. There's no doubt about that. But as

the previous speaker said, it will rise, it will rain. We will come back. This is much like the grain markets, you are going to have a lot of downs and you're going to come back up. And to raise the new triggers, I think we're way too early in doing so. I think we're creating bureaucracy where we do not need to. Thank you.

Tim Alfs:

My name's Tim Alfs from Shickley, Nebraska. I've got several different positions why I'm here. One is I'm a farmer, well driller, school board member, and a very concerned citizen for the state of Nebraska. First of all, I've got to applaud you members for showing up today. I went to the Central Platte NRD's meeting in Central City. There was not one, or at least not one that spoke up and said he was for the moratorium, not one showed up there at that meeting. How many people are going to read the minutes of what's said here or at that meeting? I was disappointed in them. They made up their minds and that was it. I've got to commend you for showing up today. And be willing to listen. I'm also a big believer in local control. If we send this to the state, we're going to get the shaft. That's all there is to it. One thing I don't understand is why we're changing the rules that we made, the 1978 readings, why are we changing that? If it was good back then why all of a sudden the big change because we've had some drought weather? We have a recording well in our office. We've showed big declines in dry years and we've had a lot of increases in wet years. That's just the way it is. If it doesn't rain, we're going to have some down trends. Other thing. Why just the regulations on more than 50 gallons? I know it's kind of a petty thing, but you drive by some of the country and you see people watering their yards. And I mean they're lush green. If we're going to have to shut off, or limit how much we're going to water, maybe we should do that also on those wells. Also, again, why the change to the 39 inches versus 48 inches? I don't understand that. I asked one board member about it. If we can bank these inches that we don't use. If we don't use the full 39 inches in three years can we move those forward to the next three years? Other NRDs do it. We have some property in Perkins County. They keep a printout of how many inches they've been using for the past number of years and keep pulling them forward. In dry years you get to use them in wet years, if you don't use them you bank a little more, and move on. One thing, I'm sure Rod (DeBuhr) just overlooked it, but he said this was a summary of the sheet. I guess not only on Rod, I talked to a couple other members, they weren't aware there was a moratorium if we got into allocation. There's no way of getting back out of it. I was disappointed that Rod didn't bring that up. But I understand, I'm not a very good public speaker by any means, and a person might get nervous. I get nervous, and I can see other people doing it also. But why after levels have recharged and regained, why can't we develop? Maybe somebody's grandfather wasn't in favor of irrigation. That's fine if he doesn't want to irrigate, that's fine. But if his grandson, or grandkids want to irrigate, why should they not have the opportunity to capture some of our natural resource? I'm a little biased. My grandfather started drilling in 1940. And I feel that he put a lot of effort, he cared for the communities, he put a lot of money into the communities, the surrounding area. The areas that have irrigation prosper. That's all there is to it. It creates jobs. If we get to a point where we can't develop, I'm not going to need as many people as I have. And there are other people who

aren't going to need them. So that's going to stop the new business and in turn lack of sales tax. It's going to put a hamper on sales tax. Property tax. If you do a deduction of 10 percent, if you can't irrigate that, then your property taxes should go down. In turn that's going to put a hurt on the schools. I'm on a school board also. Money is one big issue on that also. It's going to limit income potential of the schools. One individual said that, one of the board members that I was talking to said that if even if we adopt it as is we can always vote it in to start development. I disagree. You've got the environmentalists. They've got a lot of money to put injunctions on putting this back in order where you can develop or add acres to it. They're going to throw a lot of money at this. One other point. Why not sub areas? If you have a broken foot you don't put a full body cast on and you never take it off. Why can't we do sub areas? If there's an area that has a problem we need to fix it. We cover a fair territory. Not every area is the same in the aquifer. There's some confined aquifers out there. I hope you take a look at. I also received a letter back in May from DNR, Department of Natural Resources, Roger Patterson. The way I interpret it is as of, I don't remember what the date was, but basically you cannot increase the production of a well that you have. If you have a poor developing well you cannot increase that ability. Correct me if I'm wrong. I've got a copy of that at the office yet. I wish I would have brought it but I didn't. That was in regard to the Lower Republican from what I understand. It basically, we had the opportunity to go down there and drill for two months down there, I opted not to, to serve the customers we have. Basically what they were doing down there was drilling holes. They weren't taking their time and doing the proper testing that they should. They just wanted a well so it was considered irrigated so they were protected. But now Roger Patterson decided that wasn't going to happen. They aren't going to be able to increase it. That's the way I interpreted that rule. I hope, again, you guys have a tough decision ahead of you folks. I hope you make the right decision and read the whole, item to item, Rule 5, or whatever you call it. I hope everybody knows what's in that thing before they vote for it or against it. You need to know what's in there. Thank you.

George Wochner:

Good afternoon gentlemen, I sat at this table 30 years ago, testified at the same kind of a hearing.

Rod DeBuhr:

I need you to state your name please.

George Wochner:

My name is George Wochner. I live at Bradshaw, Nebraska. I've been irrigating since the day I was born, in 1943. I've got a well on my farm that was drilled in 1943 and it measures today the same as it did then. I've got another well that the NRD has measured every year since 1980 when it was drilled. I don't know where you guys get these figures and I guess I don't understand it. Because according to your figures that you send me that well, in 1980, measured 88.5 feet and in

the spring of 2002 it measured 68.5. Now is that a 20 foot rise or am I reading it wrong?

Rod DeBuhr:

If that's what it says, that's what it is.

George Wochner:

Well, I mean, you measured it and that's the way I read it. So, here you got it, and, and I realize that in 2002 it's down three feet from what it was in 2001, because 2002 was dry. But, I don't understand your figures and I propose that you leave the rules that you have the way they read today. No changes. Because how can you change something when you haven't even tried them yet? You haven't been in this situation. You don't know what they're gonna do. The way it looks to me, apparently they worked for a little while here until a dry year came along. Something happened to keep the water coming up didn't it? Was it your rules? Was it this paper that made the water come up? I don't think so. I don't think this paper's gonna stop this water from going down either is it? There's a few other things that I'd like to address. I've got a wetland that's about, oh I suppose seven miles from me. This summer our fine government drilled a well on there and they pumped the basin full of water because it was dry. Now, we've got water declining and were gonna pump water for ducks and geese? I'm sorry gentlemen, you put an allocation on me and I go watch that pump, pumping water for ducks and geese I'm gonna pump water on my corn aren't I? I think I will. And I'll see you in court. Now you're opening a can of worms here gentlemen and I hope you're ready to enforce them. And it doesn't say anywhere in here what you're going to do if these rules are broken does it? How are you gonna enforce them? What's gonna happen to you if you don't do them? I don't think you've looked at that have you? You're throwing rules out but you haven't decided what your gonna do if we break them. Okay gentlemen, that's all I've got to say and thank you for your time.

Rod DeBuhr:

Is there anybody else who wishes to testify?

Darrel Thieszen:

I just want to affirm what the past..

Rod DeBuhr:

What's your name?

Darrel Thieszen:

My name's Darrel Thieszen. I want to affirm what the past speaker said about the Game and Parks Commission drilling wells to pump water for the geese. The same thing happened in Section 25 - Brown Township (T10N-R4W) and that was kind of discouraging to me and I think it's inconsistent with water conservation. Thank you.

Kris Stengel:

My name is Kris Stengel. I farm around Sutton. I know you're not going to answer any questions, but I would like to address one question to the crowd. The Board back in 1978, I was six years old. I didn't know any of them. Some of them are probably gone by now, but they probably knew what they were doing when they did it. Everybody here knew the rules going into this. The rules were established. We all play by the rules. How many constituents here, since they represent us, think the 1978 rules should be stuck with? I for one do, with no changes. We don't change the rules half way through the game and I've just started. I hope.

Gerald L. Ochsner:

My name is Gerald Ochsner. I feel for you gentlemen that are on this board. I myself was on the Clay County Groundwater Board for 18 years which goes back quite a way. I personally feel that what was setup, originally, we probably should try first before we alter anything. We haven't tried it yet, so why don't we try it and then we still could change down the line. I do feel that the time's going to come when this water level is going to decline and we're going to get metered, one way or the other. I had the opportunity and I don't know if Mr. Turnbull was on the NRD at York yet or not, but approximately 30 years ago I was on a fact-finding commission to Roswell, New Mexico. And, if you gentlemen had been along and seen what was going on then, I think that everybody in this room would appreciate what you gentlemen are working on. I had the opportunity to go to a coffee shop with the rest of the fact-finding board that morning, and I'll call him a Texas cowboy. He was old as I am now and he said "you gentlemen better be taking care of your water in Nebraska or your gonna just look like us Texas cowboys. We're all dried up and shriveled away because we didn't know how to take care of our water." There were areas in this district that I visited where they would pump the water on one side of the road and the land was valued at \$3,000 an acre. On the other side the water rights had been sold to the cities and municipalities and the land was worthless. It went back to sagebrush and cactus. I don't think we want to see that happen in this area. So I do feel that we could go along with the original regulations and try them and if they don't work change them at a later time. I know we're all concerned that when these rules get put on they're gonna stay. But there is one thing on your one page that says that allocations will stop when the water level regroups it'd be higher than the two feet from the point of these allocations starting. So, if we do leave that in there we don't have the total fear that if water rises that we will be back in this allocation. There will be a chance to get back out of it. But I personally feel that the original rules should be tried and used first and if they don't work go back and try something else. Thank you for your time.

Rod DeBuhr:

Anyone else wish to testify?

Royce Jaeger:

My name is Royce Jaeger and I live at 1414 Road 10. That puts me right in the six townships in York County where you're talking about a well drilling moratorium. Well my first plan of action is I'm going to go to the county commissioners come spring and protest my valuations. I've been there enough I don't think I'll get brushed off too easily. There is a valuation on dryland farm ground that it has a potential to be developed. Right now, if you don't go any further, you've already put a cloud on that right to develop it. It's just like in the grain markets. Rumor is what makes it go up. In fact, it's what makes it go down. And if you put on your well drilling moratorium, what are you gonna do for us that have a well cave in? We lose our crop in the middle of the year? I think somebody's gonna get held responsible for a loss. Because dads had wells on there before you people were in existence and I kind of got it figured they'll be some other people that's got those wells and there will be a test on the grandfather clause to see if someone doesn't get held responsible for revoking that. Another thing I kind of noticed here is that people are coming up here saying, protesting the rules and since you're a political subdivision of state government. Normally the way our government operates is that the people give the power to the state and they listen to what they say. I've read the state constitution and the people gave the state the right to appropriate all natural flowing streams. Now, my understanding is, from the dictionary, that's surface water. So I'd like someone to explain how natural flowing streams got transposed into underground water. And then there is an article in the constitution that says the state shall have control of all the natural salt springs, coal, oil and other natural resources. Or does the state now consider all our ground theirs and we only lease it when we buy it?

Jeff Obermier:

My name is Jeff Obermier. I just want to comment. I beg of you guys to look at the financial responsibilities you place on some of us producers to comply with these. I'm a young farmer. Approximately 50 percent of my acres, irrigated acres are gravity. Small fields, river bottoms, railroad right-of-ways, some of them are fairly feasible to pivot irrigate, others of them are not. If it was, if I financially able to comply with these water conservation regulations I would have already done it. Things are tight in the agriculture economy. Every penny counts. Speaking as a young farmer with 50 percent gravity irrigated, if these things went into implementation, I don't believe I could stay in business. Not only could I not afford the meters to meter my irrigation water. I'd have to either set aside 10 percent, which would adversely affect my income, or I would have to put a pivot up, to be able to get by on 13 inches of water. Which could be done, except for the cost of the pivot. A lot of my land is rented. So, part of the responsibility would fall onto the landlord to pay for the pivot and so forth. But, I do believe that would affect my

cash rental rates, or my share crop rental rates, that all comes back into the equation. Even with the programs you guys have implemented through the Conservation Service and so forth with cost-sharing, there just isn't enough excess income in agriculture to make some of these changes that would need to be made to make this feasible. Looking from a financial standpoint, from my point of view, the 10 percent acreage reduction would be the best way to go in my operation. Do I feel that's the most conservation minded way to go? Absolutely not. I've got irrigated fields where, if I laid 10 acres, 10 percent of the acres set aside as dryland, I couldn't irrigate them before with the gravity well I had. You know I wouldn't, I'd pump 24 hours a day, seven days a week in a dry year like this year on the remaining 90 percent. That's all I have really. Thank you very much.

Rick Reinsch:

Good afternoon. My name is Rick Reinsch. I'd like to thank you, the board members, for the opportunity to address you. I too am going to restate the point. I really don't understand why we're here. There were regulations put in place in 1979 that were well thought out. They have not been tested. Not even proved. So I don't understand why we're trying to make more strict restrictions, when we haven't even tested out the restrictions or regulations that were put in place in 1979. Another thing, another point that I think that needs to be brought up here, which was interestingly enough I think, brushed over, was the question about irrigation development. I hear the word moratorium brought up here many times. This is worse than a moratorium. Irrigation development means that a present well could not irrigate additional acres after you impose this. This actually makes a moratorium look good. I'm going to challenge the board members to re-look, rethink, these proposals. I really don't see the reason for it. And I think the board needs to look at it a little bit differently. I think instead of giving away your water rights, which you're asking us to do here, or when you enforce or increase your regulations. I think you ought to look at trying to protect the current water rights you have. There are many people outside this district that are willing to take them away from you. And in time, they're going to challenge you and they're going to try to do that. So I think you ought to fight tooth and nail to keep what you have in place. Again, I thank the board for the opportunity to speak to you.

Rod DeBuhr:

Anyone else wish to testify?

Ardeen Zierott:

My name is Ardeen Zierott. I live at Hampton and we know that our economy is based on our irrigation, our crops and what we've got. Let's get down on our knees and pray.

Russ Regier:

My name is Russ Regier. I'm from just north of Henderson. I'm not much of a public speaker. I'm objecting to the changing of the 40, going away from the 48 inches of water. I don't care for the 10 percent allocation or the meter reduction. For one if choose the 10 percent reduction, and your water is still going down after the three years, what happens then? Do you come back and reduce that another 10 percent after the three years if the water's going down? Instead of 10 percent dryland we're up to 20 percent dryland already and so on and so forth. The economics on that is just, you can't really figure that all in or can't see once how much we're going to lose on that. As far as the meter restrictions, meters are basically a tool to know what you're putting on or what you're doing, as far as controlling it. I have gravity irrigation. I have pivot irrigation. I have, together with a couple of neighbors, we have four pivots that we run. I have five wells that are still gravity. Just the economics, not only of saving the water that we have with pivot, I know Roger (Siebert) eluded to the acres that can't be put under pivots, but I think in time there's enough acres yet that can be still put under pivots from what we had in gravity. When water came about here in '57 or in the 50's, everything was gravity at that time. Since, when it was, 60's or so, pivots started coming in, we could start saving water by being more economical with a pivot on there. I'd like to know, in the last 10 years, the number of wells that have gone in. How many have been pivots? How many of them are gravity? You know, just in that, we're reducing anytime we put a pivot on. You're reducing the water automatically from gravity. Not only the water consumption, but as far as the cost of running the thing. The wells I have, gravity wells, I run 292 Chevy engines on them. The pivots are 350 Chevy. One I have tandem 292's running on it. This last year, just the cost alone on natural gas, I have all natural gas, the lowest was \$23.17 to \$25.23 an acre to run the pivot. My gravity irrigation ran from \$28.19 and acre to \$34.75 an acre. That right there, you can see the difference in the cost of gravity. As soon we can save enough money, in a year or two or so, we'll try to put pivots on. And not only to reduce our expenses, but also to save the water. Because with a pivot, the three that we ran – I had meters on them this year. Two were with the EQIP program and one the NRD had us put a meter on. And I was running 11 to 12 inches of water on that this year. And had 190 to 200 bushel corn on it. On my gravity irrigation I don't have any meter on those. But I went back and dug out some old records from the early 70's when we have meters then. And I'm sure that they haven't changed anything. Those ran anywhere from 25 to 32 inches per gravity well. And I don't think that has changed much on that from then until now. So, changing it from gravity to pivot we're already a better steward of our water consumption. Not only between the 10 percent but on some of these wells we've reduced it by 50 percent of what we used and still had 200 bushel corn on there. Thank you.

Mike Allen:

Good afternoon. My name is Mike Allen. I am from Ayr, Nebraska. 10490 South Baltimore Avenue. I am a fourth generation Nebraska farm family member. I sit on the water well standards and contractors licensing board, by the Governor's appointment. I work in the industry of irrigated agriculture. I have for 19 years. But mostly I'm a concerned citizen. Over the last several months I've come forward and testified at a number of these hearings in a number of

different NRDs. And I'm sympathetic to the pressure that is being applied to our NRD system by outside political interests. And I understand that's what you're up against. In the Republican River Basin it was a lawsuit with Kansas that caused irrigated agriculture's access to our waters to go down the river. On the Platte River system it's the endangered species act. Initiated by the FERC relicensing of Kingsley Dam ten years ago. And now in the Upper Big Blue I can't see that it's anything other than it seems to be the rage of the day. This moratorium issue has gotten a good foothold in this state. In the Central Platte they're asking the directors of the NRDs to ignore their own scientific data that does not support the measures they are proposing. I've heard it asked here a number of times today. What's precipitating this? That in 1979 a body of rules were passed, and regulations, that your constituency seems to be comfortable with. And now, significant, dramatic changes are being proposed. I can certainly understand after a period of time that rules and regulations would need to be modified to stay in step with current practices, or the technology of the day. But that's not what's driving this change here. The question was asked 'where's this coming from.' This is outside political pressure that's being applied to your NRD. Your board has responsibilities, first to the natural resources of this state, but also, and just as importantly, to your constituency. NRDs are the envy. Nebraska's system, the 23 natural resources districts, we are the envy of every other state in the nation in that we have local control. That allows us to manage our natural resources based on best science on a local level in the absence of outside political pressure. You have a system of rules that when I look at your data, shows that this NRD, and you directors, have done an excellent job of managing your resources. For all the development that has gone on in the Upper Big Blue you have done an exceptional job. You are not running out of water. But now you're being asked to change those rules because of the political pressure that's being applied. You have an obligation to your constituency to stand up for their rights as well. You have protected your aquifer. You've done a good job. You have an obligation to protect your constituency from these outside political pressures. You need to turn toward your own science and rely on it. And demonstrate that you are indeed doing a good job and that these changes are not necessary. Thank you.

Frances Rohla:

Good afternoon. My name is Frances Rohla from Milligan, Nebraska. And I read through these proposed, existing and proposed rules. But I never have found out where all of these issues have come from. Who wrote them? Did you write them here in York, Nebraska? Did they come from the State of Nebraska? Or did they come from the federal government? And I think we as irrigators have a right to know who is putting the political pressure on you. And I guess that's my only question today. Can any of you answer me today? Can you answer to all of us today?

Roger Houdersheldt:

I can't answer that now. This is a hearing, not a question and answer session.

Frances Rohla:

But don't you think we have a right to know where all these questions come from? Do you write about it in the newsletter that we get from you?

Roger Houdersheldt:

Our meetings are open to the public.

Frances Rohla:

No. I mean the newsletter that we get from you.

Roger Houdersheldt:

That question can be answered at any of the meetings at any time.

Frances Rohla:

But you cannot print it in the newsletters that we get from the Upper Big Blue?

Rod DeBuhr:

We print issues about the ground water levels all the time.

Frances Rohla:

But we would like to know who is pressuring you.

Rod DeBuhr:

Nobody. All of these things come right from the board and the public.

Frances Rohla:

I don't know. I don't believe that, I guess.

Rod DeBuhr:

Anyone else? All right. If there's no one else who wishes to testify. As I said earlier, the record for the hearing is held open until the 26th of November. You can turn in a letter with written comments. Mail them to the Upper Big Blue NRD, 105 Lincoln Avenue, York, Nebraska. Or deliver them to that address. After that date we will compile – the testimony will be transcribed.

Any written testimony we get will be added to that. All the board members will be provided with a complete copy for their review. Our board, as it was said, all our meetings are public meetings. We have committee meetings. What we call our Water Committee is generally the second Thursday of the month. Our board meeting is the third Thursday of the month. The times and dates are available. Generally our board meetings start at 1:30 p.m. The board will take all of these things into consideration and will make a decision some time in the future, as to what if anything they do. There is no set date for that. So at this time I would turn the hearing back to Roger Houdersheldt to close the hearing.

Roger Houdersheldt:

On behalf of the board, thank you everybody for showing up. We will take your testimony into consideration. Thank you very much.

Houdersheldt closed the hearing at 2:27 p.m.

BOARD OF DIRECTORS MEETING
November 20, 2003

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 20, 2003, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Rod DeBuhr, Russ Gierhart, Marie Krausnick and Bryan Euse of the York NRCS. Houdersheldt called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting November 6, 2003 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Seventeen directors were present for roll call.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

There were no requests for excused absence.

ITEM 4. *ADOPTION OF CONSENT AGENDA.

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

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Hansen and seconded by Dickinson to approve the agenda for the November 20, 2003 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,

Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 6. *APPROVAL OF MINUTES OF THE OCTOBER 16, 2003 BOARD OF DIRECTORS MEETING.

It was moved by Hansen and seconded by Dickinson to approve the minutes of the October 16, 2003 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 7. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Education and Parks Committee met on November 10, 2003 and presented the committee's recommendations.

ITEM 8. PLUM CREEK TRAIL PROJECT - PAYMENT TO A & R CONSTRUCTION COMPANY.

A & R Construction Company submitted a claim for the Plum Creek Hiking & Biking Trail Project for work completed from October 1-15, 2003. Approximately 92% of the project is completed. The total amount earned by the contractor is \$59,193.67. The District will withhold 10% retainage in the amount of \$5,919.37 leaving a payment of \$53,274.30 to A & R Construction Company. This is a semimonthly payment made by the General Manager which requires no committee or board action.

ITEM 9. PLUM CREEK TRAIL PROJECT - PAYMENT TO A & R CONSTRUCTION COMPANY.

A & R Construction Company has submitted a claim for the Plum Creek Hiking & Biking Trail Project for work completed from October 16-31, 2003. Approximately 96% of the project is completed. The total earned by the contractor is \$17,446.23. The District will withhold 10% retainage in the amount of \$1,744.62 leaving a payment of \$15,701.61 to A & R Construction Company.

It was moved by Luebbe and seconded by Hansen that the Upper Big Blue Natural Resources District approve a payment of \$17,446.23 to A & R Construction Company, and that \$1,744.62 be withheld as retainage, for the work completed from October 16, 2003 to October 31, 2003 on the Plum Creek Hiking & Biking Trail located along Plum Creek east of Seward. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 10. PAYMENT TO GEOTECHNICAL SERVICES, INC.

Geotechnical Services, Incorporated submitted a bill for \$820.00 for construction material testing on the Plum Creek Trail from September 28, 2003 to October 25, 2003.

It was moved by Luebbe and seconded by Teegerstrom that the Upper Big Blue Natural Resources District make payment of \$820.00 to Geotechnical Services, Inc. for the material testing on the Plum Creek Trail from September 28, 2003 to October 25, 2003. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 11. CITY OF AURORA WALKING TRAIL ENHANCEMENT PROJECT.

On October 16, 2003, the Upper Big Blue Natural Resources District Board of Directors voted to fund the planting of trees East of Highway 14 along the North side of the hiking trail in an amount not to exceed \$1,325.00. The City of Aurora planted 67 trees for a total cost of \$4,584.33 which includes planting costs. The District's policy under the Parks and Recreation Program is to cost share 25% of the project cost which is \$1,146.08.

It was moved by Luebbe and seconded by Volkmer that the Upper Big Blue Natural Resources District make the payment of \$1,146.08 to the City of Aurora for the planting of trees located East of Highway 14 and North of the hiking trail located North of the City of Aurora. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 12. WILDLIFE HABITAT PROGRAM PAYMENTS.

The total contract payments for the months of October and November are \$2,368.75. The NRD share is 25%. The Nebraska Game and Parks Commission will reimburse the District 75% of the total amount.

It was moved by Luebbe and seconded by Brown that the Upper Big Blue Natural Resources District make payments totaling \$2,368.75 to the cooperators of the Wildlife Habitat Improvement Program and Wild Nebraska Program for the months of October and November. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt
NAY: Dickinson

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

Bruns reported that the Projects Committee met on November 10, 2003 and presented the committee's recommendations.

ITEM 14. LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Bruns and seconded by Austin that payment of \$2,550.40 be made on 2 applications for NSWCP Land Treatment Program funds, as reviewed by the Committee. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt
NAY: None

ITEM 15. LINCOLN CREEK PARKWAY PEDESTRIAN BRIDGE AT AURORA.

Work completed on the Lincoln Creek Parkway pedestrian bridge during the past month includes finishing structural assembly and grouting the lower chord connections. Work remaining includes painting and railing installation. The amount earned by the contractor for work completed in October is \$3,237.50.

It was moved by Bruns and seconded by Luebbe that Diamond Engineering be paid \$3,237.50, \$323.75 (10%) of which is to be withheld as retainage, for construction work completed in October 2003 on the Lincoln Creek Parkway Pedestrian Bridge at Aurora, in accordance with the construction contract. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt
NAY: None

ITEM 16. ADOPT DRY HYDRANT PROGRAM POLICY.

As requested by the Board of Directors in October, staff presented a policy for the Dry Hydrant program. After some discussion the policy was modified to limit the number of applications to two per year for each rural fire department. The Committee also recommends limiting FY 2004 funding for this program to \$5,000.

It was moved by Bruns and seconded by Teegerstrom that the District adopt the Dry Hydrant program policy as reviewed by the Committee, and that FY 2004 funding for this program be limited to \$5,000. We approved the motion.

AYE: Austin, Brown, Bruns, Eberle, Jackson, Joseph, Luebbe, Moore, Nuss, Regier,
Teegerstrom, Volkmer

NAY: Buller, Dickinson, Friesen, Hansen, Houdersheldt

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

Brown reported that the Water Committee met on November 13, 2003 and presented the committee's recommendations.

ITEM 18. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Dickinson to approve cost-share payments for ten well abandonments, as reviewed by the committee, totaling \$2,982.95. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Buller

ITEM 19. PAYMENT TO USGS FOR RECORDER WELL MAINTENANCE.

Payment is due to the USGS as per the joint funding agreement for operation of the Aurora, Burress, Rising City and Seward recorder wells. The total cost was \$3,200 which is divided 50/50 with USGS, making the NRD's share \$1,600.

It was moved by Brown and seconded by Jackson to approve payment of \$1,600.00 to the US Geological Survey for the District's share of the Fiscal Year 2003 Joint Funding Agreement for operation of the Aurora, Burress, Rising City and Seward recorder wells. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 20. EXECUTIVE COMMITTEE REPORT.

Regier reported that the Executive Committee met on November 13, 2003 and presented the committee's recommendations.

ITEM 21. SALARY SCHEDULE REVISIONS FOR NEW POSITIONS.

The Board of Directors approved two new positions at the August Board Meeting. The new positions are the Public Relations Specialist and the Water Conservationist. They replaced the Public Information Specialist and the Public Information Department Manager. Ads have been placed, and resumes have been received for each new position. Interviews have been conducted for the Water Conservationist and an offer has been extended.

Turnbull recommends that a salary schedule be adopted for the new positions. He recommends that the Public Relations Specialist position be the same as the old Public Information Specialist position which is an annual minimum of \$28,252.22 to a maximum of \$42,378.34. He also recommends that the Water Conservationist position be the same as the old Public Information Department Manager position which is an annual minimum of \$32,760.00 to a maximum of \$49,140.00. Because of the Federal Fair Labor Standards Act, both are non supervisory positions and non-exempt, which means time and a half applies to overtime hours. The standard District benefits will apply to both jobs as per the personnel policies.

It was moved by Regier and seconded by Brown to approve the Public Relations Specialist salary schedule of an annual minimum of \$28,252.22 to a maximum of \$42,378.34, and approve the Water Conservationist salary schedule of an annual minimum of \$32,760.00 to a maximum of \$49,140.00. We approved the motion.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Jackson, Joseph, Moore, Nuss,
Regier, Teegerstrom, Houdersheldt

NAY: Luebbe, Volkmer

NOT VOTING: Hansen

ITEM 22. FINANCIAL REPORT, OCTOBER 1, 2003 THROUGH OCTOBER 31, 2003, AND CONSIDERATION OF EXPENDITURES FOR OCTOBER 2003.

Turnbull reviewed the financial report for the period October 1, 2003 through October 31, 2003 that we had distributed. It was moved by Volkmer and seconded by Regier to accept the financial report for October 2003 as presented, and approve payments of the accounts payable, and publish

the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

There being no other business the chairman adjourned the meeting at 3:22 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on November 20, 2003, 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.

Gary Eberle, Secretary

:nds

**BOARD OF DIRECTORS MEETING
December 17, 2003**

The Board of Directors of the Upper Big Blue Natural Resources District met Wednesday, December 17, 2003, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Gary Eberle, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Rod DeBuhr, Russ Gierhart, William Plock, John Plock, Dave Capek, John Lovegrove, Bob Lovegrove, James Askey, Rod Kreutz, Dennis Turner, Mike Allen, Russ Galaway, Roger Siebert, Andy Raun, Don Adams, Rex Biegert, Ron Alfs, Tim Alfs, Rick Kleinschmidt, Chuck Mason and Kent Norquest of the Fillmore County NRCS. Houdersheldt called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting December 4, 2003 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for roll call. Austin and Nuss arrived a short time later.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

There were no requests for excused absence.

ITEM 4. *ADOPTION OF CONSENT AGENDA.

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

AYE: Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Dickinson

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Volkmer and seconded by Moore to approve the agenda for the December 17, 2003 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss,
Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Dickinson

ITEM 6. *APPROVAL OF MINUTES OF THE NOVEMBER 20, 2003 BOARD OF DIRECTORS MEETING.

It was moved by Volkmer and seconded by Moore to approve the minutes of the November 20, 2003 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss,
Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Dickinson

ITEM 7. REPORT OF EDUCATION AND PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Education and Parks Committee met on December 9, 2003 and presented the committee's recommendations.

ITEM 8. PLUM CREEK TRAIL PROJECT - PAYMENT TO A & R CONSTRUCTION COMPANY.

A & R Construction Company submitted a claim for the Plum Creek Hiking & Biking Trail Project for work completed from November 1 - 30, 2003. Approximately 99% of the project is completed at this time. The total amount earned by the contractor is \$30,090.57. The District will withhold a 10% retainage in the amount of \$3,009.06 leaving a payment of \$27,081.51 to be made to A & R Construction Company.

It was moved by Luebbe and seconded by Moore that the Upper Big Blue Natural Resources District approve a payment of \$30,090.57 to A & R Construction Company, and that \$3,009.06 be withheld as retainage, for the work completed from November 1, 2003 to November 30, 2003 on the Plum Creek Hiking & Biking Trail located along Plum Creek east of Seward. The motion was approved.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss,
Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Dickinson

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

Bruns reported that the Projects Committee met on December 9, 2003 and presented the committee's recommendations.

ITEM 10. PAYMENTS FROM NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Bruns and seconded by Hansen that payments of \$11,816.50 be made on 5 applications for NSWCP Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Dickinson

ITEM 11. PAYMENTS FROM NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Bruns and seconded by Jackson that payment of \$5,000 be made on 1 application for NRD Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Dickinson

ITEM 12. *NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Volkmer and seconded by Moore that payments of \$252.82 be made on 2 Nebraska Buffer Strip Program contracts, as reviewed by the Committee. The motion was approved as a part of the consent agenda.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Dickinson

ITEM 13. LINCOLN CREEK PARKWAY PEDESTRIANS BRIDGE AT AURORA.

Diamond Engineering has completed work on the Lincoln Creek Parkway pedestrian bridge superstructure. During the past month they finished the railing and painting. The amount earned by the contractor for work completed in November is \$13,900. Final payment to Diamond Engineering, including release of retainage, will be processed in January.

It was moved by Bruns and seconded by Volkmer that Diamond Engineering be paid \$13,900.00, \$1,390.00 (10%) of which is to be withheld as retainage, for construction work completed in November 2003 on the Lincoln Creek Parkway Pedestrian Bridge at Aurora, in accordance with the construction contract. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson

ITEM 14. CITY OF AURORA REQUEST FOR PLANNING ASSISTANCE.

The City of Aurora has requested the District assist with mapping and drainage master planning in Aurora. Staff explained that mapping and drainage planning would be similar to that done by the District for the City of Seward. The mapping will be done by aerial photography and will show land elevation contours as well as location data for all visible objects. This mapping can be used for planning and design by the City, NRD, developers, City engineers, and others.

It was moved by Bruns and seconded by Luebbe that the District agree to assist the City of Aurora with mapping and drainage master planning, subject to approval of a project budget and interlocal agreement by the City and District. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Dickinson

ITEM 15. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on December 11, 2003 and presented the committee's recommendations.

ITEM 16. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE

ASSISTANCE PROGRAM PAYMENTS.

It was moved by Volkmer and seconded by Moore to approve cost-share payments for ten well abandonments, as reviewed by the committee, totaling \$3,185.40. The motion was approved as a part of the consent agenda.

AYE: Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Dickinson

ITEM 17. GROUND WATER MANAGEMENT AREA#1 (GROUND WATER QUANTITY) REVIEW OF RULE 5.

It was moved by Brown and seconded by Moore to forward the Draft Rule 5 to the Board for their consideration.

It was moved by Volkmer and seconded by Hansen to amend the motion to change the trigger level from 3 feet to 2 feet above the 1978 District ground water level.

Buller asked for clarification on the motion to consider. He asked if the motion allowed action on the part of the board or only allowed discussion. He asked if the offered amendment was proper.

Moore said his intent when he made the motion in committee was to get the matter before the board for discussion and allow an opportunity for the board to offer changes. Once any proposed changes have been offered, discussed, and voted on then a motion to adopt would be proper.

Following a short discussion with the Water Committee members regarding their understanding of the intent of the motion as it came out of committee, Moore withdrew his second. Chairman Houdersheldt ruled Volkmer's amendment out of order.

Friesen raised a point of order. Since Moore withdrew his second and there is no motion on the floor there can be no discussion on the matter.

It was moved by Brown and seconded by Austin to forward the Draft Rule 5 to the Board for their consideration.

Chairman Houdersheldt said he would limit discussion on this motion to whether or not to consider the proposed changes to Rule 5. The motion was approved.

AYE: Austin, Brown, Bruns, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: Buller, Friesen, Volkmer

NOT PRESENT: Dickinson

Houdersheldt said that after reviewing Robert's Rules of Order he and the General Manager felt that up to this point the matter had been handled correctly. He instructed the Board that if someone wished to adopt, or amend the proposed changes, a motion to adopt would need to be made.

It was moved by Buller and seconded by Luebbe to send the matter back to the Water Committee for further development.

It was moved by Volkmer to table the matter. The motion died for lack of a second.

The question was called on the motion to refer to committee. The motion failed.

AYE: Austin, Buller, Friesen, Hansen, Luebbe

NAY: Brown, Bruns, Eberle, Jackson, Joseph, Moore, Nuss, Regier, Volkmer, Houdersheldt

NOT VOTING: Teegerstrom

NOT PRESENT: Dickinson

It was moved by Moore and seconded by Regier to adopt the December 2003 Committee draft of Rule 5.

It was moved by Friesen and seconded by Volkmer to table all changes to Rule 5. The motion failed.

AYE: Buller, Friesen, Hansen, Luebbe, Nuss, Teegerstrom, Volkmer

NAY: Austin, Brown, Bruns, Eberle, Jackson, Joseph, Moore, Regier, Houdersheldt

NOT PRESENT: Dickinson

It was moved by Austin and seconded by Friesen to amend the motion to insert the following as paragraph 08 in Chapter 5 and renumber the two remaining paragraphs as 09 and 10 and delete Chapter 14, Section 01 "Schedule for installation of flow meters."

Chapter 5, Section 08 "Flow meter required"

All water wells must be equipped with a flow meter prior to ground water withdrawal if any of the following conditions are met:

08.01 Allocation per Chapters 15, 16 and 17 become effective.

08.02 A permit is issued for modification of an existing water well.

08.03 A water well is used to develop new ground water use acres or a new ground water use.

08.03a A ground water user who increases the ground water use acres on a tract by less than five percent (5%) is exempt from ¶ 08 of this chapter.

The amendment to the motion was approved.

AYE: Austin, Brown, Buller, Eberle, Friesen, Jackson, Joseph, Luebbe, Moore, Houdersheldt
NAY: Bruns, Hansen, Nuss, Teegerstrom, Volkmer
NOT VOTING: Regier
NOT PRESENT: Dickinson

It was moved by Buller and seconded by Friesen to amend the motion to delete paragraph 06 “Irrigated acres development” from Chapter 8. The amendment to the motion was approved.

AYE: Austin, Brown, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt
NAY: Bruns
NOT PRESENT: Dickinson

It was moved by Austin and seconded by Hansen to amend the motion to insert the words “through an injection well” into paragraph 06 of Chapter 5 to read as follows:

06 Ground water withdrawal shall mean -

For the purposes of this chapter, ground water withdrawal shall mean the total ground water pumped, less any water returned to the aquifer *through an injection well* within one thousand (1,000) feet of the source.

The amendment to the motion was approved.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt
NAY: None
NOT VOTING: Volkmer
NOT PRESENT: Dickinson

It was moved by Friesen and seconded by Hansen to add a provision to Chapter 15 to read “The Board may consider requests for variances to allow acreage reduction on a case by case basis.”
The amendment to the motion was approved.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Teegerstrom, Houdersheldt
NAY: Moore, Nuss, Regier, Volkmer
NOT PRESENT: Dickinson

It was moved by Moore and seconded by Eberle to amend the motion to change the allocation for the three-year ground water use period from 48 inches to 39 inches. The amendment failed.

AYE: Bruns, Buller, Eberle, Friesen, Moore, Houdersheldt

NAY: Austin, Brown, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer

NOT PRESENT: Dickinson

It was moved by Friesen and seconded by Volkmer to amend the motion to change the trigger level to 2 feet above the 1978 level. The amendment failed.

AYE: Brown, Buller, Friesen, Hansen, Volkmer

NAY: Austin, Bruns, Eberle, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt.

NOT PRESENT: Dickinson

It was moved by Friesen and seconded by Hansen to amend the motion to strike the word adopt and make it read to forward it for public hearing. Chairman Hansen ruled the amendment was out of order because it would change the intent of the original motion.

It was moved by Volkmer and seconded by Hansen to table the motion. The motion to table failed.

AYE: Hansen, Nuss, Volkmer

NAY: Austin, Brown, Bruns, Buller, Eberle, Friesen, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Houdersheldt

NOT PRESENT: Dickinson

Friesen asked that pursuant to Operating Policy 9 the matter be held over until the January 2004 board meeting.

Operating Policy 9, paragraph 10 reads as follows:

“Any board member may request, during a board meeting, that a pending action to change a district policy or program be held over until the next regular board meeting. The request is to be granted by the board without a vote. However, only one such request will be honored per pending action.”

Chairman Houdersheldt granted Friesen’s request that the motion be held over until the January 2004 meeting.

ITEM 18. DECEMBER 26, 2003 OFFICE CLOSING.

It was moved by Austin and seconded by Hansen that the office be closed on December 26, 2003 and the staff is given the day off with pay. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore,

Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson

ITEM 19. EXECUTIVE COMMITTEE REPORT.

Regier reported that the Executive Committee met on December 11, 2003 and presented the committee's report.

ITEM 20. FINANCIAL REPORT, NOVEMBER 1, 2003 THROUGH NOVEMBER 30, 2003, AND CONSIDERATION OF EXPENDITURES FOR NOVEMBER 2003.

Turnbull reviewed the financial report for the period November 1, 2003 through November 30, 2003 that we had distributed. It was moved by Brown and seconded by Hansen to accept the financial report for November 2003 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson

There being no other business the chairman adjourned the meeting at 5:15 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on December 17, 2003, 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.

Gary Eberle, Secretary

:nds

BOARD OF DIRECTORS MEETING
January 15, 2004

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 15, 2004, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Schneider, Jay Bitner, Ken Feather, Rod DeBuhr, Russ Gierhart, Dan Leininger, Scott Snell, Marie Krausnick, William Plock, David Hutsell, Gerald Hinze, Richard Hoffman, Robert W. Jensen, Jr., Gene Hoffman, John Lovegrove, Bob Lovegrove, Don Adams, Bryan Euse, Andy Raun, Melanie Wilkinson, Linne Ourada, Donald Gruber, Royce Jaeger, Richard Jirska, Laurie Pfeifer, Brian Gray, Stan Happold, Nick Happold and Art Hovey. Houdersheldt called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting January 2, 2004 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for roll call.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

Eberle requested that his absence from the January 15, 2004 meeting be excused due to out of state travel.

It was moved by Austin and seconded by Teegerstrom to excuse the absence of Eberle from the January 15, 2004 board of directors meeting. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Regier

ITEM 4. *ADOPTION OF CONSENT AGENDA.

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

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Regier

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Hansen and seconded by Bruns to approve the agenda for the January 15, 2004 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Regier

ITEM 6. *APPROVAL OF MINUTES OF THE DECEMBER 17, 2003 BOARD OF DIRECTORS MEETING.

It was noted that the fourth motion on page 8 incorrectly listed the chairman as Hansen instead of Houdersheldt.

It was moved by Hansen and seconded by Bruns to approve the minutes of the December 17, 2003 Board of Directors Meeting, as corrected. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Regier

ITEM 7. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Projects Committee met on January 6, 2004 and presented the committee's recommendations.

ITEM 8. NSWCP LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Bruns and seconded by Luebbe that payments of \$11,967.25 be made on 7

applications for NSWCP land treatment funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Regier

ITEM 9. NRD LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Bruns and seconded by Austin that payment of \$10,000 be made on two applications for NRD land treatment program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Regier

ITEM 10. DISTRICT RULE 5 GROUND WATER REGULATIONS.

During the December 17, 2003 Board meeting Friesen requested the motion regarding adoption of Rule 5 be held over until the January board meeting. The motion was brought back to the floor for consideration.

It was moved by Moore and seconded by Regier to adopt the December 2003 Committee draft of Rule 5, as amended.

It was moved by Austin and seconded by Buller to amend the motion to have section 08 of Chapter 5 read as follows:

08 Flow meter required -

All water wells must be equipped with a flow meter prior to ground water withdrawal if any of the following conditions are met:

08.01 Allocation per Chapters 15, 16 and 17 becomes effective.

08.02 A permit is issued for construction or modification of a water well.

The amendment was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Hansen, Jackson, Joseph, Luebbe, Moore, Teegerstrom, Houdersheldt

NAY: Friesen, Nuss, Volkmer

NOT PRESENT: Eberle, Regier

The question was called on the original motion, as amended. The motion was approved.

AYE: Austin, Brown, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore,
Nuss, Teegerstrom, Houdersheldt

NAY: Bruns, Volkmer

NOT PRESENT: Eberle, Regier

ITEM 11. REPORT OF WATER COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water Committee met on January 8, 2004 and presented the committee's recommendations.

ITEM 12. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Bruns to approve cost-share payments for twelve well abandonments, as reviewed by the committee, totaling \$3,940.84. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore,
Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Buller

NOT PRESENT: Eberle, Regier

ITEM 13. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Executive Committee met on January 8, 2004 and presented the committee's report.

ITEM 14. *FOURTH QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Hansen and seconded by Bruns to approve payment of fourth quarter directors' per diem of \$9,870 and expenses of \$2,205.30. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Regier

ITEM 15. NARD VOTING DELEGATE AND ALTERNATE.

It was moved by Brown and seconded by Luebbe to appoint Doug Dickinson as the NARD voting delegate and Yvonne Austin as the NARD alternate voting delegate for 2004. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Dickinson

NOT PRESENT: Eberle, Regier

ITEM 16. COMPUTER EQUIPMENT PURCHASE.

Bitner reviewed explained the need for his computer to be upgraded. He is recommending that the District purchase a powerful laptop computer with a docking station (port replicator) to replace his current desktop computer. The laptop would be used with the existing screen, keyboard and network hookups. The laptop would allow Bitner to take it offsite for technical work and meetings. The additional capabilities are needed to work with COHYST and other computer modeling efforts for water management. Funds are available in the Projects Department budget.

Bitner's existing desktop computer:	New laptop computer:
Pentium III 800MHz	Pentium IV 3.2 Ghz with hyper threading
512 Mb RAM	2 GB RAM
19 GB Hard Drive	80 GB Hard Drive
	Port replicator

Quotes:

Gateway	\$2,804
Hamilton Information Systems - Aurora	\$2,718

Dell (Smaller computer than specifications call for) \$3,713

IBM (Smaller computer than specifications call for) \$2,645

It was moved by Brown and seconded by Austin to purchase a Pentium IV 3.2 Ghz laptop computer from Hamilton Information Systems as specified for \$2,718, and that the oldest desktop computer in the office be sold. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe,

Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Regier

**ITEM 17. REPORT OF BUDGET, PLANNING & LEGISLATIVE COMMITTEE
AND CONSIDERATION OF RECOMMENDATIONS.**

Austin reported that the Budget, Planning & Legislative Committee met on January 8 and 15, 2004 and presented the committee's reports.

ITEM 18. WATER POLICY TASK FORCE RECOMMENDATION.

Turnbull reviewed the Water Policy Task Force recommendations that were finalized and presented to the Governor and the Legislature on December 18, 2003. Turnbull recommends that the District support the Water Policy Task Force recommendations.

It was moved by Austin and seconded by Moore to support the Water Policy Task Force recommendations. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Regier

ITEM 19. LEGISLATIVE BILLS.

LB 829 - Change the qualifications of the Director of Natural Resources from a professional engineer with five years experience in irrigation work to five years experience in soil or water conservation, development, or use.

LB 831 - To allow watering of range livestock out of an outlet works in a dam without a permit or approval of the dam's plans and specifications from the Department of Natural Resources, provided the dam stores less than 15 acre feet of water.

It was moved by Austin and seconded by Hansen to support LB 829 and LB 831. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Eberle, Regier

LB 962 is the legislature's Natural Resources Committee bill for the Water Policy Task Force recommendations for changes in Nebraska water law.

LB 895 is the companion bill dealing with NRD Tax Levies and Budget Lid Authorities. Legislative bills have not yet been introduced for dedicated State fund for Water Policy Task Force Recommendations. It is expected that two bills will be introduced in January dealing with this issue.

It was moved by Austin and seconded by Friesen to support LB 962, LB 895 and to support State Dedicated funding as recommended by the Water Policy Task Force in Alternate 1. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Regier

ITEM 20. NOMINATING COMMITTEE REPORT.

Austin reviewed the Nominating Committee Report and presented the slate of candidates for the 2004 elections.

It was moved by Moore and seconded by Hansen to accept the slate of candidates as presented by the Nominating Committee and proceed with voting. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Regier

Chairman Houdersheldt turned the meeting over to Gus Brown during the election for chairman. There were no further nominations made from the floor. Rod DeBuhr and Jay Bitner were appointed to distribute and count ballots. Election results are listed below. Terms are for one year

OFFICE	CANDIDATES' NAME	ELECTION RESULTS
Chairman	Roger Houdersheldt	10
	Larry Moore	5
Vice Chairman	Kenneth Regier	6
	Jerl Joseph	9

Secretary	Gary Eberle Doug Bruns	4 11
Treasurer	Gus Brown Linda Luebbe	9 6
NARD Representative & Alternate	Doug Dickinson Yvonne Austin	14 1

ITEM 21. FINANCIAL REPORT, DECEMBER 1, 2003 THROUGH DECEMBER 31, 2003, AND CONSIDERATION OF EXPENDITURES FOR DECEMBER 2003.

Turnbull reviewed the financial report for the period December 1, 2003 through December 31, 2003 that we had distributed. It was moved by Brown and seconded by Volkmer to accept the financial report for December 2003 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Regier

There being no other business the chairman adjourned the meeting at 3:42 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on January 15, 2004, 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.

Doug Bruns, Secretary

Upper Big Blue NRD
Board of Directors Meeting
January 15, 2004
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BOARD OF DIRECTORS MEETING
February 19, 2004

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 19, 2004, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Doug Dickinson, Gary Eberle, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Brisk, Jay Bitner, Ken Feather, Rod DeBuhr, Dan Leininger, Scott Snell, Bryan Euse, York County NRCS, Melanie Wilkinson, York News-Times, and Kathy Kugler, Aurora News-Register. Houdersheldt called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting February 5, 2004 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Thirteen directors were present for roll call. Luebbe and Regier arrived later.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

Buller and Friesen requested that their absence from the February 19, 2004 meeting be excused.

It was moved by Volkmer and seconded by Teegerstrom to excuse the absence of Buller and Friesen from the February 19, 2004 board of directors meeting. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Moore, Nuss,
Teegerstrom, Volkmer, Hansen

NAY: None

NOT PRESENT: Buller, Friesen, Luebbe, Regier

ITEM 4. *ADOPTION OF CONSENT AGENDA.

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

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Moore, Nuss,

Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Luebbe

NOT PRESENT: Buller, Friesen, Regier

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Hansen and seconded by Dickinson to approve the agenda for the February 19, 2004 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Moore, Nuss,
Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Luebbe

NOT PRESENT: Buller, Friesen, Regier

ITEM 6. *APPROVAL OF MINUTES OF THE JANUARY 15, 2004 BOARD OF DIRECTORS MEETING.

It was moved by Hansen and seconded by Dickinson to approve the minutes of the January 15, 2004 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Moore, Nuss,
Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Luebbe

NOT PRESENT: Buller, Friesen, Regier

ITEM 7. REPORT OF EDUCATION & PARKS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Education & Parks Committee met on February 10, 2004 and presented the committee's recommendations.

ITEM 8. CORNERS FOR WILDLIFE PROGRAM FOR FISCAL YEAR 2004.

The Corners for Wildlife Program guidelines for FY 2004 are as follows:

- Landowners are responsible for 25% of the cost of materials (50% on fabric weed barriers)
- Pheasants Forever pays for 75% of the cost of materials (50% on fabric weed barriers)
- Landowners receive a 5-year rental payment of up to \$75 per acre
- NRD plants the trees at no cost when 400 or more are planted

- NRD bills Pheasants Forever
- Landowners' rental payments are administered by the local NRD from funds forwarded by Pheasants Forever.

It was moved by Luebbe and seconded by Austin that the Upper Big Blue NRD participate in the Corners for Wildlife Program in FY 2004. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Regier

ITEM 9. LYLE V. HENKE CORNERS FOR WILDLIFE CONTRACT.

Lyle V. Henke has a pivot corner located in the northwest corner of the southeast quarter of Section 4, Township 9 North, Range 1 East of the 6th P.M., in Seward County, Nebraska. He wants to seed 4.0 acres of the corner to a warm season grass mix and plant 700 trees and shrubs for food and wildlife cover. The contract is paid for with funds available through the local Pheasants Forever chapter and the Environmental Trust. Lyle V. Henke will receive \$75.00/acre for a 5-year period on this 4.0 acre corner. The NRD will receive the funds for payment through Pheasants Forever before making payment to the landowner. The District will plant the trees and shrubs at no cost to the landowner.

It was moved by Luebbe and seconded by Volkmer that the Upper Big Blue NRD accept the Corners for Wildlife contract submitted by Lyle V. Henke for a 5-year period with an annual payment of \$300 per year and authorize the Chairman of the Board to sign said agreement. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Regier

ITEM 10. REPORT OF PROJECTS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Projects Committee met on February 10, 2004 and presented the committee's recommendations.

ITEM 11. PAYMENTS OF NSWCP LAND TREATMENT FUNDS.

It was moved by Bruns and seconded by Luebbe that payments totaling \$14,841.54 be made on 14 applications for NSWCP land treatment program funds, as reviewed by the Committee. The

motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss,
Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Regier

ITEM 12. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Bruns and seconded by Volkmer that payments totaling \$35,000 be made on 7 applications for NRD land treatment program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss,
Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Regier

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

Brown reported that the Water Committee met on February 12, 2004 and presented the committee's recommendations.

ITEM 14. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Dickinson to approve cost-share payments for two well abandonments, as reviewed by the committee, totaling \$800.00. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Moore, Nuss,
Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Luebbe

NOT PRESENT: Buller, Friesen, Regier

ITEM 15. CORNERSTONE IRRIGATION DEMONSTRATION PROJECT.

The staff was contacted by representatives of Cornerstone Bank with an offer of using a tract of land near York for a community education project. This land is located between York and I-80 near Moses Motors. The bank representatives have indicated that they will agree to a minimum three-year commitment with extensions possible after that time. Cornerstone will pay for the cost

of custom farming and irrigation expenses. The NRD staff will do the irrigating and insect scouting. The NRD would be responsible for the installation of an irrigation reuse system. NRCS will assist in the reuse system design. The cost of a pitless reuse system is approximately \$8,000. FFA, 4-H and other groups will have access to the site as an outdoor classroom.

It was moved by Brown and seconded by Austin to enter into an agreement with Cornerstone Bank for the operation of an irrigation demonstration project in the NW 1/4 of Section 18-T10N-R2W, York County. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss,
Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Brown

NOT PRESENT: Buller, Friesen, Regier

ITEM 16. PAYMENT OF CHEMIGATION PERMIT FEES TO NDEQ.

A total of \$3,770 in application fees was collected for the 2003 chemigation permits. \$732.00 of these fees are to be paid to the Nebraska Department of Environmental Quality.

It was moved by Brown and seconded by Dickinson to pay the Nebraska Department of Environmental Quality \$732.00 for their share of the 2003 chemigation permit fees. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss,
Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Regier

ITEM 17. PAYMENT TO CENTRAL DISTRICT HEALTH DEPARTMENT.

The Central District Health Department in Grand Island did 187 nitrate analyses on water samples collected by the NRD in 2003. The total cost was \$748.00.

It was moved by Brown and seconded by Austin to pay the Central District Health Department \$748.00 for 187 nitrate analyses conducted in 2003. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss,
Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Regier

ITEM 18. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF

RECOMMENDATIONS.

Joseph reported that the Executive Committee met on February 12, 2004 and presented the committee's report.

ITEM 19. OFFICE EQUIPMENT PURCHASE.

DeBuhr presented his recommendation for additional office furniture for the Water Conservationist and an additional work area. The center office has work stations with modular Steelcase panels and desks. His recommendation would add to the existing system. Two layouts and prices were presented. Eakes Office Equipment of Grand Island is the supplier. DeBuhr recommends the purchase of layout #2.

Layout # 1 \$4,338.95 Steelcase Series 9000 refurbished double workstations with desk and wall panels.

Layout #2 \$2,836.90 Steelcase Series 9000 refurbished double workstations separated by a table.

It was moved by Joseph and seconded by Brown to authorize the purchase of the Steelcase Series 9000 refurbished double workstation as shown in layout #2 from Eakes Office Equipment, Grand Island for \$2,836.90. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen, Regier

ITEM 20. SUMMER INTERN FOR WATER DEPARTMENT.

DeBuhr requested authority to hire an intern on an hourly basis for the summer. The intern's duties would be to do water department field work, such as the Cornerstone demonstration project, water sampling and joint demonstration projects with Cooperative Extension. Funds are in the budget.

It was moved by Joseph and seconded by Bruns to approve the hiring of a summer intern for the Water Department for the 2004 season. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Regier, Volkmer

NOT PRESENT: Buller, Friesen

ITEM 21. FURNACE AND AIR CONDITIONER INSTALLATION.

J & R Heating and Air Conditioning have submitted a bill for the replacement of the furnaces and air conditioning systems in the main building. A minor amount of work on the guard post and rails around the air conditioning compressors remains to be done. The rest of the work is complete. The invoice is for \$14,270.00, which is the amount of the quote approved in September 2003.

It was moved by Joseph and seconded by Luebbe to approve payment of \$14,270.00 to J & R Heating and Air Conditioning of York, Nebraska for the purchase and installation of 3 Lennox furnaces and 3 Lennox air conditioners, but to withhold \$1,427.00 (10%) until all work is complete. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen

ITEM 22. COMMITTEE REORGANIZATION.

The Executive Committee reassigned board members from the four old committees to the two new committees for the Board's consideration.

New Committee Members - February 2004		
Projects & Programs	Water & Regulations	Executive
Yvonne Austin	Curt Friesen +	Chairman Roger Houdersheldt
Steve Buller	Wayne Hansen	Vice Chairman* Jerl Joseph
Gary Eberle	Jim Jackson	Secretary* Doug Bruns
Linda Luebbe +	Larry Moore +	Treasurer* Gus Brown

Ken Regier	Mike Nuss	NARD Representative* Doug Dickinson
Merlin Volkmer +	Vance Teegerstrom	Projects Chairman _____
Board Officer Doug Bruns +	Board Officer Jerl Joseph +	Water Chairman _____
Board Officer Doug Dickinson +	Board Officer Gus Brown +	Projects Representative _____
Board Chairman Roger Houdersheldt	Board Chairman Roger Houdersheldt	Water Representative _____

+ Currently on the committee (old structure)

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

It was moved by Joseph and seconded by Moore to approve the Executive Committee appointments as presented. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen

ITEM 23. COMMITTEE CAUCUSES TO ELECT CHAIRMEN & VICE CHAIRMEN.

The board recessed at 2:10 p.m. to allow the Projects & Programs and Water & Regulations Committees to meet individually and elect their Chairman and Vice Chairman. Ken Regier was elected as Chairman and Steve Buller was elected Vice Chairman of Projects & Programs Committee. Larry Moore was elected Chairman and Michael Nuss was elected Vice Chairman of the Water & Regulations Committee. The Chairmen of these two committees will serve on the Executive Committee.

ITEM 24. EXECUTIVE COMMITTEE CAUCUS TO APPOINT REMAINING MEMBERS OF EXECUTIVE COMMITTEE.

The Executive Committee met following the election of committee chairmen and vice chairmen to appoint two remaining members to the newly organized Executive Committee. The Executive Committee appointed Yvonne Austin as the Projects & Programs Committee Representative and Curt Friesen as the Water & Regulations Committee Representative to serve on the Executive Committee. The board reconvened at 2:27 p.m..

ITEM 25. BOARD APPROVAL OF COMMITTEE ASSIGNMENTS.

Turnbull explained that normally committee appointments are for a two-year term and are conducted once the board members who were elected in the general election have taken office in January. Because the reorganization of the standing committees and their membership took place midway through the current two-year term, these appointments will only be for a one-year term. New committee assignments will be made sometime after the January 2005 board meeting.

It was moved by Brown and seconded by Dickinson to approve the 2004 Committee assignments. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Eberle

ITEM 26. FINANCIAL REPORT, JANUARY 1, 2004 THROUGH JANUARY 31, 2004, AND CONSIDERATION OF EXPENDITURES FOR JANUARY 2004.

Turnbull reviewed the financial report for the period January 1, 2004 through January 31, 2004 that we had distributed. It was moved by Volkmer and seconded by Regier to accept the financial report for January 2004 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Friesen

There being no other business the chairman adjourned the meeting at 3:17 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 19, 2004, 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.

Doug Bruns, Secretary

:nds

BOARD OF DIRECTORS MEETING
March 18, 2004

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, March 18, 2004, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Larry Moore, Michael Nuss, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Brisk, Jay Bitner, Ken Feather, Rod DeBuhr, Scott Snell, Lori Hoemann, Delores Gray, and Kent Norquest, Fillmore County NRCS. Houdersheldt called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting March 4, 2004 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for roll call.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

Luebbe and Regier requested that their absence from the March 18, 2004 meeting be excused.

It was moved by Teegerstrom and seconded by Hansen to excuse the absence of Luebbe and Regier from the March 18, 2004 board of directors meeting. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Hansen and seconded by Brown to adopt the consent agenda. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Hansen and seconded by Brown to approve the agenda for the March 18, 2004 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 6. *APPROVAL OF MINUTES OF THE FEBRUARY 19, 2004 BOARD OF DIRECTORS MEETING.

It was moved by Hansen and seconded by Brown to approve the minutes of the February 19, 2004 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 7. EMPLOYEE RECOGNITION AWARDS.

Rod DeBuhr, Water Department Manager, was recognized for 25 years for service to the District. Chairman Houdersheldt presented him with an engraved walnut desk clock.

Delores Gray, who is the NRD secretary at the Seward NRCS Office, was presented with an engraved letter opener in honor of her 20 years of service to the Upper Big Blue NRD.

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

Buller reported that the Projects & Programs Committee met on March 9, 2004 and presented the committee's recommendations.

ITEM 9. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Buller and seconded by Hansen that payments totaling \$2,484.28 be made on 4 applications for NSWCP Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 10. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Buller and seconded by Volkmer that payments totaling \$15,000 be made on 3 applications for NRD Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 11. *NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Brown that payments totaling \$7,493.95 be made on 14 Nebraska Buffer Strip Program contracts, as reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 12. WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS.

The wildlife contracts have been inspected and recommended for payment. The total contract payments are \$2,038.75. The NRD share is 25% of the total amount. The Nebraska Game and Parks reimburses the District for 75% of the total amount.

It was moved by Buller and seconded by Austin that the Upper Big Blue Natural Resources District make payments totaling \$2,038.75 to six cooperators of the Wildlife Habitat Improvement Program for the month of March. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Nuss,
Teegerstrom, Volkmer, Houdersheldt

NAY: Dickinson, Moore

NOT PRESENT: Luebbe, Regier

ITEM 13. VILLAGE OF WACO DRAINAGE IMPROVEMENTS AND FLOOD PROTECTION.

Alan Stuhr, who is the maintenance man for the Village of Waco, requested the District to assist the Village with upgrading a culvert under the Burlington Railroad in order to reduce flooding upstream from the railroad. Stuhr explained that the existing culvert capacity under the railroad is not sufficient to pass large stormwater flows without backing up into the wastewater plant.

In 1991 the District prepared an engineering study of the Waco flooding problem. Upgrading the railroad culvert capacity was one of the alternatives considered.

It was moved by Buller and seconded by Hansen that the District agree to assist the Village of Waco with drainage improvements, as requested by the Village, subject to approval of an interlocal agreement between the Village and District. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 14. CITY OF AURORA MAPPING AND DRAINAGE MASTER PLAN.

Staff presented a proposal to assist the City of Aurora with development of a regional planning map and drainage master plan. The mapping would include aerial photography over an area of approximately 30 square miles, detailed contour mapping over 9 square miles within that area, and detailed identification of land features over 6 square miles of the area. The drainage master plan would include detailed hydrology and drainage recommendations for the 9 square mile area to be contour mapped.

The budget for this project is \$83,000, and the City has requested that the District act as lead agency and share this cost on a 50/50 basis.

PROJECT BUDGET

Aerial Photography & Mapping	\$61,500
Surveying	\$5,000
Stormwater Drainage Master Plan	\$16,500
Project Cost	\$83,000

It was moved by Buller and seconded by Brown that the District enter into the Interlocal Agreement with the City of Aurora, as reviewed by the Committee, to assist the City with mapping and drainage master planning, and that the District's share of project cost not exceed \$41,500. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Teegerstrom, Volkmer, Houdersheldt

NAY: Nuss

NOT PRESENT: Luebbe, Regier

ITEM 15. CITY OF AURORA MAPPING PROPOSALS FOR PHOTOGRAMMETRY.

Proposals for aerial photography and mapping services were received from the following firms:

Horizons, Rapid City, S.D.	\$77,100
Western Air Maps, Overland Park, KS.	\$68,960

The District and City of Aurora staffs reviewed the proposals and revised the scope of work to eliminate some of the detailed land feature mapping. A revised proposal was then requested from Western Air Maps based on the enclosed map; their revised contract price is \$61,500.

Staff recommends that Western Air Maps be hired to perform photogrammetric services for the Aurora mapping project, subject to the City of Aurora approving the Interlocal Agreement.

It was moved by Buller and seconded by Hansen that Western Air Maps be hired to perform photogrammetric services on the Aurora Mapping and Drainage Master Plan project in accordance with their proposal dated February 13, 2004, and amendment dated March 5, 2004, for a fee not to exceed \$61,500, contingent upon the City of Aurora approving the Interlocal Agreement between the District and City. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Teegerstrom, Volkmer, Houdersheldt

NAY: Nuss

NOT PRESENT: Luebbe, Regier

ITEM 16. PLUM CREEK TRAIL PROJECT - FINAL PAYMENT TO A&R CONSTRUCTION.

The Committee considered final payment to A & R Construction Company for work completed on the Plum Creek Hiking & Biking Trail Project at Seward. The final payment amount is \$81,432.17, and includes \$7,962.72 for work completed during the December 2003 pay period, and release of previously withheld retainage in the amount of \$73,505.45.

A&R Construction's original bid price was \$745,714.31, and the total amount actually earned for work items installed is \$742,981.12.

It was moved by Buller and seconded by Dickinson that the Upper Big Blue Natural Resources District make final payment of \$81,432.17, which includes release of retainage, to A & R Construction Company for work completed on the Plum Creek Trail Project at Seward. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 17. LINCOLN CREEK BRIDGE - DIAMOND ENGINEERING CLAIM. SETTLEMENT.

The Diamond Engineering construction firm has offered to settle their claim for extra work on the Lincoln Creek Pedestrian Bridge for a lump sum of \$16,000. The City of Aurora and University of Nebraska have each agreed to pay one-third of the lump sum settlement, and staff is recommending that the District also agree to pay one-third.

It was moved by Buller and seconded by Friesen that the District agree to settle all outstanding claims with Diamond Engineering, for extra work on the Lincoln Creek Bridge at Aurora, for a lump sum payment of \$16,000, and that the District agree to pay \$5,333.33, one-third of the settlement, subject to the City of Aurora and University of Nebraska each agreeing to pay one-third of the settlement. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 18. LINCOLN CREEK BRIDGE - FINAL PAYMENT TO DIAMOND ENGINEERING.

Staff recommends that the District agree to make final payment to Diamond Engineering for work on the Lincoln Creek Pedestrian Bridge, including the lump sum settlement of claims, if Diamond Engineering provides a complete release of claims.

It was moved by Buller and seconded by Joseph that final payment of \$22,845.00, which includes release of \$6,845.00 retainage and payment of \$16,000 for settlement of claims, be made to Diamond Engineering Company for work completed on the Lincoln Creek Parkway Pedestrian Bridge at Aurora, subject to Diamond Engineering signing a complete release of claims on this project. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 19. BIG BLUE RIVER FLOOD HAZARD MITIGATION PROJECT LEVEES - TERMINATION OF GRANT APPLICATION.

The District filed a grant application with FEMA in February 1998 to purchase several flood

prone properties in the Big Blue River flood plain at Seward, and to construct levees to protect the Orscheln Farm Store and Walker Manufacturing. The purchase of flood prone properties was completed in 2002, but FEMA withheld approval of funds for design and construction of the levees. FEMA and US Fish & Wildlife Service declined to approve the levee plan unless the levee would be constructed adjacent to Walker Road; this levee location is not consistent with the original project concept.

Due to FEMA's delay, and modification of the original concept, the project cost has increased significantly. Also, as noted in FEMA's correspondence, the federal share of project cost has been reduced from 75% to 67.5%. Further complicating the situation, the federal deadline for completing the project is May 2004, which does not allow enough time to design and construct the levees.

Since FEMA has modified the original concept plan and reduced the level of federal funding on this project, the City has taken the position that we should not proceed with the levee project. On this basis, staff recommends that the District withdraw its application for FEMA funding on the levee system.

It was moved by Buller and seconded by Brown that the District withdraw its application for a FEMA grant to assist with construction of the Big Blue River Flood Hazard Mitigation Project, FEMA-DR-1027, Levee System, at Seward, since (1) FEMA has delayed implementation and approval of funding for the design and construction of the Levee System for six years, thereby not allowing enough time to meet the Federal performance period deadline of May 9, 2004, (2) the USFWS requires that construction not be scheduled during the Bald Eagle nesting period of April 1 to July 15, (3) the USFWS, Corps of Engineers, FEMA and NGPC have modified the project concept requiring the south levee to be constructed close to Walker Road, rather than adjacent to the existing levee along the river bank, and (4) FEMA has reduced the percentage of federal funds for the project, thereby requiring the local share to be 32.5% rather than 25% of project cost. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

**ITEM 20. REPORT OF WATER & REGULATIONS COMMITTEE AND
CONSIDERATION OF RECOMMENDATIONS.**

Moore reported that the Water & Regulations Committee met on March 11, 2004 and presented the committee's recommendations.

**ITEM 21. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE
ASSISTANCE PROGRAM PAYMENTS.**

It was moved by Hansen and seconded by Brown to approve a cost-share payment for one well abandonment, as reviewed by the committee, totaling \$400.00. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 22. GROUND WATER MANAGEMENT AREA 1 - APPROVED FLOW METER LIST.

The staff presented a list of approved flow meters. The list includes three brands. They are McCrometer (all models), Sparling series 300 irrigation meter and Waterman Signet ST 3000 Irrigation flow meter. It is the staff and committee's intent that other brands or models may be added to that list by board action as information about other meters becomes available. The approved meter list would apply to cost-share and also when a flow meter is required for wells approved by permits issued after March 1, 2004. The list will be also used as a recommendation to others considering flow meter installations.

It was moved by Moore and seconded by Hansen to adopt the Upper Big Blue Natural Resources District Approved Flow Meter List dated March 2004. The motion was approved.

AYE: Brown, Bruns, Eberle, Hansen, Jackson, Joseph, Moore, Teegerstrom, Houdersheldt

NAY: Austin, Buller, Dickinson, Friesen, Nuss, Volkmer

NOT PRESENT: Luebbe, Regier

ITEM 23. APPROVAL OF LATE WELL PERMIT.

Harvey Bish for Aurora has applied for a late permit for a well drilled in 1987. This well was drilled as a replacement well. In 1987 permits were required for new wells, but not replacement wells. The original well that was replaced, has not been used since the replacement well was drilled, but it was not properly decommissioned. Mr. Bish wishes to install a pump in the original well and link the two wells together. If this late permit is approved, the well being permitted will be reclassified as a new well and be given a new registration number by DNR. By filing an update form, the DNR will re-activate the original well. Since this late permit would be issued after March 1, 2004, a flow meter is required. These changes would not violate any of the District's regulations.

It was moved by Moore and seconded by Nuss to approve late permit UBB-1-3275 for a well owned by Harvey E. Bish in the NW1/4 of Section 10-T9N-R8W, Hamilton County. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 24. USGS AGREEMENT FOR MONITORING WELLS AT RECHARGE LAKE.

DeBuhr was contacted by USGS about a study being conducted in the York area as part of the National Water Quality Assessment Program. USGS has requested that they be allowed to drill five observation wells at Recharge Lake as a part of the study. We have already entered into an Agreement previously to allow them to drill a well behind our storage building on Platte Avenue.

Recharge Lake is right in the flow path of the area of study for the city water system. The purpose for drilling these wells is to get a better understanding of the vertical gradient in the ground water. Water not only moves laterally from northwest to southeast in this particular area, but there is also water moving down from the upper aquifer to the confined aquifer and up from the confined aquifer in some areas into the water table and they are trying to get a better understanding of that movement.

DeBuhr recommended that we enter into an agreement with USGS to drill the five observation wells at Recharge Lake.

It was moved by Moore and seconded by Hansen to approve the agreement with USGS to drill monitoring wells at Recharge Lake. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Hansen, Jackson, Joseph, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 25. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Joseph reported that the Executive Committee met on March 11, 2004 and presented the committee's report.

ITEM 26. FINAL PAYMENT FOR NEW FURNACES AND AIR CONDITIONERS.

The furnace and air-conditioning system replacement is complete for the main office building. A small amount of additional work for the pad for the air conditioner compressors on the north side of the building was required. Turnbull recommends the release of the 10% retainage, which is \$1,427.00 and payment of the extra costs amounting to \$261.40, to J & R Heating. The total cost of the furnace work is \$14,531.40 which is \$261.40 higher than the quote.

It was moved by Joseph and seconded by Austin to approve final payment of \$1,688.40 including the release of retainage to J & R Heating of York, Nebraska for the main building furnace and air-

conditioning systems replacement. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 27. DIRECTORS' CREDIT CARDS.

At the suggestion of the Board Treasurer, the staff reviewed the credit card history of all district credit cards. The suggestion came about during a discussion about recently stolen credit card accounts. It may be wise to reduce the District's exposure to credit card fraud by reducing the number of existing accounts. Each card carried by the staff and directors is a separate account, which is very helpful for accounting. The annual fee for each card is \$10, which is due March 23, 2004.

For the period November 2002 through February 2004, a total of \$340 in fees was paid for director's cards. During that same time period only six charges, totaling \$1,316.69, were made on the 17 cards.

Operating Policy No. 22: DISTRICT CREDIT CARDS AND CHARGE ACCOUNTS

- 1. The General Manager, on behalf of the District, is authorized from time to time, to apply for and receive business credit cards, to be used for travel, meals, lodging, general operational expenses and automobile operation and repair. The General Manager is responsible for the proper use of such cards. The General Manager may authorize certain staff members to sign for authorized expenditures of the District. ~~Credit cards will also be issued to the Board of Directors, for travel and meal expenses.~~*
- 2. The General Manager may establish charge accounts on behalf of the District at businesses for the purpose of purchasing supplies and services. The General Manager may authorize staff members to order and sign receipts for the supplies and services.*

It was moved by Joseph and seconded by Hansen that for security reasons the District credit cards for the directors not be renewed but that cards for Doug Bruns and Vance Teegerstrom be kept active until after the March 19 - 24, 2004 Washington, D.C. NARD trip. Further that Operating Policy No. 22, District Credit Cards and Charge Accounts, be amended by striking the sentence "Credit Cards will also be issued to the Board of Directors, for travel and meal expenses." The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,

Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 28. PAYMENT TO YORK PRINTING FOR NEWSLETTER.

The newsletter was just recently distributed in area newspapers. The estimated cost of this edition, including printing and distribution is \$5,820. A bill has been received from York Printing for \$3,857.52 for printing. Turnbull recommends the approval of this bill, which includes layout costs. Prior issues were laid out by the public information department manager. York Printing offered to do the layout work for \$200 - \$300, thereby freeing up our staff to concentrate on the writing of the articles and other work.

It was moved by Joseph and seconded by Bruns to approve payment of \$3,857.52 to York Printing Company for printing the March 2004 Blueprint newsletter. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 29. HEALTH INSURANCE PROGRAM SURCHARGE.

Turnbull briefed the committee on the action taken by the NARD Board of Directors on March 8, 2004, which was *"In an attempt to resolve the current deficit in the insurance program, this board has authorized the Executive Director to send out an invoice to each district for \$500.00 per participating Employee and highly encourages each district to pay the \$500.00 per participating Employee and that each District Manager contact the NARD Executive Director with their decision."*

An estimate based on claim history has been used to determine the premium amounts charged for the health insurance plan for the past several years. However, this year the estimate turns out to have been too low. The health insurance plan is partially self insured in that a maximum claim amount is paid for each individual by the NARD before the reinsurance company pays. The individual maximum claim is considerably higher than the deductible the employee pays. However, the plan does not have a fixed limit on the number of participants that can receive the maximum claim amount each month from the NARD. Because of this, the NARD health insurance plan is having cash flow problems because of some very large claims.

The NARD is considering changes to the health insurance plan but any changes will not take effect until July 1, 2004. The agent and the insurance committee will present possible changes to a special manager's meeting in May, and then to the Association board in early June for their consideration.

It was moved by Joseph and seconded by Moore that the Upper Big Blue NRD pay a one time

surcharge of \$500 for each employee enrolled in the health insurance plan, for a total of \$9,500.00 to the NARD, for the NARD Insurance Program Fund, provided that all the other districts will do the same. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

ITEM 30. FINANCIAL REPORT, FEBRUARY 1, 2004 THROUGH FEBRUARY 29, 2004, AND CONSIDERATION OF EXPENDITURES FOR FEBRUARY 2004.

Turnbull reviewed the financial report for the period February 1, 2004 through February 29, 2004 that we had distributed. It was moved by Hansen and seconded by Dickinson to accept the financial report for February 2004 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Luebbe, Regier

There being no other business the chairman adjourned the meeting at 3:34 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on March 18, 2004, 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.

Doug Bruns, Secretary

:nds

BOARD OF DIRECTORS MEETING
April 15, 2004

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, April 15, 2004, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Brisk, Jay Bitner, Ken Feather, Rod DeBuhr, Scott Snell, Richard Jiskra, NNRC and Bryan Euse of York County NRCS. Houdersheldt called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting April 1, 2004 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Sixteen directors were present for roll call. Jackson arrived a few minutes later.

ITEM 3. *ADOPTION OF CONSENT AGENDA.

It was moved by Hansen and seconded by Austin to adopt the consent agenda. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Jackson

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Hansen and seconded by Austin to approve the agenda for the April 15, 2004 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Jackson

ITEM 5. *APPROVAL OF MINUTES OF THE MARCH 18, 2004 BOARD OF DIRECTORS MEETING.

It was moved by Hansen and seconded by Austin to approve the minutes of the March 18, 2004 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Jackson

ITEM 6. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Regier reported that the Projects & Programs Committee met on April 6, 2004 and presented the committee's recommendations.

ITEM 7. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Regier and seconded by Volkmer that payment of \$17,211.93 be made on 15 applications for NSWCP land treatment program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 8. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Regier and seconded by Hansen that payment of \$30,000 be made on 6 applications for NRD Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Regier

ITEM 9. NRD LAND TREATMENT PROGRAM FUNDS.

Due to increased demand for cost share on irrigation water management practices this year, the Committee considered increasing the amount of NRD funds that can be spent under land treatment line item 508. Staff has determined that approximately \$78,000 could be made available, since some projects have either been suspended, or will not require cost share payments

in Fiscal Year 2004. If additional funds are made available, staff will appropriate those funds first to people who are on the waiting list. The remainder will be appropriated on a first come first served basis until the funds are fully appropriated.

It was moved by Regier and seconded by Luebbe that the District authorize expenditures for NRD Land Treatment funds to exceed the amount budgeted in FY 2004 (Line Item 508) by \$70,000, thereby increasing the allowable expenditures for this line item from \$195,000 to \$265,000.

Concern was expressed that because many landowners have already begun planting that they will not be ready to begin work on their land treatment practices until after harvest. However, this doesn't affect those wanting cost share for flow meters and gives them an advantage when it comes to appropriation of funds. We are seeing individuals applying for cost share on more than one flow meter at a time.

The motion was amended by Friesen and seconded by Moore to add "and limit cost share to one application per applicant." The amendment was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Luebbe, Moore, Regier, Teegerstrom, Houdersheldt

NAY: Hansen, Jackson, Joseph, Nuss, Volkmer

The question was called for on the original motion as amended. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: Jackson, Joseph, Nuss

ITEM 10. OXBOW TRAIL PICNIC SHELTER.

Residents in the Ulysses community would like to have a picnic shelter at the Oxbow Trail lake. One of the residents of Ulysses, Thomas Kadavy, offered to organize volunteers to construct the facility if the District would purchase materials and help supervise construction.

The proposed shelter would be a hexagon post and beam structure, manufactured by Cedar Forest Products Company located in Polo, Illinois. The recommended structure diameter is 35 feet. Materials can be delivered approximately eight weeks after the order is placed. Staff estimates that construction could be completed between June and August

Cedar Forest Products Company will furnish all glu-laminated posts, beams and purlins, tongue and groove pine roof decking, steel connectors and brackets, cedar shake shingles, and construction drawings stamped by an engineer or architect licensed in Nebraska. The District will design the foundation and slab to support the structure.

Materials Cost Estimate

Timber & Connectors	\$15,260
Cedar Shingles	\$2,409
Concrete	\$1,500
Freight	\$1,141
<hr/>	
Total Materials Cost	\$20,310

It was moved by Regier and seconded by Jackson that the Upper Big Blue purchase materials from Cedar Forest Products Company, Polo, Illinois, and supervise a group of volunteers from Ulysses who will construct a picnic shelter at Oxbow Trail Recreation Area at a cost of \$20,310.
The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt
NAY: None

ITEM 11. VILLAGE OF WACO DRAINAGE IMPROVEMENTS AND FLOOD PROTECTION.

Last month the District agreed to assist the Village of Waco with planning, design, and construction of flood protection and drainage improvements, subject to approval of an Interlocal Agreement. This month the Projects Committee considered the project budget and Interlocal Agreement as presented by staff. The estimated project cost is \$140,000.

Staff recommends that the District act as lead agency, on behalf of the Village and, provide engineering to plan, design, and construct the project, and contribute 25% of project cost. This is consistent with previous projects of this type, which include planning, design, and construction.

The Projects and Programs Committee recommended that the District and Village shares be based on a project cost not to exceed \$150,000. That the NRD contribute up to 25% of project cost, not to exceed \$37,500 and the Village contribute 75% of project cost, not to exceed \$112,500.

It was moved by Regier and seconded by Jackson that the District enter into an Interlocal Agreement with the Village of Waco, as reviewed by the Projects and Programs Committee, to assist the Village with planning, design, and construction of drainage and flood protection improvements, such that the District's share of project cost not exceed \$37,500 and the Village's share of project cost not exceed \$112,500. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt
NAY: None

ITEM 12. BIG BLUE RIVER FHMP LEVEES - TERMINATION OF GRANT APPLICATION.

In March 2004 the City of Seward and Upper Big Blue NRD decided not to proceed with the Big Blue River Flood Hazard Mitigation Project, Levee System. On March 22, 2004, staff notified FEMA and NEMA that the NRD and City did not wish to proceed with the project for the following reasons:

- (1) The Federal Emergency Management Agency, FEMA, has delayed consideration of funding approval for the design and construction of the levee system for six years, thereby not allowing enough time for the Sub-grantee to meet the Federal performance period deadline of May 9, 2004. The District's application for funding was submitted in February 1998.
- (2) The U.S. Fish and Wildlife Service, USFWS, requires that construction not be scheduled during the Bald Eagle nesting period of April 1 to July 15, even though the environmental assessment shows no documented Bald Eagle sightings in the proposed construction area. This requirement forces the design and construction schedule to be drawn out over a period of two years.
- (3) FEMA and USFWS prefer levee Alternative B, placement of the south levee parallel to Izaak Walton Road, rather than Alternative A preferred by the District and City, placement of the south levee parallel to the existing levee along the Big Blue River bank. The Alternative B levee plan will add cost to the project due to additional pumping station and power supply requirements.
- (4) FEMA has reduced the percentage of Federal funding for the levee portion of this project from 75% to 67.5%. This is not acceptable since the project cost has increased during FEMA's six year delay in funding approval, and levee Alternative B, FEMA / USFWS preferred plan, is more expensive than Alternative A, the plan preferred by the District and City.

On March 25, 2004, the District received a letter from NEMA / FEMA stating that sufficient federal funds would be made available to provide 75% funding for the project and that the May 9, 2004 deadline would be extended to allow completion of the project. The March 25 correspondence from NEMA / FEMA requests that the City and NRD reconsider the decision to withdraw from the project.

Staff has discussed this request to reconsider with the City Seward. The City is willing to proceed with the project if FEMA will also consider allowing the south levee to be located as originally proposed in Alternative A, adjacent to the existing levee.

It was moved by Regier and seconded by Austin that the District agree to reconsider proceeding with the Big Blue River Flood Hazard Mitigation Project, Levee System, at Seward, as requested in the NEMA / FEMA March 25, 2004 correspondence, if NEMA / FEMA will agree to: (1) Extend the project completion date to accommodate design and construction as stated in the NEMA/FEMA correspondence dated March 25, 2004, (2) Increase the amount of federal funding for the project sufficient to provide a 75% Federal share as stated in the NEMA / FEMA

correspondence dated March 25, 2004, (3) Waive the requirement that levee construction activities not be conducted during the April through July Bald Eagle nesting period, since the project environmental assessment did not identify any Bald Eagle nesting in the project area, and (4) Reconsider allowing the District to construct the south levee adjacent to the existing levee, as in Alternative A without modifying the Big Blue River channel, rather than parallel to Izaak Walton Road, as in Alternative B. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom

NAY: Nuss, Volkmer, Houdersheldt

ITEM 13. HANGER DAM - SUTTON, NEBRASKA.

The landowners at the Hanger Dam site have requested that the District not continue with planning and design of the dam.

It was moved by Regier and seconded by Luebbe that the Hanger Dam Project be suspended as requested by the landowner. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: Hansen

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

Moore reported that the Water & Regulations Committee met on April 8, 2004 and presented the committee's recommendations.

ITEM 15. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Austin to approve cost-share payments for seven well abandonments, as reviewed by the committee, totaling \$2,304.89. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Jackson

ITEM 16. GWMA#1 REQUEST FOR ADDITION TO APPROVED FLOW METER

LIST.

Mick Reynolds, a sales representative for ACE Irrigation and Mfg. Co., of Kearney, presented the EMCO Hydro-Flow Model 2200 fixed insertion vortex flow meter. This is an electronic meter. It requires an external power source which the manufacturer does not supply. The staff expressed concerns over the ease of tampering. Mr. Reynolds explained that ACE Irrigation has made efforts to address those concerns with wire/lead seals and a solar battery power supply that is programmable to detect tampering. This device is called the "ICE BOX." The ICE BOX is manufactured and marketed by Ace Irrigation. The staff continued to express that the measures needed to protect the meter from tampering were more complex than the other approved meters. John Turnbull recommended that the Hydro-Flow 2200 not be added to the approved meter list.

It was moved by Moore and seconded by Hansen to add the EMCO Hydro-Flow 2200 to the Upper Big Blue NRD approved flow meter list, with the condition that the ACE Irrigation & Mfg. Company ICE BOX must be the power supply used with this flow meter.

Austin offered an amendment to the motion to change the word 'condition' to 'conditions' and add the phrase "and that the manufacturer supply professional looking collars." The amendment died for lack of a second.

Houdersheldt called for the question on the original motion. The motion was approved.

AYE: Brown, Buller, Dickinson, Friesen, Hansen, Joseph, Luebbe, Nuss, Regier, Volkmer, Houdersheldt

NAY: Austin, Bruns, Eberle, Jackson, Moore, Teegerstrom

ITEM 17. DISTRICT RULE 4 - RULES AND REGULATIONS FOR THE ENFORCEMENT OF THE GROUND WATER MANAGEMENT AND PROTECTION ACT.

The committee reviewed District Rule 4 changes. The proposed changes would simplify the steps required for processing a complaint concerning a violation for the NRD's ground water management regulations, including irrigation runoff. It also clarifies the rule to allow staff to initiate a formal complaint.

It was moved by Moore and seconded by Regier to approve draft Rule 4 for the purpose of public hearing. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: Jackson, Volkmer

ITEM 18. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Joseph reported that the Executive Committee met on April 8, 2004 and presented the committee's report.

ITEM 19. HEALTH INSURANCE PROGRAM SURCHARGE.

Turnbull briefed the board on the status of the NARD health insurance surcharge actions by the other NRDs. Eighteen districts have approved the surcharge to date. Turnbull recommended that based on the report from the NARD that the Upper Big Blue NRD proceed with payment of the \$9,500.

It was moved by Joseph and seconded by Regier that the Upper Big Blue NRD pay a one time surcharge of \$500 for each employee enrolled in the Health Insurance Plan, for a total of \$9,500.00 to the NARD, for the NARD Insurance Program Fund. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: Volkmer

ITEM 20. * FIRST QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Hansen and seconded by Austin to approve payment of first quarter directors' per diem of \$11,200.00 and expenses of \$3,025.65. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Jackson

ITEM 21. FINANCIAL REPORT, MARCH 1, 2004 THROUGH MARCH 31, 2004, AND CONSIDERATION OF EXPENDITURES FOR MARCH 2004.

Turnbull reviewed the financial report for the period March 1, 2004 through March 31, 2004 that we had distributed. It was moved by Volkmer and seconded by Hansen to accept the financial report for March 2004 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

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Board of Directors Meeting
April 15, 2004
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AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller

There being no other business the chairman adjourned the meeting at 9:54 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on April 15, 2004, 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.

Doug Bruns, Secretary

:nds

**BOARD OF DIRECTORS MEETING
AND
PUBLIC HEARING ON RULE 4
RULES AND REGULATIONS FOR ENFORCEMENT OF THE
GROUNDWATER MANAGEMENT AND PROTECTION ACT
May 20, 2004**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, May 20, 2004, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Brisk, Jay Bitner, Ken Feather, Rod DeBuhr, Scott Snell and Bryan Euse of York County NRCS. Houdersheldt called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting May 6, 2004 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Thirteen directors were present for roll call. Regier and Teegerstrom arrived a few minutes later.

ITEM 3. REQUESTS FOR EXCUSED ABSENCES.

Dickinson requested that his absence from the May 20, 2004 board of directors meeting be excused.

It was moved by Hansen and seconded by Volkmer to excuse the absence of Doug Dickinson from the May 20, 2004 board of directors meeting. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Eberle, Regier, Teegerstrom

ITEM 4. *ADOPTION OF CONSENT AGENDA.

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

AYE: Austin, Brown, Bruns, Buller, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Eberle, Regier, Houdersheldt

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Hansen and seconded by Volkmer to approve the agenda for the May 20, 2004 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Eberle, Regier, Teegerstrom

ITEM 6. *APPROVAL OF MINUTES OF THE APRIL 15, 2004 BOARD OF DIRECTORS MEETING.

It was moved by Hansen and seconded by Volkmer to approve the minutes of the April 15, 2004 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Eberle, Regier, Teegerstrom

ITEM 7. EMPLOYEE RECOGNITION.

Sam Keezer, the district's maintenance man, was recognized for ten years of service to the District. He was presented with an engraved desk pen set by Chairman Houdersheldt.

ITEM 8. PUBLIC HEARING ON PROPOSED CHANGES TO RULE 4 - RULES AND REGULATIONS FOR THE ENFORCEMENT OF THE GROUNDWATER MANAGEMENT ACT.

Chairman Houdersheldt open the public hearing at 7:35 p.m. Houdersheldt advised those present that legal notice of the public hearing was published in the York News-Times on April 26, 2004 and May 3 and 10, 2004.

Houdersheldt asked Rod DeBuhr, Water Department Manager, to review the proposed changes to Rule 4. All those in attendance received a copy of the proposed rules and regulations. DeBuhr explained that the proposed changes were mainly housekeeping procedure. The intent was to simplify the language and streamline the process for dealing with violations, such as irrigation runoff and other possible violations to the Ground Water Management Area Rules and Regulations.

A definition was added to the regulations called “district representative,” which means an employee of the district or other persons specifically authorized by the District Board of Directors to act on behalf of the District with regard to District Rule 4. The reason for this was to clarify that a district representative could file a complaint to initiate an action for the violation of the rules. The existing rules may allow that, but it was somewhat vague and we wanted to clarify that.

The definition of a groundwater user was amended to read “Groundwater User means a person who at any time extracts, withdraws or confines groundwater for any use at a rate in excess of fifty (50) gallons per minutes.” The existing rule says 100 gallons. This change is necessary to be consistent with State law. Language that made the rule difficult to read and understand was removed to make it more concise. Information was added regarding what sort of measures could be taken to control irrigation runoff. This is not an all-inclusive list, but we added some things to the list of possibilities. Including conversion from irrigation to sprinkler, discontinuing or altering center pivot end guns or dump valves, or conversion to dryland, which were not listed in the previous regulations.

Houdersheldt asked if anyone had any questions.

Friesen asked whether artesian wells with uncontrolled discharge would be in violation of our Rule 4. DeBuhr said they would not be in violation because the rule is specific to irrigation runoff.

There were no other questions at that time. Houdersheldt informed the board that he would leave the hearing open until after the Projects and Programs Committee Report had been completed.

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

Regier reported that the Projects & Programs Committee met on May 11, 2004 and presented the committee’s recommendations.

ITEM 10. CITY OF HENDERSON PARK DEVELOPMENT.

Jan Smith and Harris Peters, representing the Park Board for the City of Henderson, presented a tree and shrub planting plan for the city’s new swimming pool area and Lakeview Park area. The trees and shrubs will be purchased and planted by Pine Valley Nursery & Landscape located in Lincoln, Nebraska and Faller Landscape & Nursery located in York, Nebraska.

The total cost of the project is \$4,344.91. This project would come under the Parks and Recreation Program. The District will fund up to 25% of the local share of the estimated or actual cost, whichever is less. The maximum funding that can be approved per applicant is \$10,000.00.

It was moved by Regier and seconded by Volkmer that the Upper Big Blue Natural Resources

District fund the planting of the trees and shrubs around the new swimming pool and the Lakeview Park area in the City of Henderson at the rate of 25% of project cost, not to exceed \$1,100.00. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 11. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Regier and seconded by Luebbe that payments totaling \$26,443.88 be made on 30 applications for NSWCP Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Buller, Joseph

NOT PRESENT: Dickinson, Eberle

ITEM 12. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Regier and seconded by Hansen that payments totaling \$45,000 be made on 9 applications for NRD Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Buller

NOT PRESENT: Dickinson, Eberle

ITEM 13. LAND TREATMENT PROGRAM - WATER METER PRACTICE.

Staff recommended that water meters be deleted from the list of practices that are eligible for Land Treatment Program cost share. The reason for this recommendation is that the amount of money available for NRD and NSWCP cost share is not sufficient to fund the other land treatment practices for soil and water conservation in addition to meters. The demand for water meters alone could use all of the program funds. Staff recommends that soil conservation practices, such as terraces and dams, and water conservation practices, such as conversions from gravity to sprinkler, reuse pits, and surge valves, should be given funding priority in the Land Treatment Program over water meters.

It was moved by Regier and seconded by Hansen that the District remove water meters from the list of practices that are eligible for Land Treatment Program cost share, and that this program change becomes effective July 1, 2004.

Austin noted that there was no mention in the Projects & Programs Committee report about the Water Committee possibly taking over the program. It was the intent of the Projects and Programs Committee to remove cost share for meters from the Projects Department's land treatment program, with the understanding that cost share on meters would be discussed by the Water Committee.

Chairman Houdersheldt said that it was discussed at the May 11 Water Committee meeting, but that no action had been taken. The matter is to be discussed again in June.

Austin expressed concern that if this motion passed in its present form, the program would cease to exist entirely.

It was moved by Austin and seconded by Hansen to amend the motion to include the phrase "contingent upon adoption by the Board of a replacement water meter funding program." The amendment failed.

AYE: Austin, Hansen

NAY: Brown, Bruns, Buller, Friesen, Jackson, Joseph, Luebbe, Moore, Regier, Houdersheldt

NOT VOTING: Nuss, Teegerstrom, Volkmer

NOT PRESENT: Dickinson, Eberle

The question was called for on the original motion. The motion was approved.

AYE: Bruns, Buller, Friesen, Jackson, Joseph, Luebbe, Moore, Regier, Houdersheldt

NAY: Austin, Brown, Hansen, Nuss, Teegerstrom, Volkmer

NOT PRESENT: Dickinson, Eberle

ITEM 14. AURORA MAPPING AND STORMWATER MASTER PLAN.

Western Air Maps has submitted an invoice in the amount of \$12,000 for work completed in April 2004 on the aerial photography phase of the Aurora Mapping Project. Photo proofs have been provided to the District. The total contract amount for Western Air Maps' work is \$54,900, and final work products should be delivered by mid July.

It was moved by Regier and seconded by Hansen that the Upper Big Blue NRD approve payment of \$12,000 to Western Air Maps for aerial photography and mapping work completed in April 2004 on the Aurora Mapping and Stormwater Master Planning Project. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Friesen, Hansen Jackson, Joseph, Luebbe, Moore, Regier,

Teegerstrom, Volkmer, Houdersheldt

NAY: Nuss

NOT PRESENT: Dickinson, Eberle

ITEM 15. PUBLIC HEARING ON RULE 4 - RULES & REGULATIONS FOR THE ENFORCEMENT OF THE GROUND WATER MANAGEMENT ACT.

Houdersheldt officially closed the public hearing at 8:23 p.m.

Austin asked whether irrigation runoff was ever proper. DeBuhr said yes, that if there was runoff and under an agreement with an adjacent landowner it was being recaptured it would be acceptable. Turnbull reminded the board that in that case the transfer rules would apply.

Austin said that under Chapter 2 - Definitions, Paragraph 08 it refers to "improper irrigation runoff." The actual term used above in Chapter 1 - General Provisions, Paragraph 02.01 is "improper groundwater irrigation runoff." She asked if it was necessary to include the term groundwater irrigation runoff in the definition.

DeBuhr said it was not necessary because the NRD has no jurisdiction over surface water. DeBuhr suggested the Board remove the word "groundwater" from Chapter 1, Paragraph 02.01 if they felt it was inconsistent.

It was moved by Moore and seconded by Austin to strike the word "groundwater" from Chapter 1, Paragraph 02.01. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Eberle

Buller asked if because the State has jurisdiction over surface water quantity whether they have jurisdiction over water quality. He wanted to know if we had any authority if surface water was affecting the quality of groundwater.

DeBuhr stated that the NRD has some jurisdiction under the law for what is known as non point-source contamination. We have regulations on sediment and erosion control, for silt deposition into a lake, river or stream. We also have regulations on groundwater quality, for nitrates, regardless of the source. If it's point source, for example a known discharge from a pipe, then the State has jurisdiction.

Austin wanted to know if a contaminant spilled into surface water and it got into the ground water how that would be handled.

DeBuhr said a spill would be considered point-source, because it could be traced back to the spill.

If the contamination is point-source, it would be handled by DEQ. If it's non point-source and it contaminates the groundwater it's the NRD's responsibility. However, this has nothing to do with Rule 4. This situation would be covered under the Ground Water Management Act Rule 5.

Buller said the reason he brought it up was because under Chapter 2, Definitions, Paragraph 08.02 we are attributing irrigation runoff to the deterioration of water quality.

Turnbull reminded the board that the NRD doesn't have the authority under the law to enforce regulations on surface irrigation runoff, because that's under the appropriative system and is handled entirely different when it comes to quantity or quality.

DeBuhr said that if there is irrigation runoff from a groundwater source (from a well) which causes erosion as a result of irrigating too steep a field, and it causes runoff and that runoff deteriorates water quality in a river, stream or lake we have jurisdiction over that because it is improper irrigation runoff.

It was moved by Hansen and seconded by Brown to adopt the changes to Rule 4 as amended.
The motion was approved.

AYE: Austin, Brown, Bruns, Hansen, Joseph, Moore, Teegerstrom, Houdersheldt
NAY: Buller, Friesen, Jackson, Luebbe, Nuss, Volkmer
NOT PRESENT: Dickinson, Eberle, Regier

ITEM 16. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Joseph reported that the Executive Committee met on May 11, 2004 and presented the committee's report.

ITEM 17. DISTRICT LIABILITY, FIRE AND AUTO INSURANCE RENEWAL.

The liability, fire, and casualty insurance is provided by Inspro Insurance through Scott Nelson of York Insurance. Inspro writes insurance for about half of the Districts, with Employers Mutual as the principal carrier. The quote for the new policy is \$42,265. The existing policy expires on July 1, 2004. Last year's premium was \$41,514.

It was moved by Joseph and seconded by Brown to approve the renewal of the York Insurance and Inspro package of liability, fire, and casualty insurance for FY 2005 for \$ 42,265 and to make payment to York Insurance in June 2004. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore,
Teegerstrom, Volkmer, Houdersheldt
NAY: Nuss
NOT PRESENT: Dickinson, Eberle, Regier

ITEM 18. PAYMENT TO EAKES OFFICE EQUIPMENT FOR OFFICE FURNITURE.

The two Steelcase office workstations have been delivered and are in use. The quote from Eakes Office Equipment was \$2,836.90. The amount due is \$2,736.90.

It was moved by Joseph and seconded by Bruns to approve the payment of \$2,736.90 for the Steelcase Series 9000 refurbished double workstation to Eakes Office Equipment, Grand Island.
The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss,
Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Eberle, Regier

ITEM 19. BLUEPRINT NEWSLETTER PRINTING COSTS.

An invoice has been received from York Printing Company for \$4,288.11 for printing the April Blueprint newsletter. Turnbull recommends the approval of this bill.

It was moved by Joseph and seconded by Teegerstrom to approve payment of \$4,288.11 to York Printing Company for printing the April 2004 Blueprint newsletter. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss,
Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 20. NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS DUES.

An invoice was received from NACD for the annual dues of \$1,775. The dues are based on budgets, with the minimum being \$725 and the maximum \$1,775. Because of their size, the Nebraska Districts always pay the maximum.

It was moved by Joseph and seconded by Austin to approve payment of \$1,775 to the National Association of Conservation Districts for the 2004 dues. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss,
Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 21. LOWER PLATTE NORTH SALARIES REIMBURSEMENTS.

Invoices have been received from the Lower Platte North NRD for salaries for the Butler County NRCS Clerk in the amount of \$5,685.91 and \$128.75 for some part time technician work over a six-month period.

It was moved by Joseph and seconded by Bruns to approve payment of \$ 5,814.66 to the Lower Platte North NRD for NRCS office salaries for half of FY 04 (July - December 2003). The motion was approved.

AYE: Austin, Brown, Bruns, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Regier,
Teegerstrom, Volkmer

NAY: Buller, Luebbe, Houdersheldt

NOT PRESENT: Dickinson, Eberle

ITEM 22. SUMMER ORIENTATION ABOUT RIVERS.

The Prairie Plains Resources Institute of Aurora has requested \$1,500 for their SOAR program, as they have each year since 1994. Snell spent a day with Bill Whitney in the field visiting about the SOAR program. The SOAR Program is a nature discovery day camp based in Aurora, Nebraska, that runs for two weeks in July. Snell and Turnbull recommend that the District only fund \$1,000.

It was moved by Joseph and seconded by Jackson to approve payment of \$1,000 to the Prairie Plains Resources Institute for the 2004 SOAR program. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss,
Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Eberle

ITEM 23. REPORT OF WATER & REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Water & Regulations Committee met on May 13, 2004 and presented the committee's recommendations.

ITEM 24. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Volkmer to approve cost-share payments for fifteen well abandonments, as reviewed by the committee, totaling \$5,211.87. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Volkmer,
Houdersheldt

NAY: None

NOT VOTING: Buller

NOT PRESENT: Dickinson, Eberle, Regier, Teegerstrom

ITEM 25. GROUND WATER MANAGEMENT AREA #2 ZONE 6 PHASE II DESIGNATION.

The results of the Summer 2003 nitrate sampling indicated that the median nitrate level in management Zone 6 is 9.0 mg/l. The trigger level for a potential phase II management area is 9.0 mg/l. In September 2003, Zone 6 was declared a “potential phase II management area.” The other criteria for determining if phase II management is needed are: 1) less than 60% of the corn and sorghum acres are soil sampled for nitrogen to a depth of 3 feet, and 2) less than 60% of the irrigation is being scheduled using an approved irrigation scheduling method. The NRD’s regulations call for reports to be filed by the operators of land in Zone 6 to determine if these criteria are being met. Reports were submitted by the farm operators in Zone 6 over the winter months. The results of those reports indicate that approximately 66% of irrigation is scheduled using an approved method. However, only about 20% of the corn/sorghum acres were sampled to a depth of 3 feet.

Management Zone 6 includes the following townships in Hamilton County, T9N-R5W (Farmers Valley), and T10N-R5W (Beaver) and the following townships in York County; T9N-R3W (Hays), T9N-R4W (Henderson), T10N-R3W (Baker) and T10N-R4W (Brown).

The staff recommends that the Board declare Management Zone 6 a “Phase II Management Area” and authorize the staff to proceed with implementation of Phase II requirements as required by NRD Rule 5, Chapter 20.

It was moved by Moore and seconded by Austin to declare Management Zone 6 a “Phase II Management Area” and authorize the staff to proceed with implementation of Phase II requirements as required by NRD Rule 5, Chapter 20. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Hansen, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Nuss

NOT PRESENT: Dickinson, Eberle, Friesen

ITEM 26. PESTICIDE ANALYSIS EQUIPMENT.

The Nebraska Department of Agriculture, in cooperation with NARD and the Nebraska Department of Environmental Quality, was able to obtain grant funding from EPA for ten sets of laboratory equipment needed to test for pesticides in ground water. The project is called the Nebraska Cooperative Pesticide Immunoassay Analysis Project. This is part of NDA’s pesticide management planning program and the NDEQ statewide ground water quality monitoring plan.

The District has been asked to house one set of this equipment and enter into an agreement to collect ground water samples and test them for the commonly used pesticides: acetochlor, alachlor, atrazine and metolachlor. The Little Blue NRD will also be using the equipment to do analysis on samples collected by the NRD. The goal is to collect 98 samples in the Upper Big Blue NRD and 58 samples in the Little Blue NRD in 2004.

It was moved by Moore and seconded by Hansen to enter into an agreement 18-06-100 with the Nebraska Department of Agriculture for the housing and use for pesticide testing equipment for the Nebraska Cooperative Pesticide Immunoassay Analysis Project. The motion was approved.

AYE: Brown, Bruns, Buller, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier,
Teegerstrom, Houdersheldt

NAY: Austin

NOT VOTING: Volkmer

NOT PRESENT: Dickinson, Eberle, Friesen

ITEM 27. SPRING 2004 GROUND WATER LEVELS.

The staff measured 514 wells. The average ground water level change from the Spring of 2003 was -2.57 feet. The district ground water level is 1.14 feet above the reporting trigger and 4.14 feet above the allocation trigger.

ITEM 28. ARTESIAN WELLS.

Staff made a slide presentation for the Water Committee about artesian wells in the Beaver Crossing area. Rod has been working with the Water Well Licencing Board and the Health and Human Services staff to address what could be done to stop the uncontrolled discharge from several artesian wells in the Beaver Crossing area. Some of these wells are discharging at rates as high as 700 g.p.m. during the winter and spring. While some discharge overland, others have been constructed with a buried pipeline that discharges to the West Fork of the Big Blue River or a nearby tributary. The issues that the licencing board and the NRD may need to address include: back flow of flood waters into the aquifer, waste of ground water, what discharge counts toward allocation and how these wells can be properly abandoned.

ITEM 29. FLOW METER COST-SHARE DISCUSSION.

The Water Committee discussed the merits of flow meter cost-share and a potential Environment Trust grant application. This will be discussed again at the June Water Committee meeting.

Turnbull and DeBuhr reviewed the grant proposal with the Board. The intent would be to cost share on one meter per landowner for the life of the program. Landowners who have already received cost share for a meter under the NRD/NSWCP land treatment program would not be eligible. If meters are required under our regulations, for example on new or replacement wells,

cost share under this program would not be available.

Assuming 3,000 meters were eligible for cost share the total cost of the program would be \$2,442,000. The cooperator share would be 50 percent, or \$1,221,000. The remaining 50 percent would be split 60/40 with the Environmental Trust Fund share being \$732,600 and the NRD share being \$488,400. This would be a three-year program, with the expense spread out over parts of four fiscal years. That would mean the NRD would have to request additional tax funds for the next budget year of about \$27,000. We would need to raise an additional \$162,800 for each of the following two years and the last year would require an additional \$135,667.

ITEM 30. FINANCIAL REPORT, APRIL 1, 2004 THROUGH APRIL 30, 2004, AND CONSIDERATION OF EXPENDITURES FOR APRIL 2004.

Turnbull reviewed the financial report for the period April 1, 2004 through April 30, 2004 that we had distributed. It was moved by Volkmer and seconded by Hansen to accept the financial report for April 2004 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Eberle, Friesen

There being no other business the chairman adjourned the meeting at 9:37 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, 2004, 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.

Doug Bruns, Secretary

:nds

BOARD OF DIRECTORS MEETING
June 17, 2004

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 17, 2004, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Brisk, Jay Bitner, Ken Feather, Rod DeBuhr, Scott Snell and Bryan Euse of York County NRCS. Houdersheldt called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting June 3, 2004 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Sixteen directors were present for roll call. Moore arrived at 7:52 p.m.

ITEM 3. *ADOPTION OF CONSENT AGENDA.

It was moved by Teegerstrom and seconded by Hansen to adopt the consent agenda. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Teegerstrom and seconded by Hansen to approve the agenda for the June 17, 2004 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 5. *APPROVAL OF MINUTES OF THE MAY 20, 2004 BOARD OF DIRECTORS MEETING & PUBLIC HEARING.

It was moved by Teegerstrom and seconded by Hansen to approve the minutes of the May 20, 2004 Board of Directors Meeting and Public Hearing. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 6. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Buller reported that the Projects & Programs Committee met on June 8, 2004 and presented the committee's recommendations.

ITEM 7. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Buller and seconded by Austin that payments totaling \$63,488.83 be made on 57 applications for NRD Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Hansen, Volkmer

NOT PRESENT: Moore

ITEM 8. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Buller and seconded by Volkmer that payments totaling \$2,039.18 be made on 2 applications for NSWCP Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 9. *NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Teegerstrom and seconded by Hansen that payments totaling \$13,795.07 be

made on 25 Nebraska Buffer Strip contracts, as reviewed by the Committee. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Nuss, Regier, Teegerstrom, Volkmer

NAY: None

NOT VOTING: Joseph, Houdersheldt

NOT PRESENT: Moore

ITEM 10. WILDLIFE HABITAT IMPROVEMENT PROGRAM PAYMENTS FOR JUNE 2004.

The Wildlife Habitat Improvement Program areas have been inspected and recommended for their annual payments. The payments are funded 75% by the Nebraska Game & Parks Commission and 25% by the Upper Big Blue Natural Resources District.

It was moved by Buller and seconded by Luebbe that the Upper Big Blue Natural Resources District make payments totaling \$1,047.50 to the cooperators of the Wildlife Habitat Improvement Program for the month of June. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: Dickinson

NOT PRESENT: Moore

ITEM 11. CORNERS FOR WILDLIFE PROGRAM 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 through the Pheasants Forever Chapters.

It was moved by Buller and seconded by Volkmer that the Upper Big Blue Natural Resources District make payments totaling \$2,385.00 to the cooperators of the Corners for Wildlife program. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 12. PAYMENT TO NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS FOR TREES.

The District purchased 30,825 trees and shrubs from the Nebraska Association of Resources District for windbreak, wildlife, timber and riparian plantings.

It was moved by Buller and seconded by Dickinson that the Upper Big Blue Natural Resources District make a payment of \$13,086.59 to the Nebraska Association of Resources District for the purchase of 30,825 trees and shrubs. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 13. PROGRESS PAYMENT TO CITY OF HENDERSON FOR PARK RESTORATION PROJECT.

On June 19, 2003, the Upper Big Blue Natural Resources District Board of Directors voted to fund the Lakeview Park Lake Restoration Project in the City of Henderson in the amount of \$34,564.00. This is 25% of the local share which is \$138,255.00. The total cost of the project is estimated at \$443,690.75. The project is progressing on schedule and is expected to be completed by July 1, 2004.

The City of Henderson has made payments of \$94,133.82 to the contractor, \$50,046.08 for professional fees and \$70,854.64 for land purchases, including legal fees, surveys, appraisals and title fees for a total of \$215,034.54. The City of Henderson has received grant money for all costs except the \$70,854.64. The City of Henderson is asking for a partial payment of \$17,713.66 (25% of \$70,854.64) which is not eligible for reimbursement under the City's grant.

It was moved by Buller and seconded by Hansen that the Upper Big Blue Natural Resources District make a payment of \$17,713.66 to the City of Henderson for the work completed through May 13, 2004 on the Lakeview Park Lake Restoration Project located in the City of Henderson. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 14. SOUTHEAST COMMUNITY COLLEGE REQUEST FOR ASSISTANCE.

The Southeast Community College has requested assistance from the Upper Big Blue NRD to design and construct storm water drainage facilities on the Milford Campus, and to assist the college with obtaining right-of-way easements on their behalf. This is the second phase of

drainage improvements. The District assisted SECC with the Phase I project, which was completed in 2000. Staff has reviewed the alternatives with SECC. Alternative A was selected as most feasible. The project construction cost for Alternative A is estimated to be \$96,400, and engineering cost is estimated to be \$25,000.

It was moved by Buller and seconded by Hansen that the District offer to act as lead agency for the Southeast Community College Phase II drainage project, Milford Campus, as reviewed by the Committee, subject to approval of an interlocal agreement, for the purpose of acquiring permits and easements on behalf of SECC, performing engineering design, and administering construction, and that the District's share of cost be 30% of actual cost not to exceed \$37,500.
The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Moore

ITEM 15. PROGRESS PAYMENT TO WESTERN AIR MAPS FOR AURORA MAPPING AND STORM WATER MASTER PLAN.

Western Air Maps has submitted an invoice in the amount of \$23,000 for work completed in May 2004 on the aerial photography phase of the Aurora Mapping and Storm Water Master Planning Project. Photo proofs have been provided to the District and the final work product is scheduled for delivery in July 2004. The total contract amount for Western Air Maps' work is \$54,900.

It was moved by Buller and seconded by Luebbe that the Upper Big Blue NRD approve payment of \$23,000 to Western Air Maps for aerial photography and mapping work completed in May 2004 on the Aurora Mapping and Storm Water Master Planning Project. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

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

Nuss reported that the Water & Regulations Committee met on June 10, 2004 and presented the committee's recommendations.

ITEM 17. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Teegerstrom and seconded by Hansen to approve cost-share payments for twelve well abandonments, as reviewed by the committee, totaling \$3,727.96. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 18. WEATHER STATION MAINTENANCE AGREEMENT PAYMENT.

The NRD has been billed \$1,000 by the University of Nebraska High Plains Climate Center for operation and maintenance for the York weather station located at Recharge Lake for the period of July 1, 2003 through June 30, 2004. This is in accordance with the agreement the District has with the High Plains Climate Center.

It was moved by Nuss and seconded by Teegerstrom to approve payment of \$1,000.00 to the Nebraska High Plains Climate Center for operation and maintenance for the York weather station located at Recharge Lake for the period of July 1, 2003 through June 30, 2004. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 19. FLOW METER COST-SHARE PROGRAM.

The committee reviewed a draft flow meter cost-share program and possible grant funding proposal. The program would cost-share one water meter per person per fiscal year. This would be subject to the restrictions listed in the program description including the availability of funds. The program would be funded by a Nebraska Environmental Trust Grant which the District would apply for in September. If approved, the funding would be available in April 2005. The total grant request would be for 1.5 million dollars over three years. Because of the timing, the grant funding would fall into four of the District's fiscal years. In addition, the District would fund \$70,000 cost-share for FY2005. Of these funds, \$52,500 would be available beginning July 1, 2004. The remainder would be held as matching funds, should the grant be approved. The grant application would include \$70,000 of District funds annually for FY2006 and FY2007, with \$52,500 in FY2008.

The recommendation from the Committee is to adopt the Flow Meter Cost-share Program with an effective date of July 1, 2004 and include \$5,000 of District funds annually during the four fiscal

years of the grant, for total District funds of \$20,000. Further, to authorize the staff to prepare a grant application to the Nebraska Environmental Trust requesting 1.5 million dollars for funding of this program.

It was moved by Moore and seconded by Friesen to adopt the Flow Meter Cost-share Program with an effective date of July 1, 2004 and include \$5,000 of District funds annually during the four fiscal years of the grant, for total District funds of \$20,000. Further, to authorize the staff to prepare an application to the Nebraska Environmental Trust Grant requesting 1.5 million dollars for funding of this program. The motion was approved.

AYE: Brown, Buller, Eberle, Friesen, Jackson, Joseph, Moore, Regier, Teegerstrom,
Houdersheldt

NAY: Austin, Bruns, Dickinson, Hansen, Nuss, Volkmer

NOT VOTING: Luebbe

ITEM 20. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Joseph reported that the Executive Committee met on June 10, 2004 and presented the committee's report.

ITEM 21. DEPARTMENT OF NATURAL RESOURCES NEW DEPLETIONS AGREEMENT FUNDING.

Turnbull reviewed a proposed agreement with the Department of Natural Resources concerning funding for startup costs of administering the New Depletions Plan in the Platte River Basin. The proposal from Department of Natural Resources offers financial assistance to the NRD to collect and verify data, and write draft rules and regulations. The information and regulations then can be used to carry out the proposed New Depletions Plan as part of Nebraska's agreement to prevent or offset the impacts of new uses of water on the stream flows of the Platte River needed for the endangered species.

It was moved by Joseph and seconded by Brown to approve and enter into the agreement with the Department of Natural Resources for funding assistance with the New Depletions Plan. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Houdersheldt

NAY: Teegerstrom, Volkmer

ITEM 22. TECHNICAL SERVICE PROVIDER REQUEST FROM NRCS.

Brian Euse was present at the Executive Committee meeting to explain his request for Technical Service Provider (TSP) funding to the committee. The time spent by the field office clerks on USDA farm bill programs is valued at \$20,739. The NRCS proposes that if the District will hire temporary technical help for the field offices to do farm bill work, such as EQIP application design, the NRCS will reimburse the District for the staff costs up to \$20,739. The amount is equal to the field office clerk costs for the same programs. The agreement would only be through December 31, 2004.

The committee directed staff to work with the NRCS to draft a Technical Service Provider agreement for the balance of calendar year 2004, and to bring the draft to the committee for further consideration.

ITEM 23. FISCAL YEAR 2005 SALARIES.

Turnbull reviewed the Salary Classifications & Salary Survey July 2004 report with the committee. A recommended salary schedule was included in the report. Based on this information Turnbull recommends that all but two Upper Big Blue NRD job classifications increase from 1% to 4%, depending on the job market, and one change by 10% because of increased job responsibilities. The salary schedule sets the minimum, midpoint, and maximum for each position. Individual salaries and wages then need to be within those limits.

It was moved by Joseph and seconded by Dickinson to approve the changes in the midpoint of the salary schedules as listed to stay in line with the job market, and that such changes and adjusted salary schedules be effective on July 1, 2004. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: Volkmer

NOT VOTING: Luebbe

NOT PRESENT: Moore

Turnbull reviewed the individual staff salaries with the Executive Committee. The proposal is that the board authorize \$24,570 for salary increases for the staff, which is an overall change of 4.36 % from the payroll budget base.

It was moved by Bruns and seconded by Friesen to go into Executive Session at 8:55 p.m. to discuss employee salaries. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: Jackson

NOT PRESENT: Moore

It was moved by Volkmer and seconded by Austin to return to regular session at 9:40 p.m. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: Nuss

NOT PRESENT: Moore

It was moved by Joseph and seconded by Regier to adjust the annual salaries (effective July 1, 2004) of the district staff, with the exception of the General Manager, by an amount not to exceed \$24,570. To authorize the General Manager to determine and make the salary and wage adjustments, in accordance with the Operating Policy. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Luebbe, Volkmer

NOT PRESENT: Moore

It was moved by Joseph and seconded by Hansen to increase the General Manager's salary 3% (from \$77,822 to \$80,157), effective July 1, 2004. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT VOTING: Luebbe, Volkmer

NOT PRESENT: Moore

ITEM 24. FINANCIAL REPORT MAY 1, 2004 THROUGH MAY 31, 2004, AND CONSIDERATION OF EXPENDITURES FOR MAY 2004.

Turnbull reviewed the financial report for the period May 1, 2004 through May 31, 2004 that we had distributed. It was moved by Regier and seconded by Volkmer to accept the financial report for May 2004 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

There being no other business the chairman adjourned the meeting at 10:07 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on June 17, 2004, 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.

Doug Bruns, Secretary

:nds

BOARD OF DIRECTORS MEETING
July 15, 2004

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 15, 2004, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Jim Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Brisk, Jay Bitner, Ken Feather, Rod DeBuhr, Scott Snell and Mark Nowack of Hamilton County NRCS. Joseph called the meeting to order at 7:50 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Joseph reported that we published the legal notice of the board of directors' meeting July 1, 2004 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for roll call.

ITEM 3. REQUESTS FOR EXCUSED ABSENCE.

Houdersheldt and Hansen requested that their absence from the July 15, 2004 board of directors meeting be excused.

It was moved by Jackson and seconded by Volkmer to excuse the absence of Houdersheldt and Hansen from the July 15, 2004 board of directors meeting as requested. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss,
Teegerstrom, Volkmer, Joseph

NAY: None

NOT VOTING: Regier

NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Jackson and seconded by Luebbe to adopt the consent agenda. The motion was

approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier,
Teegerstrom, Volkmer, Joseph,

NAY: None

NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Jackson and seconded by Luebbe to approve the agenda for the July 15, 2004 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier,
Teegerstrom, Volkmer, Joseph,

NAY: None

NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 6. *APPROVAL OF MINUTES OF THE JUNE 17, 2004 BOARD OF DIRECTORS MEETING.

It was moved by Jackson and seconded by Luebbe to approve the minutes of the June 17, 2004 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier,
Teegerstrom, Volkmer, Joseph,

NAY: None

NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 7. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Regier reported that the Projects & Programs Committee met on July 6, 2004 and presented the committee's recommendations.

ITEM 8. PAYMENTS OF NRD LAND TREATMENT PROGRAM FUNDS.

It was moved by Regier and seconded by Volkmer that payments totaling \$53,784.44 be made on 60 applications for NRD Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier,
Teegerstrom, Volkmer, Joseph

NAY: None

NOT VOTING: Buller

NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 9. FY 2005 COST-SHARE FOR TREE PLANTING & TREE RENOVATION.

In fiscal year 2004 the District held \$20,000 in the Land Treatment Program for the planting of trees and windbreak renovations until March 30 at which time any unspent funds were made available for the other land treatment practices. The total spent for tree planting and windbreak renovation was \$19,034.96. The District is only allowed to do 10 windbreak renovations per year with NSWCP funds. The District has three cooperators interested in doing a windbreak renovation for FY2005. NRD funds can be used for additional renovation projects.

It was moved by Regier and seconded by Bruns that the Upper Big Blue NRD Board of Directors set aside \$20,000 for cost-sharing on windbreak planting, field windbreaks and windbreak renovations. If the monies are not spent as designated by March 30, 2005, then the monies are available for other cost-share practices. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier,
Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 10. LAKEVIEW PARK RESTORATION PROJECT PROGRESS PAYMENT.

The total estimated cost of the Lakeview Park Lake Renovation Project is \$376,154.78. The City of Henderson has received a \$300,000 grant leaving a local share of \$76,154.78. The Upper Big Blue Natural Resources District has agreed to pay 25% of the local share not to exceed \$34,564.00. The Upper Big Blue NRD made a progress payment of \$17,713.66 in the month of June. The City of Henderson has requested an additional progress payment of \$1,325.04.

It was moved by Regier and seconded by Luebbe that the Upper Big Blue Natural Resources District make a progress payment of \$1,325.04 to the City of Henderson for the work completed through July 6, 2004 on the Lakeview Park Lake Restoration Project located in the City of Henderson. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier,
Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 11. PAYMENT TO CEDAR FOREST PRODUCTS FOR OXBOW TRAILS PICNIC SHELTER.

On April 15, 2004, the Upper Big Blue Natural Resources District voted to purchase a hexagon post and beam picnic shelter from Cedar Forest Products Company. The shelter materials were delivered in July and pilings for the structure have all been poured.

It was moved by Regier and seconded by Austin that the Upper Big Blue Natural Resources District make payment of \$19,244.00 to Cedar Forest Products of Palo, Illinois for the picnic shelter that is going to be constructed at Oxbow Trail Reservoir located east of Ulysses, Nebraska. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 12. PROPOSED RULES CHANGE FOR PIONEERS TRAILS RECREATION AREA.

The Rules and Regulations for Pioneer Trails Recreation Area have been in effect since March 1, 1987. Some years ago a home was moved in near the recreation area, but the dwelling was located more than 200 yards from the District's property line and staff felt it was not necessary to make any rule changes at that time. The homeowner, Tom Kell, has complained to the County Sheriff's office and the District about individuals target shooting with high-powered rifles in the area where hunting is permitted.

This spring another individual constructed a garage within 200-yards of the District's property line and has put in a foundation for a house. This will affect the area currently open to hunting in the SW 1/4 of Section 26, Township 11 North, Range 6 West of the 6th P.M., Hamilton County, Nebraska. According to State Statute 37-526 no hunting is to be allowed within a 200-yard limit of a dwelling or feed yard.

It was moved by Regier and seconded by Moore that the District staff rewrite the necessary Rules and Regulations in Chapter 32 pertaining to the Pioneer Trails Recreation Area located in the NW 1/4 of Section 35 & SW 1/4 of Section 26, Township 11 North, Range 6 West of the 6th P.M., Hamilton County, NE and bring this back to the Projects and Programs Committee for review and approval at the August Committee meeting. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Regier, Teegerstrom, Joseph

NAY: None

NOT VOTING: Nuss, Volkmer
NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 13. SOUTHEAST COMMUNITY COLLEGE INTERLOCAL AGREEMENT.

At the June 2004 Board Meeting, the District agreed to assist the Southeast Community College with design and construction of storm water drainage facilities on the Milford Campus. The District would act as lead agency for the drainage improvement project, acquire permits and easements on behalf of SECC, perform engineering design, and administer construction. The District's share of cost would be 30% of actual cost not to exceed \$37,500.

Staff presented an Interlocal Agreement for Committee consideration. The Agreement will be presented to the SECC Board in August. Staff recommends that the Agreement be approved.

It was moved by Regier and seconded by Luebbe that the Interlocal Agreement between the Upper Big Blue NRD and Southeast Community College, authorizing the District and College to design and construct drainage improvements at the Southeast Community College campus in Milford, be approved. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Regier,
Teegerstrom, Volkmer, Joseph
NAY: Nuss
NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 14. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Executive Committee met on July 6 and 15, 2004 and presented the committee's reports.

ITEM 15. FISCAL YEAR 2005 BUDGET HEARING SCHEDULE.

Turnbull recommended that the Budget Hearing be held in conjunction with the regular August board meeting and that the special hearing on the final tax and tax rate be held at the regular September board meeting.

It was moved by Brown and seconded by Regier to schedule the FY 2005 Budget Hearing for 7:30 p.m., Thursday, August 19, 2004 and further to schedule a Special Hearing for the FY 2005 Tax Request for 7:30 p.m., Thursday, September 16, 2004. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier,

Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 16. SECOND QUARTER DIRECTORS' PER DIEM AND EXPENSES.

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

It was moved by Jackson and seconded by Luebbe to approve payment of second quarter directors' per diem of \$9,240.00 and expenses of \$2,269.88. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier,
Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 17. BID NOTICE FOR WATER DEPARTMENT PICKUP.

The Water Department is budgeting for two new pickups in FY 2005. DeBuhr recommends that one be purchased now. Turnbull reviewed the specifications for a half ton 2004 or 2005 pickup for the Water Department. The general specifications are for a new 2-wheel drive, extended cab pickup with an automatic transmission and a V-8 engine with 230 hp or greater. There is no trade-in. The bid notice will be placed in the York News-Times and letters will be sent out to dealers within the NRD. The bid opening date is scheduled for August 10, 2004.

It was moved by Brown and seconded by Austin to authorize the staff to request bids for a new half ton 2-wheel drive extended cab pickup with a V-8 engine with 230 hp or greater, and an automatic transmission. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Regier,
Teegerstrom, Volkmer, Joseph

NAY: Nuss

NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 18. TECHNICAL SERVICE PROVIDER AGREEMENT.

Turnbull reviewed the Technical Service Provider (TSP) proposed agreement with the Executive Committee. The time spent by the field office clerks on USDA farm bill programs has a value of \$20,739. The NRCS proposes that if the District will hire temporary technical help for the field offices to do farm bill work, such as EQIP application design, the NRCS will reimburse the District for the staff costs up to \$20,007. The amount is equal to the field office clerk costs for the same programs. The agreement would only be through December 31, 2004. Mark Nowack,

NRCS, was present to answer questions.

The committee requested that any amendment to the agreement be mutually agreed on, and that the agreement clearly state that it is in effect until December 31, 2004.

It was moved by Brown and seconded by Regier that the Upper Big Blue NRD enter into the Contribution Agreement with the USDA Natural Resources Conservation Service to provide technical assistance to the NRCS, provided that C, 1, is amended to read December 31, 2004, and that C, 3, is amended to mean that the agreement may be amended by mutual agreement.

Turnbull advised the board that he had spoken with the NRCS since the committee meeting about the two conditions included in the motion, which were to change the date from September 30, 2004 to December 31, 2004 and try to reword the agreement to state that any amendments are by mutual agreement of both parties. The State NRCS Office checked with Washington regarding the requested amendments, but they were unwilling to make changes to the agreement.

The Committee and Board members' concern was that the District may not get reimbursed for expenses incurred after the September deadline, even though we have verbal assurance that this will not happen. Bryan Euse provided Turnbull with a document dated April 19, 2004, signed by Steve Chick, which stated in part that "The 2004 agreements will be scheduled to end September 30, 2004, but all work should be finalized by December 31."

Turnbull recommended that the Board approve the agreement as presented, and that the District make it known that no work will be authorized by the NRD after the September 30, 2004 deadline.

It was moved by Moore and seconded by Austin to amend the motion to strike "provided that C, 1, is amended to read December 31, 2004, and that C, 3, is amended to mean that the agreement may be amended by mutual agreement." The amendment carried.

AYE: Austin, Brown, Bruns, Dickinson, Jackson, Luebbe, Moore, Regier, Teegerstrom,
Volkmer, Joseph

NAY: Buller, Eberle

NOT VOTING: Nuss

NOT PRESENT: Friesen, Hansen, Houdersheldt

The motion was approved as amended.

AYE: Austin, Brown, Bruns, Dickinson, Jackson, Luebbe, Moore, Regier, Teegerstrom,
Volkmer, Joseph

NAY: Buller, Eberle, Nuss

NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 19. PAYMENT TO YORK PRINTING COMPANY FOR NEWSLETTER.

A bill has been received from York Printing Company for \$4,107.55 for printing the July "Blueprint" newsletter. Turnbull recommends payment.

It was moved by Brown and seconded by Dickinson to approve payment of \$4,105.55 to York Printing Company for printing the July 2004 Blueprint newsletter. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 20. ULTRASONIC FLOW METER.

The old ultrasonic flow meter needs to be repaired. Great Plains Meter of Aurora estimated that the repairs would cost \$2,200 and would take 6-8 weeks for the factory to complete. The meter was purchased in March of 1988 for \$4,796. Great Plains Meter has recommended we purchase a new meter instead. Staff recommended that a new ultrasonic meter be purchased from Great Plains Meter.

	Price	Trade-in	Purchase Price
Great Plains Meter, Aurora	\$5,296.00	\$700.00	\$4,596.00
Tri-City Meters, Grand Island	\$5,255.95	none	\$5,255.95
TTI Inc. (Internet Order)	\$5,995.00	none	\$5,995.00
Davis Inotek Instruments (Internet Order)	\$6,096.00	none	\$6,096.00

It was moved by Brown and seconded by Bruns that the District purchase a new ultrasonic flow meter from Great Plains Meter for \$4,596.00 with trade-in of the old ultrasonic meter. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Friesen, Hansen, Houdersheldt

ITEM 21. FY 2005 BUDGET.

Turnbull reviewed the proposed FY 2005 Budget, including the investments and lid computation form, which had been updated with the June 30, 2004 expenditures and cash balances.

It was moved by Brown and seconded by Regier to adopt the FY 2005 Budget, as changed, for the purpose of public hearing. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier,
Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Friesen, Hansen, Houdersheldt

It was moved by Brown and seconded by Dickinson to approve an increase in the total budgeted restricted funds authority by an additional 1%.

Teegerstrom asked whether we are allowed to approve the 1% increase every year or if there is a limit. He thought we were limited to three years. Turnbull said that as far as he knew there was no limit on the number of years that the 1% increase could be approved, but he would have to research the matter.

Moore asked that because the question had been raised by Teegerstrom, and the motion takes a 75% vote of the board to pass, that the matter be held over.

It was moved by Moore and seconded by Regier to hold the matter over until the August meeting.
The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier,
Teegerstrom, Joseph

NAY: Volkmer

NOT PRESENT: Friesen, Hansen, Houdersheldt

**ITEM 22. REPORT OF WATER & REGULATIONS COMMITTEE AND
CONSIDERATION OF RECOMMENDATIONS.**

Moore reported that the Water & Regulations Committee met on July 8, 2004 and presented the committee's recommendations.

**ITEM 23. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE
ASSISTANCE PROGRAM PAYMENTS.**

It was moved by Jackson and seconded by Luebbe to approve cost-share payments for five well abandonments, as reviewed by the committee, totaling \$1,632.67. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier,
Teegerstrom, Volkmer, Joseph,

NAY: None

NOT VOTING: Buller

NOT PRESENT: Friesen, Hansen, Houdersheldt

**ITEM 24. FINANCIAL REPORT JUNE 1, 2004 THROUGH JUNE 30, 2004, AND
CONSIDERATION OF EXPENDITURES FOR JUNE 2004.**

Turnbull reviewed the financial report for the period June 1, 2004 through June 30, 2004 that we had distributed. It was moved by Moore and seconded by Regier to accept the financial report for June 2004 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Luebbe, Moore, Nuss, Regier,
Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Friesen, Hansen, Houdersheldt

There being no other business the chairman adjourned the meeting at 9:45 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on July 15, 2004, 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.

Doug Bruns, Secretary

:nds

**BOARD OF DIRECTORS MEETING
AND
FY05 BUDGET HEARING
August 19, 2004**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 19, 2004, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Brisk, Jay Bitner, Rod DeBuhr, Scott Snell, Joe McCarthy and Bryan Euse of York NRCS. Houdersheldt called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting August 5, 2004 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Seventeen directors were present for roll call.

ITEM 3. *ADOPTION OF CONSENT AGENDA.

It was moved by Hansen and seconded by Brown to adopt the consent agenda. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Hansen and seconded by Brown to approve the agenda for the August 19, 2004 board of directors meeting and FY 2005 Budget Hearing. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 5. *APPROVAL OF MINUTES OF THE JULY 15, 2004 BOARD OF DIRECTORS MEETING.

It was moved by Hansen and seconded by Brown to approve the minutes of the July 15, 2004 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Hansen

ITEM 6. OPEN FY 05 BUDGET HEARING.

Chairman Houdersheldt opened the Fiscal Year 2005 Budget Hearing at 7:34 p.m. Houdersheldt advised those present that the Notice of Budget Hearing and Budget Summary was published in the York News-Times on August 7, 2004 as required by State Statute Sections 13-501 to 13-512. At that time he asked the General Manager, John Turnbull, to review the proposed FY 05 Budget.

Turnbull reviewed a summary of the proposed budget. He talked about the major changes in the General Fund from FY 04 to FY 05. This year General Fund operating expenses are \$1,387,176 compared to \$1,309,982 last year, which is an increase of \$77,194. Proposed expenditures for capital items not exempt from the lid, such as machinery and equipment, vehicles and office equipment, total \$115,750 compared to \$19,300 last year. This is an increase of \$96,450, \$70,000 of which is budgeted under autos and trucks for three new vehicles.

Under capital items exempt from the lid, there is no transfer to Sinking Fund budgeted for this year, which is a decrease of \$50,000 compared to last year. Project construction costs are down \$41,200; building improvements are down \$14,500; intergovernment cost share is down \$422,968 and wildlife habitat cost share is down \$1,700. The large decrease in intergovernment cost share funds is because of the completion of the Plum Creek Trail project at Seward. This year we have created a new line item to fund cost share on water meters in the amount of \$130,000 under a grant from the Environmental Trust Fund. Since this is a new program, it is an increase over last year. The overall change from last year in capital items exempt from the lid is a decrease of \$400,368. The grand total of all these expenses was \$2,636,070 last year. The total proposed this year is \$2,409,346. This is a decrease of \$226,724 or 8.6 percent from FY 04.

The Districts's net cash assets are \$87,917 less than last year. Other receipts, such as state and federal grants, state aid, income from cities and counties are down \$277,681 from last year. The overall total receipts and net cash assets are down \$365,598 or a total of 25.6 percent. That's a 25.6 percent drop in revenue compared to an 8.6 percent decrease in expenses. That results in a request for property tax of \$1,424,939 for the coming year, which is an increase of \$147,207.

Turnbull showed the board a summary of the same expenses and revenues broken down by individual departments.

In the Sinking Fund for the Kezan Creek dam we expect to have a total of \$796,610 on hand by the end of the fiscal year, which is an increase of \$21,452 from one year ago. Sinking funds for Project O & M are expected to be \$109,623 and Water Quality Education funds are projected to be \$42,728. The overall budgeted increase in the Sinking Fund as a result of interest earnings is \$25,040.

Turnbull went over the consolidated figures for the General and Sinking Funds as well as the budget lid information.

The Chairman asked if anyone present had any questions. There were none.

ITEM 7. CLOSE FY 05 BUDGET HEARING.

Chairman Houdersheldt officially closed the Fiscal Year 2005 Budget Hearing at 7:42 p.m.

ITEM 8. APPROVE ADDITIONAL 1 PERCENT UNUSED BUDGET AUTHORITY.

It was moved by Moore and seconded by Regier to approve an additional 1 percent unused budget authority. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: Volkmer

ITEM 9. ADOPTION OF FY 05 BUDGET.

It was moved by Regier and seconded by Dickinson to adopt the FY 2005 Budget. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: Volkmer

ITEM 10. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Regier reported that the Projects & Programs Committee met on August 10, 2004 and presented the committee's recommendations.

ITEM 11. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Regier and seconded by Austin that payment of \$514.31 be made on 1 application for NSWCP Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 12. PIONEER TRAILS RECREATION AREA RULES CHANGE FOR TRAPPING AND USE OF FIREARMS.

On March 1, 1987, the Upper Big Blue Natural Resources District Board of Directors adopted the rules and regulations for the Pioneer Trails Recreation Area located in the NW 1/4 of Section 35, and the SW 1/4 of Section 26, Township 11 North, Range 6 West of the 6th P.M., Hamilton County, Nebraska.

Rule 04.08 states as follows:

“Upland game hunting will be allowed at Pioneer Trails on lands in the SW 1/4 of Section 26, Township 11 North, Range 6 West of the 6th P.M. in Hamilton County, Nebraska as set up by the Nebraska Game and Parks Commission and in accordance with Chapter 13 of these regulations.”

Since the adoption of these rules and regulations, Thomas Kell has constructed a house West of the designated hunting area. Thomas Kell has written the District requesting that the area be restricted to shotguns, archery and air rifles. Since the Spring of 2004, another individual has a house under construction approximately 300 feet from the District’s property line in an area where hunting is designated.

The Hamilton County Sheriff, Kirk Handrup, has contacted the District a number of times about the problems that the adjacent landowners are having with allowing hunting and target shooting at Pioneer Trails Recreation Area.

According to the State Statute 37-526 - Wild Mammal or Wild Bird; Hunt, Take, Trap or Pursue: Unlawful in Certain Areas.

“It shall be unlawful to hunt, kill, take, trap, or pursue or to attempt to hunt, kill, trap, or pursue any form of wild mammal or wild bird within a two-hundred-yard radius of an inhabited dwelling or livestock feedlot, or to trap within a two-hundred-yard radius of any passage used by livestock to pass under any highway, road, or bridge; PROVIDED that this section shall not prohibit any owner, tenant, or operator or their guests from hunting, killing, taking, trapping, or pursuing any form of wild mammal or wild bird within such radius if the area is under their ownership or

control. This section shall not prohibit duly authorized personnel of any county, city, or village health or animal control department from trapping with a humane live box trap or pursuing any form of wild mammal or wild bird when conducting such activities within the scope of the authorization, within such radius if the area is under the jurisdiction of the county, city, or village.”

It was moved by Regier and seconded by Hansen that the Upper Big Blue Natural Resources District Board of Directors make the following revision to the rules and regulations pertaining to Pioneer Trails Recreation Area Special Regulations for the purpose of public hearing.

- 05 Prohibited Activities
 - 05.07 Target shooting is prohibited.
 - 05.08 Discharging center-fire and rim-fire rifles, handguns and muzzleloading firearms are prohibited unless a special trapping permit is issued by the District.
 - 05.09 Hunting prohibited on the South 250 feet on the lands located in the SW 1/4 of said Section 26 designated for public use at Pioneer Trails Recreation Area.

The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 13. OXBOW TRAIL RESERVOIR RULES CHANGE TO ALLOW TRAPPING.

The subject of allowing trapping at Oxbow Trail Reservoir was brought to the committee’s attention. The committee discussed the issue of allowing trapping at Oxbow Trail Reservoir and the consensus of the committee was to allow trapping.

It was moved by Regier and seconded by Austin that the Upper Big Blue Natural Resources District make the following revision to the rules and regulations pertaining to Oxbow Trail Reservoir and Associated Recreation Area Special Regulations for the purpose of public hearing.

- 02 Permitted Activities
 - 02.08 Trapping of furbearers will be allowed at Oxbow Trail Reservoir during the allowable hunting and trapping season as set up by the Nebraska Game and Parks Commission, and in accordance with Chapter 13 of these regulations.
- 03 Prohibited Activities
 - Delete 03.04 Trapping is not permitted in accordance with Chapter 13 of these regulations.

The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 14. PUBLIC HEARING FOR PROPOSED RULES CHANGES AT PIONEER TRAILS RECREATION AREA AND OXBOW TRAIL RESERVOIR.

It was moved by Regier and seconded by Teegerstrom that the Upper Big Blue Natural Resources District hold a Public Hearing on September 16, 2004 at 8:30 p.m. at the NRD office on the rule changes to be made on the Pioneer Trails Recreation Area Special Regulations pertaining to hunting, trapping, target shooting and use of center-fire or rim-fire rifles, handguns and muzzleloading firearms and also on the Oxbow Trail Reservoir Special Regulations pertaining to trapping. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 15. AURORA MAPPING AND STORM WATER MASTER PLAN.

The Committee reviewed aerial photography and contour maps, for a 32 square mile area in and around Aurora, that were prepared by Western Air Maps for the Aurora Mapping and Storm Water Master Planning Project. Staff explained how the City, NRD, and developers can use the maps, and that both AutoCad and GIS versions of the maps have been prepared. Copies of the maps have been transmitted to the City. The total contract amount for Western Air Maps' services on this project is \$54,600; the City is reimbursing the NRD for 50% of this cost. Western Air Maps has been previously paid \$35,000. Staff recommends that final payment of \$19,600 be made to Western Air Maps.

It was moved by Regier and seconded by Hansen that final payment of \$19,600 be made to Western Air Maps, Inc. for mapping services on the Aurora Mapping and Storm Water Master Planning Project. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: Nuss

ITEM 16. PROJECT OPERATION AND MAINTENANCE.

Staff has obtained a bid from Koehler Excavation, contractor from Bee, Nebraska, to conduct maintenance on ten projects owned and operated by the District in Butler County. Koehler's bid

on this work is \$4,651 (\$500 higher than staff's estimate), including all labor, material, and equipment to perform the specified work. Staff recommends that Koehler Excavation be hired to do the maintenance work in Butler County.

It was moved by Regier and seconded by Austin that Koehler Excavation be hired to perform maintenance on District projects in Butler County, in accordance with their bid of \$4,651 as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

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

Moore reported that the Water & Regulations Committee met on August 12, 2004 and presented the committee's recommendations.

ITEM 18. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Brown to approve cost-share payments for twelve well abandonments, as reviewed by the committee, totaling \$4,443.03. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Buller

ITEM 19. NEBRASKA ENVIRONMENTAL TRUST GRANT APPLICATION.

The Water & Regulations Committee reviewed the final draft of the Environmental Trust Fund grant application for cost-share assistance on water meters. The application requests 1.5 million dollars over three years. The application deadline is September 7, 2004. We should know whether or not the grant is approved some time in February. If approved, the funds would be available beginning in April of 2005.

It was moved by Moore and seconded by Hansen to authorize the staff to submit the Nebraska Environmental Trust Fund grant application for water meter cost-share assistance. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,

Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt
NAY: None

ITEM 20. APPROVAL OF LATE WELL PERMIT.

A late well permit application has been made by the Edna Ittner Trust in care of Cornerstone Bank. The well is located in the South Half of the Northwest Quarter of Section 11- T9N-R2W, York County. The late permit fee has been paid. The staff has reviewed the permit and has determined that the well does not violate any of the District's regulations.

It was moved by Moore and seconded by Teegerstrom to approve a late permit for a well located in the South Half of the Northwest Quarter of Section 11- T9N-R2W, York County, and owned by the Edna Ittner Trust. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Brown, Buller

ITEM 21. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Joseph reported that the Executive Committee met on August 12, 2004 and presented the committee's recommendations.

ITEM 22. ACCEPTANCE OF BID FOR NEW PICKUP.

Seven bids were received for a new half ton two wheel drive extended cab pickup with a V-8 engine with 230 hp or greater, and an automatic transmission, without trade in.

Company	Bid	Description
Gene Steffey Ford Columbus	\$17,791	2005 Ford F-150 XL Package
Moses Motor Co. York	\$18,120	2005 Ford F-150 XL Package
John Kohl Auto Center York	\$20,500	2004 Chevy Silverado 1500
Friesen Chevrolet Sutton	\$21,500	2005 Chevy Silverado 1500

John Kohl Auto Center York	\$22,000	2004 Chevy Silverado 1500 LS decor, power package
John Kohl Auto Center York	\$23,088	2005 Chevy Silverado 1500
Subway Motor Company Milford	\$24,444	2005 Dodge Ram 1500 ST Quad

It was moved by Joseph and seconded by Regier to accept the bid of \$17,791 from Gene Steffey Ford, Columbus, for a Ford F-150 pickup as specified. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Regier, Teegerstrom, Volkmer, Houdersheldt
 NAY: Nuss

ITEM 23. APPROVE PAYMENT OF FY 2005 NARD DUES.

The NARD dues have been set for FY 2005. The NARD budget was adopted at the June Association meeting. The dues requested are \$15,730.00.

It was moved by Joseph and seconded by Brown to approve payment of \$15,730.00 to the Nebraska Association of Resources Districts for FY 2005 dues. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt
 NAY: Volkmer

ITEM 24. REQUESTS FOR SALARIES REIMBURSEMENTS.

A bill for \$4,797.49 was received from the Little Blue NRD for salaries for the Adams County and Clay County NRCS clerks for 12 months ending on June 30. A bill for \$5,864.18 was received from the Lower Platte North NRD for salaries for the Butler County NRCS Clerk and part time technician work for the past six months. We also received a bill from the Lower Big Blue NRD for \$5,208.02 for salaries for the Saline County NRCS Clerk and some part time technician work the past 12 months ending June 30.

It was moved by Joseph and seconded by Hansen to approve payments for NRCS office salaries of \$4,797.49 to the Little Blue NRD for FY 04 (July 1, 2003 through June 30, 2004); \$5,864.18 to the Lower Platte North NRD for half of FY 04 (January 1 through June 30, 2004) and \$5,208.02 to the Lower Big Blue NRD for FY 04 (July 1, 2003 through June 30, 2004). The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Hansen, Jackson, Joseph, Moore, Nuss, Regier, Teegerstrom, Volkmer

NAY: Buller, Friesen, Joseph, Houdersheldt

ITEM 25. FINANCIAL REPORT JULY 1, 2004 THROUGH JULY 31, 2004, AND CONSIDERATION OF EXPENDITURES FOR JULY 2004.

Turnbull reviewed the financial report for the period July 1, 2004 through July 31, 2004 that we had distributed. It was moved by Regier and seconded by Hansen to accept the financial report for July 2004 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

There being no other business the chairman adjourned the meeting at 9:00 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on August 19, 2004, 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.

Doug Bruns, Secretary

:nds

**BOARD OF DIRECTORS MEETING
&
FY05 SPECIAL TAX REQUEST HEARING
&
PUBLIC HEARING ON PROPOSED CHANGES TO RULE 6**

September 16, 2004

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 16, 2004, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Brisk, Jay Bitner, Rod DeBuhr, Scott Snell, Russ Gierhart, Thomas Kell, Mark Cleveland and Bryan Euse of York NRCS. Joseph called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Joseph reported that we published the legal notice of the board of directors' meeting September 2, 2004 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fourteen directors were present for roll call. Dickinson arrived a short time later.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCE.

Austin and Houdersheldt requested that their absence from the September 16, 2004 Board of Directors meeting be excused.

It was moved by Volkmer and seconded by Hansen to excuse the absence of Austin and Houdersheldt from the September 16, 2004 Board of Directors meeting as requested. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Hansen and seconded by Regier to adopt the consent agenda. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Hansen and seconded by Regier to approve the agenda for the September 16, 2004 board of directors meeting, FY 2005 Tax Request Hearing and Public Hearing on proposed changes to Rule 6. The motion was approved as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore,
Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 6. *APPROVAL OF MINUTES OF THE AUGUST 19, 2004 BOARD OF DIRECTORS MEETING AND FY 05 BUDGET HEARING.

It was moved by Hansen and seconded by Regier to approve the minutes of the August 19, 2004 Board of Directors Meeting and FY 05 Budget Hearing. The motion was approved as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore,
Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 7. FISCAL YEAR 2005 PROPERTY TAX REQUEST HEARING.

Joseph opened the fiscal year 2005 Property Tax Request Hearing at 7:37 p.m. He informed those present that notice of this hearing was published in the York News-Times on August 30, 2004 as required by law. The purpose is to hear support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request.

Turnbull explained that every year the district sets a recommended tax rate and submits it to the York County Clerk who verifies the information and certifies the tax levy to be collected by all nine counties. The Upper Big Blue NRD's fiscal year 2005 budget has a property tax request of \$1,424,938.71. The final valuations for the district total \$4,967,450,425. Last years tax request was \$1,277,733.15 with a tax rate of 0.026459. The current year's property tax rate would be 0.025722 to generate \$1,277,733.15. The property tax rate needs to be 0.028686 to generate the \$1,424,938.71 to fund the FY 2005 budget. Turnbull recommended the board adopt the following resolution to set the tax request for FY 2005.

Whereas the FY 2005 Budget for the Upper Big Blue NRD, as adopted by this board of directors on August 19, 2004, has a property tax requirement of \$1,424,938.71;

Whereas the final total valuation of the NRD is \$4,967,450,425;

Whereas the FY 2004 Budget (prior year) required a tax request of \$1,277,733.15 and a property tax rate of \$ 0.026459;

Whereas the FY 2005 (current year) property tax rate would be \$0.025722 to generate \$1,277,733.15;

Therefore be it resolved by this Board of Directors on September 16, 2004, to set the **FY 2005 tax request at \$1,424,938.71** for the Upper Big Blue Natural Resources District which will require a **property tax rate of \$ 0.028686**.

ITEM 8. CLOSE FY 05 TAX REQUEST HEARING.

Joseph officially closed the Fiscal Year 2005 Special Tax Request Hearing at 7:42 p.m.

ITEM 9. ADOPTION OF RESOLUTION TO SET FY 2005 PROPERTY TAX REQUEST.

It was moved by Regier and seconded by Bruns to adopt the resolution to set the FY 2005 Property Tax Request. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 10. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Regier reported that the Projects & Programs Committee met on September 7, 2004 and presented the committee's recommendations.

ITEM 11. PAYMENTS OF NSWCP LAND TREATMENT PROGRAM FUNDS.

It was moved by Regier and seconded by Luebbe that payment of \$3,431.92 be made on 3 applications for NSWCP Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 12. *NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Regier that payment of \$16,834.43 be made on 17 Nebraska Buffer Strip Program contracts, as reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 13. CORNERS FOR WILDLIFE CONTRACT FOR JACK RATH.

Jack Rath has a pivot corner located in the NE corner of the SW ¼ of Section 1, Township 8 North, Range 7 West of the 6th P. M., in Clay County, Nebraska. He wants to seed 5.1 acres of the corner to a warm season grass mix and plant 525 trees and shrubs for food and wildlife cover. The contract is funded with money from the local Pheasants Forever Chapter and the Environmental Trust. Jack Rath will receive \$75.00/acre for a 5-year period on this 5.1 acre corner. The NRD will receive the funds from the Pheasants Forever Chapter before making payment to the landowner. The District will plant the trees and shrubs at no cost to the landowner.

It was moved by Regier and seconded by Hansen that the Upper Big Blue NRD accept the Corners for Wildlife contract submitted by Jack Rath for a 5-year period with an annual payment of \$382.50/year and authorize the chairman of the board to sign said agreement. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 14. SOUTHEAST COMMUNITY COLLEGE DRAINAGE IMPROVEMENTS.

Clearing of approximately one-half acre and removal of debris along the proposed storm water drainage route will be necessary in order to complete survey and final design at SECC. The easement requires that trees suitable for fire wood will be salvaged for the landowner, and debris will be hauled to a landfill. Bids for this work were obtained from General Excavating (\$4,381.00) and VanKirk Brothers (\$9,182.50). Staff recommends that General Excavating be awarded the contract for this work.

It was moved by Regier and seconded by Luebbe that General Excavating be awarded the contract for clearing and debris removal at the Southeast Community College storm water drainage improvement project, Milford Campus, in accordance with their bid of \$4,381.00. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 15. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Executive Committee met on September 7, 2004 and presented the committee's recommendations.

ITEM 16. RESOLUTIONS FOR NARD FALL CONFERENCE.

It was moved by Brown and seconded by Regier that the Board of Directors take the following positions on the NARD Resolutions which are to be presented at the 2004 NARD Annual Conference.

- | | |
|--------|--|
| 2004-1 | <u>Change in Water Well Decommissioning Fund Allocation Procedure</u>
Introduced by Lower Loup NRD. Neutral |
| 2004-2 | <u>Amendments to Water Well Standards and Contractors' Licensing Act</u>
Introduced by Middle Republican NRD. Oppose |
| 2004-3 | <u>Authorize Water Use Fees</u>
Introduced by Upper Republican NRD. Oppose |
| 2004-4 | <u>Annual Limits on Per Diem Payments to Board Members</u>
Introduced by North Platte NRD. Oppose |
| 2005-5 | <u>Utilize Fees for Scrap Tire Grants</u>
Introduced by Lower Elkhorn NRD. Neutral |

The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 17. RESOLUTION 2004-6 WATER WELL PERMIT FOR DEWATERING WELLS.

This resolution was submitted by the Lower Platte North NRD following the deadline and will require a two-thirds vote at the NARD Conference for consideration.

It was moved by Moore and seconded by Buller to oppose the introduction of Resolution 2004-6 "Water Well Permit for Dewatering Wells" and if it is introduced to take a position of opposition.
The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 18. AUTHORIZATION TO PURCHASE COMPUTER SERVER.

Rod DeBuhr explained the need for a computer server. The District computers are on a peer to peer network which means each computer stands alone, but can share files through a common network. File sharing, especially in the Water Department database, has become cumbersome under this system. Hamilton Information Systems has recommended that the District go to a server system for some time. A server system will allow files to be housed on the file server without tying up computer processor speed on any individual workstation. The server will also provide an improved backup system. Because of the installation requirements of the server and its software, the staff recommends that the server be purchased from Hamilton Information Systems, because they are familiar with the current District computers and network.

The quote for the server and necessary hardware and software is \$4,941.00 plus an estimate of \$1,088.00 for installation. The total estimated cost for the server and setup is \$6,029.00.

It was moved by Brown and seconded by Bruns to approve purchase of a computer server, necessary hardware and software for an estimated installed cost of \$6,029.00 from Hamilton Information Systems of Aurora, Nebraska. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Regier, Teegerstrom, Joseph

NAY: Nuss, Volkmer

NOT PRESENT: Austin, Houdersheldt

ITEM 19. REPORT OF WATER & REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Water & Regulations Committee met on September 9, 2004 and presented the committee's recommendations.

ITEM 20. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Hansen and seconded by Regier to approve cost-share payments for eleven well abandonments, as reviewed by the committee, totaling \$3,040.28. The motion was approved as a part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 21. STUDY PROPOSAL OF IMPACTS OF CONVERTING FROM CONVENTIONAL IRRIGATION TO CENTER PIVOT ON NITRATE LOADING.

Roy Spalding of the UNL Water Center made a presentation on a study proposal to quantify the impacts of conversion to center pivots and other management practices on the loading and movement of nitrates in the unsaturated zone. A grant application for this study will be submitted to the USDA Cooperative State Research, Education and Extension Service. The total cost of the three-year study is \$499,927.

The staff feels this type of study is needed to improve the understanding of how changes in irrigation and tillage practices are impacting nitrate loading in fine textured soils of this area. Roy believes that District support will enhance chances of getting the grant approved.

It was moved by Moore and seconded by Hansen to authorize the staff to submit a letter of support for the grant application, indicating that the District will also assist in finding farmers willing to participate, and further, to support the study effort financially by an amount up to \$40,000 over the three-year study period, if the USDA grant is approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Teegerstrom, Joseph

NAY: Regier, Volkmer

NOT PRESENT: Austin, Houdersheldt

ITEM 22. POLYMER SOIL AMENDMENTS STUDY PROPOSAL.

American Soil Technologies, Inc. and the University of Nebraska Cooperative Extension have submitted a proposal for grant consideration by the Nebraska Environmental Trust to demonstrate

the benefits of a polymer soil amendment that claims to significantly reduce nitrate leaching, irrigation requirements and improve yield potential. Ron Salestrom, American Soil Technologies representative, has requested the District write a letter indicating a willingness to participate in the project by assisting in finding a cooperater in the Upper Big Blue NRD if the grant is approved.

It was moved by Moore and seconded by Brown to authorize the staff to submit a letter of participation for the polymer irrigation demonstration proposal. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 23. PUBLIC HEARING ON PROPOSED CHANGES TO RULE 6.

Joseph opened the public hearing at 8:37 p.m. He informed those present that notice of this public hearing was published in the Aurora News-Register on September 1, 2004 and the York News-Times and Banner-Press in David City on September 2, 2004. The purpose of the hearing is to revise the park regulations at Pioneer Trails Recreation Area in Aurora, Nebraska and at Oxbow Trails Reservoir in Ulysses, Nebraska.

Ken Feather, Parks, Forestry and Wildlife Department Manager for the District reviewed the proposed changes to the regulations.

He noted that a correction in the legal description in Chapter 32 - Pioneer Trails Recreation Area Special Regulations needed to be made. Paragraph 02 should read "The Pioneer Trails Recreation Area located in the NW 1/4 of Section 35 and the SW 1/4 of Section 26, Township 11 North, Range 6 West of the 6th P.M. in Hamilton County, Nebraska, as shown on the attached map (Appendix B of Rule 6), is hereby designated as a public use area."

Also in Chapter 32, Paragraph 05 Prohibited Activities, he proposed that the following additions be made.

- 05.07 Target shooting is prohibited.
- 05.08 Discharging center-fire and rim-fire rifles, handguns and muzzleloading firearms are prohibited unless a special trapping permit is issued by the District.
- 05.09 Hunting is prohibited on the South 250 feet on the lands located in the SW 1/4 of said Section 26 designated for public use at Pioneer Trails Recreation Area.

In Chapter 35 - Oxbow Trail Reservoir and Associated Recreation Area Special Regulations, Paragraph 02 Permitted Activities, he proposed that the following subparagraph be added.

- 02.08 Trapping of furbearers will be allowed at Oxbow Trail Reservoir during the allowable hunting and trapping season as setup by the Nebraska Game and Parks Commission, and in accordance with Chapter 13 of these regulations.

Joseph asked if anyone from the public wished to comment on the proposed changes.

Tom Kell, a landowner who lives near the Pioneer Trail Recreation Area, addressed the board. He told the board that he has lived near the recreation area for about 7 years. On numerous occasions individuals have practiced targeting shooting from the parking area near his home. He said that his home is on the other side of a slight rise in the terrain, and that bullets have ricocheted off the hill and passed near his head. He has been contacting the sheriff to get the shooting to stop. He told the board that he hunts and target shoots himself and is not opposed to it, but feels the area is not suitable for these types of activities, and they should be prohibited near the homes in the area.

Ken Regier asked Mr. Kell if the proposed changes to the rules would address his concerns. He said that they would.

Turnbull told the board that the NRD had received three letters requesting that the regulations be changed to prohibit target shooting with high-powered rifles in certain areas around the Pioneer Trail Recreation Area. The letters were from Gene W. Hansen, Mark Cleveland and Kirk Handrup, Hamilton County Sheriff. Turnbull read the letters and instructed that they be made a part of the hearing record.

ITEM 24. ADOPTION OF PROPOSED CHANGES TO RULE 6 - UPPER BIG BLUE NRD PARKS REGULATIONS.

It was moved by Moore and seconded by Dickinson to adopt changes to Rule 6 - Upper Big Blue NRD Parks Regulations as presented. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Joseph

NAY: None

NOT PRESENT: Austin, Houdersheldt

ITEM 25. FINANCIAL REPORT AUGUST 1, 2004 THROUGH AUGUST 31, 2004, AND CONSIDERATION OF EXPENDITURES FOR AUGUST 2004.

Turnbull reviewed the financial report for the period August 1, 2004 through August 31, 2004 that we had distributed. It was moved by Volkmer and seconded by Buller to accept the financial report for August 2004 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Luebbe, Moore,

Nuss, Regier, Teegerstrom, Volkmer, Joseph
NAY: None
NOT PRESENT: Austin, Houdersheldt

There being no other business the chairman adjourned the meeting at 9:38 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, 2004, 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.

Doug Bruns, Secretary

:nds

**BOARD OF DIRECTORS MEETING
October 21, 2004**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 21, 2004, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curt Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Lori Hoemann, Jay Bitner, Rod DeBuhr, Ken Feather, Scott Snell, Dan Leininger, Russ Gierhart and Jim Husbands of York NRCS. Houdersheldt called the meeting to order at 7:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting October 7, 2004 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Sixteen directors were present for roll call. Bruns arrived at 7:35 p.m.

ITEM 3. *ADOPTION OF CONSENT AGENDA.

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

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 4. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Hansen to approve the agenda for the October 21, 2004 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 5. *APPROVAL OF MINUTES OF THE SEPTEMBER 16, 2004 BOARD OF DIRECTORS MEETING, FY 05 SPECIAL TAX REQUEST HEARING AND PUBLIC HEARING ON PROPOSED CHANGES TO RULE 6.

It was moved by Dickinson and seconded by Hansen to approve the minutes of the September 16, 2004 Board of Directors Meeting, FY 05 Special Tax Request Hearing and Public Hearing on Proposed Changes to Rule 6. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 6. FISCAL YEAR 2004 AUDIT.

Randy Mierau of Mierau & Company, P.C., presented the fiscal year 2004 audit to the board of directors.

It was moved by Regier and seconded by Volkmer to accept the FY 2004 Audit as presented by

Randy Mierau of Mierau & Company. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

**ITEM 7. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND
CONSIDERATION OF RECOMMENDATIONS.**

Regier reported that the Projects & Programs Committee met on October 12, 2004 and presented the committee's recommendations.

ITEM 8. NSWCP LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Regier and seconded by Luebbe that payments totaling \$14,579.74 be made on 4 applications for NSWCP Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

**ITEM 9. USDA NEBRASKA CONSERVATION RESERVE ENHANCEMENT
PROGRAM.**

Milt Moravek, Central Platte NRD Assistant Manager, has requested that the Upper Big Blue NRD participate financially in the USDA's Nebraska Conservation Reserve Enhancement Program (CREP). The Upper Big Blue NRD covers a large portion of the Program Area. Milt explained that FSA currently will fund 10 to 15 year contracts for buffer strips under this program at 120% of the dryland rental rate. The Nebraska Corn Growers are requesting that FSA modify their program to include payments for buffer strips on irrigated land, and that the FSA establish irrigated land rental rates for this purpose. The Corn Growers are requesting that FSA pay 80% and that NRDs pay 20% of the irrigated rental rate for buffer strips on irrigated ground.

It was moved by Regier and seconded by Friesen that the Upper Big Blue NRD support the Nebraska Conservation Reserve Enhancement Program and consider funding \$10,000 for this program in FY 2006.

It was moved by Volkmer and seconded by Jackson to amend the motion to strike the words "and consider funding \$10,000 for this program in FY 2006." The amendment failed.

AYE: Bruns, Dickinson, Hansen, Jackson, Joseph, Nuss, Teegerstrom, Volkmer

NAY: Austin, Brown, Buller, Eberle, Friesen, Luebbe, Moore, Regier, Houdersheldt

It was moved by Moore and seconded by Hansen to amend the motion to read “That the Upper Big Blue NRD support the Nebraska Conservation Reserve Program and consider funding for this program in FY 2006.” The amendment was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

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

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Joseph, Luebbe, Moore, Nuss, Regier, Houdersheldt

NAY: Jackson, Teegerstrom, Volkmer

ITEM 10. CITY OF SUTTON HIKING & BIKING TRAIL.

Brian Beeman, City Administrator, and Todd Nuss, member of the Parks Committee, attended the committee meeting. They are asking for assistance in financing a biking and hiking trail that will connect to an existing .4 mile trail and extend another half a mile to the Sutton Public Schools. The current trail starts on the north end of Sutton’s business district and goes through their city park. It is ten feet wide and is made of concrete which is also being proposed for the new trail. The new School Creek Trail would be constructed partially through a flood plain and along the back portion of a subdivision. There is a levee through most of the flood plain that the trail would be constructed on. This would keep most of the trail out of the immediate flood plain and also cut down on the amount of earthwork. The trail would proceed along a creek to an existing bridge from an abandoned golf course.

The total estimated cost for the construction of the School Creek Trail is \$189,749. The City of Sutton has applied for Transportation Enhancement Funding for this project. If accepted, they will pay 80% of the total cost leaving the City with the remaining 20%. The City has also applied for Trail Development Assistance from the Nebraska Game and Parks which will pay for 50% of the City’s 20%. If all the funding goes through, the City of Sutton would have to come up with \$18,975. If the TDA fails to be approved, the City will have to finance \$37,950. The monies that would go to fund this project would come out of the FY 2006 budget.

It was moved by Regier and seconded by Hansen that the Upper Big Blue Natural Resources District fund the Hiking and Biking Project for the City of Sutton in the amount of 25% of the local share not to exceed \$10,000. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 11. VILLAGE OF CORDOVA PARKS & RECREATION PROGRAM - TREE PLANTING AT ZASTROW CEMETERY.

LeRoy Sternberg and Bob Scott representing the Village of Cordova were present at the committee meeting to present their tree planting project at Zastrow Cemetery. The Village of Cordova owns and is responsible for the operation and maintenance of the Zastrow Cemetery. They have removed some of the old and dying trees and want to replace them with better species of trees, such as Columnar Blue Spruce, Serbian Spruce, Cleveland Pear, Red Chokeberry, Autumn Purple Ash and Dwarf Alberta Spruce.

The total estimated cost is \$3,100.00 for materials. The District policy under the Parks & Recreation Program is to fund up to 25% of the local share of the estimated cost or actual cost, whichever is less.

It was moved by Regier and seconded by Bruns that the Upper Big Blue Natural Resources District fund the planting of the trees and shrubs at Zastrow Cemetery located east of Cordova at the rate of 25% of the project cost, not to exceed \$775.00. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt
NAY: Dickinson

ITEM 12. CORNERS FOR WILDLIFE PROGRAM CONTRACT WITH CHAD KLUTE.

Chad Klute has a pivot corner located in the NE corner of the SW ¼ of Section 26, Township 11 North, Range 5 West of the 6th P. M., in Hamilton County, Nebraska. He wants to seed 5.3 acres of the corner to a warm season grass mix and plant 600 trees and shrubs for food and wildlife cover. The contract is paid for by monies available through the local Pheasants Forever Chapter and the Environmental Trust. Chad Klute will receive \$75.00/acre for a 5-year period on this 5.3 acre corner. The NRD will receive the funds through the Pheasants Forever Chapter before making payment to the landowner. The District will plant the trees and shrubs at no cost to the landowner.

It was moved by Regier and seconded by Brown that the Upper Big Blue NRD accept the Corners for Wildlife contract submitted by Chad Klute for a 5-year period with an annual payment of \$397.50/year and enter into said agreement. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt
NAY: None
NOT VOTING: Volkmer

ITEM 13. ACCEPTANCE OF BID FOR PROJECT O & M.

Staff presented a bid in the amount of \$1,600 from Koehler Excavation Company of Bee, Nebraska for tree removal and repair of bituminous coated pipe at ten projects operated by the District. Staff recommends that Koehler Excavation be awarded a contract to perform the required maintenance.

It was moved by Regier and seconded by Luebbe that Koehler Excavation of Bee, Nebraska, be awarded a contract in the amount of \$1,600, in accordance with their bid reviewed by the Committee, to perform maintenance on ten projects operated by the District. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 14. PROGRESS PAYMENT TO KOEHLER EXCAVATION FOR PROJECT OPERATION & MAINTENANCE.

Koehler Excavation has completed 30% of the maintenance work previously approved for Butler County projects operated by the District. Staff recommends that a progress payment of \$1,350 be made to Koehler for work completed in September. The total contract amount is \$4,651.00.

It was moved by Regier and seconded by Luebbe that a payment of \$1,350 be made to Koehler Excavation Company, in accordance with their contract dated September 9, 2004, for maintenance work completed on District operated projects in Butler County. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

ITEM 15. REPORT OF WATER & REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Moore reported that the Water & Regulations Committee met on October 14, 2004 and presented the committee's recommendations.

ITEM 16. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Dickinson and seconded by Hansen to approve cost-share payments for twelve well abandonments, as reviewed by the committee, totaling \$3,668.02. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Buller

NOT PRESENT: Bruns

ITEM 17. USGS RECORDER WELL JOINT FUNDING AGREEMENT.

The U.S. Geological Survey joint funding agreement for the operation and maintenance for the recorder wells at Aurora, Burress, Rising City and Seward is due for renewal. The total cost is \$3,530. USGS has indicated that the requests for joint funding have increased to the point that they will not fund these at a 50/50 rate as they have in the past. The proposed split for this year is \$1,730 for USGS and \$1,800 for the District. Last years cost was \$1,680 each.

It was moved by Nuss and seconded by Hansen that the District approve the joint funding agreement with the US Geological Survey for FY 2005 for the operation and maintenance of the Aurora, Burress, Rising City and Seward the recorder wells. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: Volkmer

ITEM 18. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Joseph reported that the Executive Committee met on October 14, 2004 and presented the committee's recommendations.

ITEM 19. COHYST - ADDITIONAL FIELD DATA PROPOSAL FOR EASTERN SUB-REGIONAL MODEL.

Bitner briefed the Board on COHYST and its shortcomings in the eastern area. More field work is needed to determine river bed seepage in the Platte near Grand Island and Chapman, as well as along the West Fork of the Blue River. The District requested that Conservation and Survey Division of the University of Nebraska submit a proposal.

Xun-Hong Chen from Conservation and Survey prepared a proposal. Observation wells and test holes are to be drilled in the Platte Valley to determine the rates of water movement. Data is also to be reviewed from the Old West Regional well sites in Hamilton County (work from the mid 70's). Stream bed conductance tests are to be done in the bed of the Platte River and the West Fork of the Blue River.

The total cost of the two-year study is \$157,819.54. The University will fund \$82,835.14. The Central Platte NRD has agreed to fund half of the balance, \$37,492.20. The Upper Big Blue NRD cost will be \$37,492.20, \$26,578.60 from the FY 2005 budget and the balance from the FY 2006 budget.

It was moved by Joseph and seconded by Brown to accept the Conservation and Survey Division proposal and approve entering into an agreement with the University of Nebraska Conservation and Survey Division and Central Platte NRD for the COHYST Eastern Region Sub-Regional Ground Water Model Aquifer and Stream Bed Testing, and that the District's share of the study not exceed \$38,000.00. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM. 20. * THIRD QUARTER DIRECTORS PER DIEM AND EXPENSES.

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

It was moved by Dickinson and seconded by Hansen to approve payment of third quarter directors' per diem of \$8,960.00 and expenses of \$11,343.19. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 21. PAYMENT TO YORK PRINTING FOR NEWSLETTER PRINTING COSTS.

A bill for \$4,119.19 has been received from York Printing for the October 2004 Newsletter.

It was moved by Joseph and seconded by Austin to approve payment of \$4,119.19 to York Printing for the October 2004 newsletter. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Buller, Luebbe

NOT VOTING: Volkmer

ITEM 22. FINANCIAL REPORT SEPTEMBER 1, 2004 THROUGH SEPTEMBER 30, 2004, AND CONSIDERATION OF EXPENDITURES FOR SEPTEMBER 2004.

Turnbull reviewed the financial report for the period September 1, 2004 through September 30, 2004 that we had distributed. It was moved by Volkmer and seconded by Austin to accept the financial report for September 2004 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Moore, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Buller, Luebbe

There being no other business the chairman adjourned the meeting at 10:24 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, 2004, 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.

Doug Bruns, Secretary

:nds

**BOARD OF DIRECTORS MEETING
November 18, 2004**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 18, 2004, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Michael Nuss, Kenneth Regier, and Vance Teegerstrom.

Staff and others attending were John Turnbull, Nancy Brisk, Jay Bitner, Rod DeBuhr, Scott Snell, Rita Hoblyn, Marie Krausnick, Dan Leininger, Russ Gierhart and Bryan Euse of York NRCS. Houdersheldt called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting November 4, 2004 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Thirteen directors were present for roll call.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

Hansen, Moore and Volkmer requested that their absence from the November 18, 2004 board of directors meeting be excused.

It was moved by Teegerstrom and seconded by Regier to excuse the absence of Wayne Hansen, Larry Moore and Merlin Volkmer from the November 18, 2004 board of directors meeting as requested. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 4. *ADOPTION OF CONSENT AGENDA.

It was moved by Regier and seconded by Austin to adopt the consent agenda. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Regier and seconded by Austin to approve the agenda for the November 18, 2004 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 6. *APPROVAL OF MINUTES OF THE OCTOBER 21, 2004 BOARD OF DIRECTORS MEETING.

It was moved by Regier and seconded by Austin to approve the minutes of the October 21, 2004 Board of Directors Meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 7. EMPLOYEE RECOGNITION.

Rita Hoblyn, who provides secretarial support for the Projects Department, was presented with a laser engraved pen set in appreciation of 10 years of service to the District.

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

Regier reported that the Projects & Programs Committee met on November 9, 2004 and presented the committee's recommendations.

ITEM 9. LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Regier and seconded by Luebbe that payments totaling \$11,279.40 be made on 6 applications for NSWCP Land Treatment Program funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 10. PROJECT OPERATION & MAINTENANCE.

Koehler Excavation has completed maintenance work on District projects in Butler County. Staff recommends payment of \$2,489 to Koehler Excavation.

It was moved by Regier and seconded by Austin that payment of \$2,489 be made to Koehler Excavation Company, in accordance with their contract dated September 2004, for maintenance work completed on District operated projects in Butler County. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 11. SOUTHEAST COMMUNITY COLLEGE DRAINAGE IMPROVEMENTS.

In September 2004 the District authorized General Excavating to clear vegetation and debris from the site of proposed storm water drainage improvements at the Southeast Community College in Milford. Site work is completed and staff recommends final payment \$4,381 to General Excavating. In accordance with our Interlocal Agreement, Southeast Community College will reimburse the District for 75% of this cost.

It was moved by Regier and seconded by Luebbe that General Excavating be paid \$4,381, in accordance with their bid, for clearing and debris removal at the site of proposed drainage improvements for Southeast Community College in Milford. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 12. REPAYMENT OF FLOOD HAZARD MITIGATION PROJECTS ADMINISTRATIVE FEES.

The Federal Emergency Management Agency (FEMA) and Nebraska Emergency Management Agency (NEMA) claims that the District was reimbursed for administrative fees in the amount of \$4,508 more than the District was eligible for on the Sutton and Plum Creek Flood Hazard Mitigation Projects. The administrative fee paid to the District was initially computed on the cost of each project separately; however, FEMA says the fee should have been computed on the total cost for both projects since both projects were funded under the same disaster declaration. A summary sheet, attached to these minutes, shows the administrative fee computed both ways.

Turnbull and Bitner met with NEMA's Assistant Director, Al Berndt, to request that FEMA reconsider their decision, and that the Sutton and Plum Creek projects be considered separately. The FEMA Regional Director, Dick Hainje, responded that the two projects cannot be considered separately for the purpose of calculating the administrative fee since the Hazard Mitigation Program requires administrative fees to be calculated "...based on the total of net eligible costs under the name of the Sub-grantee identified on the project application."

Staff recommends that no legal appeal be made because of the cost and the fact that in all likelihood the outcome will be the same, and further recommends repayment of \$4,508 to NEMA.

It was moved by Regier and seconded by Austin that the District reimburse \$4,508 to NEMA for a portion of administrative fees paid to the District by NEMA, under FEMA Disaster Number 998-DR-NE, for Flood Hazard Mitigation Project 0003, Sutton levees, and Project 0013, Plum Creek Flood Plain Buyout, in accordance with FEMA Region 7's October 5, 2004 determination.
The motion was approved.

AYE: Austin, Brown, Bruns, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom,
Houdersheldt

NAY: Buller, Dickinson,

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 13. WILDLIFE HABITAT PROGRAM PAYMENTS.

The land enrolled in the Wildlife Habitat Program has been inspected and payment to the cooperators is recommended. The total contract payments are \$1,126.25. The NRD share is 25% of the total amount. The Nebraska Game and Parks will reimburse the District 75% of the total.

It was moved by Regier and seconded by Jackson that the Upper Big Blue Natural Resources District make payments totaling \$1,126.25 to the cooperators of the Wildlife Habitat Improvement Program and Wild Nebraska Program for the months of October and November.
The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier,
Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 14. PAYMENT TO VILLAGE OF CORDOVA.

On October 21, 2004 the Upper Big Blue Natural Resources District Board of Directors voted to fund the tree planting at Zastrow Cemetery in an amount not to exceed \$775.00. The trees have all been planted and the cost of the trees was \$2,792.07. The District policy is to fund 25% of the local share with a maximum limit of \$10,000.

It was moved by Regier and seconded by Luebbe that the Upper Big Blue Natural Resources District make payment in the amount of \$698.02 to the Village of Cordova for the planting of the trees and shrubs at Zastrow Cemetery located east of Cordova. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 15. REPORT OF WATER & REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Brown reported that the Water & Regulations Committee met on November 9, 2004 and presented the committee's recommendations.

ITEM 16. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Regier and seconded by Austin to approve cost-share payments for 17 well abandonments, as reviewed by the committee, totaling \$5,297.05. The motion was approved as a part of the consent agenda.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 17. SIEMENS SITRANS F MAG 8000 IRRIGATION FLOWMETER.

Terry Pesek, of Associated Technologies explained the Mag 8000 flowmeter. This meter measures flow by creating an electromagnetic field and measuring the distortions created by the rate of water flow. The meter is highly accurate (+/-0.25%) in most applications. There are no moving parts and the manufacturer claims a six-year battery life. The installation distance requirements are less than a propeller flowmeter following a 90-degree elbow. The meter is more expensive than the other approved flowmeters (\$2,437.00 list price for an 8" meter). The staff feels it would provide an alternative to major re-plumbing in some installations.

It was moved by Brown and seconded by Austin that the District approve the Siemens Sitrans F Mag 8000 irrigation flowmeter for use in the District ground water quantity management area. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 18. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Executive Committee met on November 9, 2004 and presented the committee's recommendations.

ITEM 19. GRANT FOR RIVER RUN INTERACTIVE DISPLAY.

Scott Snell reviewed a grant application with the committee for an educational display. The grant is available from Water for the West, a non profit organization. Water for the West began in 2002 to celebrate the 100 years of accomplishments of the Bureau of Reclamation and to establish a foundation for continuing educational activities on the value and benefits of the water infrastructure of the West.

The grant application filed is for an interactive room size display that takes participants on a tour of a river. Along the way, participants are to solve a series of challenges to keep the river in balance, as well as, consider the dynamics of water depletion, drought, critical wildlife habitat, municipal and agricultural uses of water and hydroelectric power generation. The grant request is for \$15,417. The District contribution will be staff time, no cash. The grant announcement will be in mid December.

The grant application deadline was October 15 so Snell wrote and submitted the application with Turnbull's approval. The committee was asked to approve the application.

It was moved by Bruns and seconded by Regier to approve of the grant request of \$15,417.56 to Water for the West for an interactive educational exhibit. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 20. COMPUTER SERVER PAYMENT.

The computer server has been installed. After some difficulty in getting the server to work with the network and backup system, it is now online. The bill for the computer server is the same as the quote, \$4,941.00. The installation labor is higher than estimated, \$1,770.00 versus the estimated cost of \$1,088.00.

It was moved by Bruns and seconded by Austin to authorize payment of \$6,711.00 (\$4,941.00 for the server and \$1,770.00 for installation and setup) to Hamilton Information Systems, Inc., Grand Island, for the computer server and installation. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier,
Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 21. PICKUP BID FOR FORESTRY DEPARTMENT.

The Forestry Department budgeted for a new pickup in FY 2005. Feather recommends that the 91 Ford Ranger pickup be replaced. It has 149,000 miles on it. Turnbull reviewed the specifications for a half-ton 2005 pickup for the Forestry Department. The general specifications are for a new two wheel drive, extended cab pickup with an automatic transmission and a V-8 engine with 230 hp or greater, with trade in of the 91 Ford Ranger. The bid will be advertised in the York paper and letters sent out to dealers within the NRD. The bid opening date is planned for December 6, 2004.

It was moved by Bruns and seconded by Brown to authorize the staff to request bids with trade in of the 91 Ford Ranger pickup for a 2004 or 2005 half-ton, two-wheel drive extended cab pickup with a V-8 engine with 230 hp or greater, and an automatic transmission. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Regier,
Teegerstrom, Houdersheldt

NAY: Nuss

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

ITEM 22. PAYMENT TO MIERAU & COMPANY FOR FY 2004 AUDIT.

An invoice in the amount of \$2,700 was received from Mierau and Company for the FY 2004 Audit. The cost is higher than previous audits because of the new GASB requirements.

It was moved by Bruns and seconded by Regier to approve payment of \$2,700 to Mierau and Company for the FY 2004 Annual Audit. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier,
Houdersheldt

NAY: Teegerstrom

NOT VOTING: Friesen, Hansen, Moore, Volkmer

**ITEM 23. FINANCIAL REPORT OCTOBER 1, 2004 THROUGH OCTOBER 31, 2004,
AND CONSIDERATION OF EXPENDITURES FOR OCTOBER 2004.**

Turnbull reviewed the financial report for the period October 1, 2004 through October 31, 2004 that we had distributed. It was moved by Austin and seconded by Jackson to accept the financial report for October 2004 as presented, and approve payments of the accounts payable, and publish

the expenditures. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Jackson, Joseph, Luebbe, Nuss, Regier,
Teegerstrom, Houdersheldt

NAY: None

NOT PRESENT: Friesen, Hansen, Moore, Volkmer

There being no other business the chairman adjourned the meeting at 2:55 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on November 18, 2004, 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.

Doug Bruns, Secretary

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**BOARD OF DIRECTORS MEETING
December 16, 2004**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, December 16, 2004, at the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Augustus Brown, Doug Bruns, Steve Buller, Doug Dickinson, Gary Eberle, Curtis Friesen, Wayne Hansen, Roger Houdersheldt, Jim Jackson, Jerl Joseph, Linda Luebbe, Larry Moore, Michael Nuss, Kenneth Regier, Vance Teegerstrom and Merlin Volkmer.

Staff and others attending were John Turnbull, Nancy Brisk, Jay Bitner, Rod DeBuhr, Scott Snell Ken Feather, Russ Gierhart, Dan Leininger, Richard Jiskra, Connie Tvrdy of the Seward NRCS and Bryan Euse of York NRCS. Houdersheldt called the meeting to order at 1:30 p.m.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors' meeting December 2, 2004 in the York News-Times.

ITEM 2. ROLL CALL OF DIRECTORS.

Fifteen directors were present for roll call.

ITEM 3. DIRECTORS' REQUESTS FOR EXCUSED ABSENCES.

Moore requested that his absence from the December 16, 2004 board of directors meeting be excused.

It was moved by Hansen and seconded by Volkmer to excuse the absence of Larry Moore from the December 16, 2004 board of directors meeting as requested. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Moore

ITEM 4. *ADOPTION OF CONSENT AGENDA.

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

approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Moore

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Regier and seconded by Volkmer to approve the agenda for the December 16, 2004 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Moore

ITEM 6. *APPROVAL OF MINUTES OF THE NOVEMBER 18, 2004 BOARD OF DIRECTORS MEETING.

It was moved by Regier and seconded by Volkmer to approve the minutes of the November 18, 2004 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Moore

ITEM 7. EMPLOYEE RECOGNITION.

Russ Gierhart, Water Resources Technician, was recognized for 10 years service to the District.

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

Regier reported that the Projects & Programs Committee met on December 7, 2004 and presented the committee's recommendations.

ITEM 9. WILD NEBRASKA CONTRACT - GREG BERGEN & LOWELL SIEBERT.

Greg Bergen and Lowell Siebert are interested in developing a parcel of land in the SE 1/4 of Section 35, Township 9 North, Range 4 West of the 6th P.M., York County, Nebraska. Approximately 15 acres will be enrolled in a CRP Buffer Strip Program and the remaining 13.0 acres will be enrolled in the WILD Nebraska Program. The estimated contract amount is \$4,927.

Seventy-five percent of this cost is paid by the Nebraska Game and Parks Commission and 25% by the Upper Big Blue Natural Resources District.

It was moved by Regier and seconded by Hansen that the Upper Big Blue Natural Resources District enter into the WILD Nebraska Contract between the Upper Big Blue Natural Resources District, Greg Bergen, Lowell Siebert and the Nebraska Game and Parks Commission in the amount of \$4,927.00. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Moore

ITEM 10. LAKEVIEW PARK LAKE RESTORATION PROJECT - CITY OF HENDERSON PROGRESS PAYMENT.

The total cost of the Lakeview Lake Restoration Project is \$379,241.88. The City of Henderson received a grant for \$300,000. This left \$79,241.88 to be funded locally. The Upper Big Blue Natural Resources District agreed to fund 25 percent of the local share not to exceed \$34,564.00. The Upper Big Blue NRD has made progress payments of \$19,038.70. The City of Henderson completed additional work totaling \$3,087.10. This expenditure was not covered by their grant and the City of Henderson requested payment of 25 percent of the local share, which is \$771.77. The City has one final invoice to be submitted for payment.

It was moved by Regier and seconded by Hansen that the Upper Big Blue Natural Resources District make a payment of \$771.77 to the City of Henderson for the work completed through December 6, 2004 on the Lakeview Park Lake Renovation Project in the City of Henderson. The motion was approved.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Moore

ITEM 11. LAKEVIEW PARK DEVELOPMENT - CITY OF HENDERSON PAYMENT.

The City of Henderson has completed tree planting at Lakeview Park. On May 19, 2004 the District agreed to fund the tree planting at Lakeview Park in the amount of 25% of estimated cost, not to exceed \$1,100.00. The City of Henderson purchased \$2,400.00 worth of nursery stock from Pine Valley Nursery & Landscape in Lincoln and \$1,269.91 from Faller Landscape in York for a total of \$3,669.91. They are requesting payment of 25 percent of the cost, or \$917.48.

It was moved by Regier and seconded by Luebbe that the Upper Big Blue Natural Resources

District make a payment of \$917.48 to the City of Henderson for the planting of trees and shrubs at Lakeview Park in the City of Henderson. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 12. NSWCP LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Regier and seconded by Hansen that payment of \$20,966.53 be made on 6 applications for Land Treatment Program NSWCP funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 13. NRD LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Regier and seconded by Bruns that payment of \$5,000.00 be made on one application for Land Treatment Program NRD funds, as reviewed by the Committee. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph,
Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 14. * NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Regier and seconded by Volkmer that payment of \$252.82 be made on two Nebraska Buffer Strip Program contracts, as reviewed by the Committee. The motion was approved as a part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe,
Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Moore

ITEM 15. PROJECT OPERATION & MAINTENANCE.

Koehler Excavation has completed maintenance work on District projects in Butler County. Staff

recommends payment of \$1,385.00 to Koehler Excavation.

It was moved by Regier and seconded by Luebbe that payment of \$1,385.00 be made to Koehler Excavation Company, in accordance with their contracts dated September 2004 and November 2004, for maintenance work completed on District operated projects in Butler County. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 16. KEZAN CREEK PROJECT.

Bitner presented the preliminary feasibility study for the Kezan Creek Project proposed for Butler County near Garrison. The feasibility study included alternatives for both small dams and a single large dam. The Committee discussed various aspects of project development and concluded that a single large dam would have greater economic and secondary benefits than small dams. The preliminary feasibility study indicates that the project meets the eligibility requirements for Resource Development Funds. On this basis, the Committee decided to proceed with development of the single large dam.

It was moved by Regier and seconded by Brown that the District proceed with development of the single large dam for the Kezan Creek Project, and that staff prepare a project proposal and grant application for Nebraska Resource Development Funds. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Joseph, Regier, Teegerstrom, Houdersheldt

NAY: Jackson, Luebbe, Nuss

NOT VOTING: Volkmer

NOT PRESENT: Moore

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

Nuss reported that the Water & Regulations Committee met on December 7, 2004 and presented the committee's recommendations.

ITEM 18. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Regier and seconded by Volkmer to approve cost-share payments for 13 well abandonments, as reviewed by the committee, totaling \$4,689.82. The motion was approved as a part of the consent agenda.

AYE: Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Austin, Moore

ITEM 19. USGS RECORDER WELLS OPERATIONS PAYMENT.

The District has been billed by USGS for the 2004 operation and maintenance of the Aurora, Burress, Rising City and Seward recorder wells. As per the agreement, the District share is \$1,680.00, which represents 50% of the total cost.

It was moved by Nuss and seconded by Jackson that the District pay the United States Geological Survey \$1,680.00 for Federal fiscal year 2004 operation and maintenance of the Aurora, Burress, Rising City and Seward recorder wells. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 20. CENTRAL DISTRICT HEALTH DEPARTMENT NITRATE TESTING PAYMENT.

The District uses the Central District Health Department Laboratory in Grand Island to do nitrate analysis for the Ground Water Management Area monitoring well network. During 2004, 187 tests were conducted at \$4.00 per test for a total of \$748.00.

It was moved by Nuss and seconded by Jackson that the District pay the Central District Health Department \$748.00 for the 187 nitrate analyses performed in calendar year 2004. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 21. CROP-TIP LAND LEVELING.

Staff has recommended that earth work be done at the CROP-TIP site to fill along the pipe lateral and do some minor leveling in the field. The total cost is estimated to be \$2,200. Cornerstone Bank has agreed to the work and the cost is to be shared 50/50.

It was moved by Nuss and seconded by Austin that the District authorize the earthwork for the Crop-Tip site with the District's share not to exceed \$1,100. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT PRESENT: Moore

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

Joseph reported that the Executive Committee met on December 7, 2004 and presented the committee's recommendations.

ITEM 23. NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS DUES.

It was moved by Joseph and seconded by Brown to approve payment of \$1,775.00 to the National Association of Conservation Districts for 2005 dues. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: Volkmer

NOT PRESENT: Moore

ITEM 24. FORESTRY DEPARTMENT PICKUP BIDS.

Three bids were received for a new half-ton, two-wheel drive extended cab pickup with a V-8 engine with 230 hp or greater, and an automatic transmission, with trade in of the 1991 Ford Ranger pickup.

Company	Bid	Description
Gene Steffey Ford Columbus	\$19,755	2005 Ford F-150
Moses Motor Co. York	\$19,959	2005 Ford F-150
Rolfsmeier Motors, Inc. Seward	\$21,300	2005 Chevy Silverado 1500

It was moved by Joseph and seconded by Austin to accept the bid of \$19,755.00 from Gene Steffey Ford, Columbus, for a Ford F-150 pickup as specified. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: Nuss

NOT PRESENT: Moore

ITEM 25. AMENDMENT TO TECHNICAL SERVICE PROVIDER AGREEMENT.

The District's Contribution Agreement with the NRCS concerning Technical Service Providers expires on December 31, 2004. The two employees were hired with the understanding that their work would terminate on that date. The District Conservationist, Bryan Euse, would like to continue that agreement. An amendment drafted by the NRCS State Office has been submitted to the District. The amendment is "The performance time for this agreement is extended to March 31, 2005. All other terms and conditions remain unchanged."

The Nebraska Association of Resources Districts (NARD) is negotiating an agreement with the NRCS to handle all the Technical Service Provider Agreements with all the NRDs as a block grant. If that agreement and the necessary agreements between the NRDs and the NARD are finalized then the amendment to this District's arrangement with the NRCS will be superceded.

Turnbull recommends that the Upper Big Blue NRD enter into the amendment with the NRCS.

It was moved by Joseph and seconded by Austin to approve Amendment #2 to the Contribution Agreement between the Upper Big Blue NRD and the USDA, Natural Resources Conservation Service. The motion was approved.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Houdersheldt

NAY: Volkmer

NOT PRESENT: Moore

ITEM 26. FINANCIAL REPORT NOVEMBER 1, 2004 THROUGH NOVEMBER 30, 2004, AND CONSIDERATION OF EXPENDITURES FOR NOVEMBER 2004.

Turnbull reviewed the financial report for the period November 1, 2004 through November 30, 2004 that we had distributed. It was moved by Joseph and seconded by Austin to accept the financial report for November 2004 as presented, and approve payments of the accounts payable, and publish the expenditures. The motion was approved.

It should be noted for the record that Moore arrived at 2:18 p.m.

AYE: Austin, Brown, Bruns, Buller, Dickinson, Eberle, Friesen, Hansen, Jackson, Joseph, Luebbe, Nuss, Regier, Teegerstrom, Volkmer, Houdersheldt

NAY: None

NOT VOTING: Moore

There being no other business the chairman adjourned the meeting at 2:52 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on December 16, 2004, 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.

Doug Bruns, Secretary

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