MINUTES
BOARD OF DIRECTORS MEETING
January 16, 2020

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 16, 2020 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Nancy Brisk, Jack Wergin, Marie Krausnick, Ken Feather, Chrystal Houston, Jeff Ball, Jonathan Rempel, Delton Grotz, Ralph Grotz, Kendall Siebert, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors’ meeting on January 9, 2020 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Jeff Bohaty, Doug Bruns and Paul Weiss requested that their absences from the January 16, 2020 board of directors meeting be excused.

It was moved by Volkmer and seconded by Yates to excuse the absence of Bohaty, Bruns, and Weiss from the January 16, 2020 board of directors meeting as requested. The motion was approved.

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

ITEM 5. ADOPTION OF AGENDA.

It was moved by Rich and seconded by Bethune to approve the agenda for the January 16, 2020 board of directors meeting as presented. The motion was approved.
AYE: Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt
NAY: None
NOT PRESENT: Bohaty, Bruns, Weiss

ITEM 6. APPROVAL OF MINUTES OF THE DECEMBER 19, 2019 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Kuehner to approve the minutes of the December 19, 2019 Board of Directors meeting. The motion was approved.

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

ITEM 7. DIRECTORS’ RECOGNITION.

Lynn Yates and John Miller were each recognized for 10 years of service as members of the Upper Big Blue NRD board of directors. Bill Kuehner, David Robotham, and Paul Bethune were recognized for 5 years of service to the district.

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

Kuehner reported that the Water & Regulations Committee met January 9, 2020 and presented the committee’s recommendations.

ITEM 9. SEAMETRICS AG90 BATTERY POWERED INSERTION METER.

Representatives from Seametrics were on hand at the Water & Regulations Committee meeting to request the addition of the Seametrics AG90 battery powered insertion meter to the District’s approved flowmeter list. The flowmeter meets the minimum specifications for inclusion on the approved flowmeter list.

It was moved by Kuehner and seconded by Luebbe to add the Seametrics AG90 battery powered insertion meter to the District’s approved flowmeter list. The motion was approved.

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

ITEM 10. THE NATURE CONSERVANCY PROPOSED PROJECT – RESILIENT FUTURES FOR NEBRASKA SOILS RESOURCE CONSERVATION PARTNERSHIP PROGRAM (RCPP).
Jacob Fritton and Hannah Birge, with the Nature Conservancy, attended the Water and Regulations Committee meeting to discuss a new partnership opportunity. The Nature Conservancy has applied for funding from RCPP to pair with private funds to launch “The Nebraska Soil Carbon Project” in partnership with the Upper Big Blue and Central Platte Natural Resources Districts. The goal of the five-year project is to work with 20-70 producers to increase soil carbon through the adoption of no-till, cover crops and diversified crop rotations.

It was moved by Kuehner and seconded by Rich to support the Nature Conservancy Resource Conservation Partnership Program application to launch “The Nebraska Soil Carbon Project”. The motion was approved.

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

ITEM 11. DORIS RATHJE GROUNDWATER TRANSFER.

Doris Rathje currently waters 40 acres in the E1/2 SE1/4 of Section 29-T11N-R8W with well G-028130 located on the same property. That well has begun to pump sand. Doris would like to apply for a groundwater transfer to use well G-010842, located in the E1/2 NE1/4 of Section 32-T11N-R8W to water the 40 acres. This transfer fits within groundwater transfer rules.

It was moved by Kuehner and seconded by Miller to approve groundwater transfer T-100. The motion was approved.

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

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

Two Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments, totaling $1,000.00.

It was moved by Kuehner and seconded by Luebbe to make cost-share payments for two well abandonments, as reviewed by the Committee, at a cost of $1,000.00. The motion was approved.

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

ITEM 13. AQUIFER QUALITY WELL ABANDONMENT COST SHARE ASSISTANCE PROGRAM (AQWACAP).
The AQWACAP program has been in place intermittently since 1991. Title 259 outlines the minimum specifications for administration of the program. Currently, the District operates the program on those minimum specifications, 60% of the material and labor up to $700.00 for hand dug wells and $500.00 for all other wells. Since 1991 the costs of material and labor have increased. Discussion by the Committee resulted in a recommendation to leave the cost share rate at 60% and increase the cost share amount for both hand dug and other wells to $750.00.

It was moved by Kuehner and seconded by Moore to increase the cost share amount awarded through the Aquifer Quality Well Abandonment Cost Share Assistance Program to 60%, and up to $750.00 for hand dug and wells constructed by other methods effective February 1, 2020. The motion was approved.

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

ITEM 14. FALLER’S LANDSCAPING PAYMENT FOR PROJECT GROW PLANTING.

As part of the National Association of Conservation Districts (NACD) grant, a variety of fruit trees and berry shrubs were to be planted at the Project GROW Community Garden. The final work was completed at the garden site with the planting and trellising of grape vines in the fall/winter of 2019. An invoice has been received from Faller’s Landscaping totaling $1,672.13. The staff recommends payment of the invoice from Faller’s Landscaping.

It was moved by Kuehner and seconded by Rich to pay Faller’s Landscaping for grape vines and trellising at Project GROW totaling $1,672.13. The motion was approved.

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

ITEM 15. ANNUAL CHEMIGATION PAYMENT – NEBRASKA DEPARTMENT OF ENVIRONMENT & ENERGY.

District staff have prepared the 2019 annual chemigation report for submission to the Nebraska Department of Environment & Energy. In 2019, the District accepted 252 new and 1,330 renewal chemigation applications. By Statute, a portion of the application fee is required to be paid to the Nebraska Department of Environment & Energy for program administration. The District owes the Nebraska Department of Environment & Energy $3,920.00 for the administration of the Chemigation Act.

It was moved by Kuehner and seconded by Eberle to pay the Nebraska Department of Environment & Energy for the administration of the Chemigation Act totaling $3,920.00. The motion was approved.
ITEM 16. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Work continues on Phase 2 of the Regional Groundwater Model. An invoice totaling $14,556.50 has been received for work completed as of November 2019. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the other three basin districts and the Nebraska Department of Natural Resources.

It was moved by Kuehner and seconded by Yates to pay Brown & Caldwell for the November 2019 invoice totaling $14,556.50. The motion was approved.

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

Robotham reported that the Projects & Programs Committee met on January 9, 2020 and presented the committee’s recommendations.

ITEM 18. LAND TREATMENT PROGRAM COST-SHARE PAYMENT.

It was moved by Robotham and seconded by Rich that the Upper Big Blue NRD approve payment of $5,507.95 for one completed NSWCP Land Treatment application, as recommended by staff and reviewed by the Committee. The motion was approved.

ITEM 19. PRIVATE DAMS PROGRAM NEW APPLICATION.

The NRCS has completed the design for Carpenter Dam, located west of York. There are six landowners with properties adjacent to the lake, but the application will be in one landowners name.

It was moved by Robotham and seconded by Yates that the Upper Big Blue NRD approve the private dams program application from Tim Esser for Carpenter Dam with total estimated cost range of $25,000 - $50,000, as recommended by staff and reviewed by the Committee. The motion was approved.
ITEM 20. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on January 9, 2020 and presented the committee’s recommendations.

ITEM 21. DIRECTORS’ 4TH QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors’ per diem and expenses for this past quarter. Totals for the 4th quarter 2019 directors’ per diem are $8,540.00 and expenses are $2,953.65; for a total expenditure of $11,493.65. Individual expense vouchers were available for review.

It was moved by Miller and seconded by Dickinson to approve payment of 4th quarter 2019 directors’ per diem of $8,540.00 and expenses of $2,953.65 for a total of $11,493.65, and to publish these approved expenditures in the December 2019 Financial Report, except that each director who has per diem and/or reimbursement of expenses included in such financial report abstains from voting for the approval of his or her own per diem and/or expense reimbursement. The motion was approved.

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

ITEM 22. STAFFING.

The Executive Committee was briefed on a proposal for restructuring the Forestry/Maintenance Department. The proposal would eliminate the Forestry Department Manager position and create a new job classification called “Lead Maintenance Worker”. The Forestry/Maintenance Department would remain a four-person department, however, the two proposed lead maintenance positions would be mid-level pay grade, instead of management level pay grade.

One Forestry/Lead Maintenance Worker would be assigned to direct and participate in work supporting forestry and wildlife programs. The other Lead Maintenance Worker would direct and participate in the maintenance of the District’s facilities, vehicles, and recreation areas.

The two remaining entry level maintenance worker positions would perform seasonal tree planting duties and maintain District facilities and recreation areas, under the direction of the respective Lead Maintenance Worker. When the Lead Forestry Maintenance Worker is not busy with forestry programs, he or she would become the fourth member participating in all facility maintenance duties.

The responsibility for the overall supervision of the Forestry/Maintenance Department would remain with the Assistant Manager.
It was moved by Miller and seconded by Yates to approve the creation of two mid-level lead maintenance positions, with a pay range of $18.44 to $27.66 per hour. Duties for positions are outlined in the Job Descriptions for the Assistant Manager, District Forestry and Lead Maintenance Worker. And to instruct staff to start job searches for an Assistant Manager, District Forestry and Lead Maintenance Worker.

It was moved by Volkmer and seconded by Luebbe to amend the motion to strike any reference to “Assistant Manager” from the motion. The amendment failed.

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

It was moved by Kuehner to amend the motion to no longer have an Assistant Manager position. The Chair ruled the motion was out of order, so no further action was taken on Kuehner’s amendment.

It was moved by Luebbe and seconded by Kuehner to refer the matter back to the Executive Committee. The motion failed.

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

The question was called on the original motion. The motion was approved.

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


Eigenberg reviewed the financial report for the period December 1, 2019 to December 31, 2019 that was distributed. It was moved by Volkmer and seconded by Bethune to accept the financial report for December 2019 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

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

ITEM 24. MOTION TO ADJOURN.

It was moved by Yates and seconded by Volkmer to adjourn the meeting at 2:53 p.m. The motion was approved.
AYE: Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houderscheidt

NAY: None

NOT PRESENT: Bohaty, Bruns, Weiss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held January 16, 2020, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Linda L. Luebbe, Secretary
The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 20, 2020 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Kendall Siebert, and Grant Jackson of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors’ meeting on February 13, 2020 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. ADOPTION OF AGENDA.

It was moved by Rich and seconded by Dickinson to approve the agenda for the February 20, 2020 board of directors meeting as presented. The motion was approved.

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

NAY: None

ITEM 6. APPROVAL OF MINUTES OF THE JANUARY 16, 2020 BOARD OF DIRECTORS MEETING.

It was moved by Yates and seconded by Bethune to approve the minutes of the January 16, 2020 Board of Directors meeting. The motion was approved.
ITEM 7. DIRECTORS’ RECOGNITION.

Doug Bruns was recognized for 20 years of service as a member of the Upper Big Blue NRD board of directors. Paul Weiss was recognized for 5 years of service to the district.

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

Kuehner reported that the Water & Regulations Committee met February 13, 2020 and presented the committee’s recommendations.

ITEM 9. POOLING MODULE UPDATE.

The District has received the agreement for the Water Sustainability Fund award for the development of a Pooling Module. The District will partner with Olsson and their subcontractor, Sitka Technology to develop the module. An agreement was received from Olsson for work on the project. If approved, work on the project will begin in March 2020.

It was moved by Kuehner and seconded by Rich to approve the Nebraska Water Sustainability Fund Grant Award Agreement for Application No. 5241. The motion was approved.

ITEM 10. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Five Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payment, totaling $2,500.00.

It was moved by Kuehner and seconded by Luebbe to make cost-share payment for five well abandonments, as reviewed by the Committee, at a cost of $2,500.00. The motion was approved.
ITEM 11. FLOWMETER REPAIR COST SHARE PAYMENT.

One flow meter repair cost-share application has been approved for final payment totaling $150.00.

It was moved by Kuehner and seconded by Luebbe to pay one flow meter repair cost-share claim totaling $150.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 12. REGIONAL GROUNDWATER MODELING PAYMENT TO BROWN & CALDWELL.

Work continues on Phase 2 of the Regional Groundwater Model. Two invoices have been received for work completed in December (invoice #21361774) totaling $12,700.50 and January (invoice #21363297) totaling $18,840.00. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the other three basin districts and the Nebraska Department of Natural Resources.

It was moved by Kuehner and seconded by Stahly to pay Brown & Caldwell for the December and January invoices totaling $31,540.50. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 13. HACH SERVICE PARTNERSHIP CONTRACT RENEWAL PAYMENT.

The District’s HACH Spectrophotometer service agreement is up for renewal. This lab equipment is used to test in-house samples for drinking water nitrate. Each year HACH personnel come on site to clean and calibrate the Spectrophotometer. An invoice to renew the District’s three-year service agreement has been received totaling $2,332.02.

It was moved by Kuehner and seconded by Yates to renew the HACH Service Partnership totaling $2,332.02. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

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

Robotham reported that the Projects & Programs Committee met on February 13, 2020 and presented the committee’s recommendations.
ITEM 15. HAZARD MITIGATION PLAN UPDATE.

The Upper Big Blue NRD Multi-Jurisdictional Hazard Mitigation Plan has been reviewed and approved by both the Nebraska Emergency Management Agency and the Federal Emergency Management Agency. Each participating agency must adopt the plan to finalize their participation.

It was moved by Robotham and seconded by Rich that the Upper Big Blue NRD approve a resolution to adopt the UBBN RD Multi-Jurisdictional Hazard Mitigation Plan, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 16. CEDAR VIEW RECREATION AREA.

Staff presented information from the original geologic investigation of Kubicek Dam concerning a sand layer throughout the dam and lake area. Investigation indicated that 10 feet of material should remain over the sand layer. It appears that material could be removed from the lake in an attempt to get a 10-foot depth over 25% of the surface area. Staff presented drawings showing the existing depth, a 10-foot depth, and a 15-foot depth. An estimated 30,000 cubic yards would need to be removed to reach 10-foot depth and an estimated 35,000 cubic yards would result in a 15-foot depth. Staff contacted local contractors for estimated costs of removing material and the estimates ranged from $4.00 per cubic yard to $5.00 per cubic yard.

It was moved by Robotham and seconded by Bethune that the Upper Big Blue NRD proceed with offering the landowner the appraised value of the Cedar View Recreation Area, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Eberle, Miller, Moore, Nuss, Rich, Robotham, Volkmer, Houdersheldt
NAY: Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Stahly, Weiss, Yates

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

Miller reported that the Executive Committee met on February 13, 2020 and presented the committee’s recommendations.

ITEM 18. PAYMENT TO YORK PRINTING COMPANY FOR THE BLUEPRINT NEWSLETTER.

The Executive Committee reviewed an invoice from York Printing Company in the amount of $6,207.29 for printing the Winter 2019/2020 issue of the BLUEPRINT newsletter.

It was moved by Miller and seconded by Dickinson to approve payment of $6,207.29 to York Printing Company for printing the Winter 2019/2020 edition of the BLUEPRINT newsletter. The motion was approved.
ITEM 19. UPDATE SIGNATURE CARDS FOR CORNERSTONE BANK.

Signatures on financial documents at Cornerstone Bank need to be updated to remove the name of retired assistant manager, Rodney DeBuhr. Names recorded on these documents will include Douglas L. Dickinson, Treasurer; David A. Eigenberg, General Manager; and Nancy D. Brisk, Office Manager.

It was moved by Miller and seconded by Yates to approve authority for updating all documents dealing with finances at Cornerstone Bank including, but not limited to: Account Agreement Signature Cards, Corporate Authorization Resolution Form and Safe Deposit Box Lease. The documents shall contain the signatures of Douglas L. Dickinson, Treasurer; David A. Eigenberg, General Manager; and Nancy D. Brisk, Office Manager. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None
NOT VOTING: Dickinson


Eigenberg reviewed the financial report for the period January 1, 2020 to January 31, 2020 that was distributed. It was moved by Volkmer and seconded by Yates to accept the financial report for January 2020 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 21. MOTION TO ADJOURN.

It was moved by Rich and seconded by Yates to adjourn the meeting at 2:50 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held February 20, 2020, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered.
later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least 
one copy of all reproducible material discussed at the meeting was available at the meeting for 
examination and copying by members of the public; that the minutes were in written form and available 
for public inspection within ten working days and prior to the next convened meeting for said body; and 
that all news media requesting notification of the meeting of said body were provided advance 
notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Linda L. Luebbe, Secretary

:ndb
Due to the coronavirus the Upper Big Blue Natural Resources District did not hold their regularly scheduled board meeting on March 19, 2020. Under the circumstances monthly recurring bills were paid and the Board acted to retroactively approve the necessary motions from the March 19, 2020 meeting in conjunction with the April 16, 2020 meeting.

Because of the continued COVID-19 outbreak, the Upper Big Blue NRD Board of Directors conducted their April 16, 2020 meeting at 7:30 p.m. via teleconference as provided for by Executive Order 20-03 issued by Governor Ricketts on March 17, 2020. Members of the public are not currently allowed into the office, instead they have been encouraged to participate in the board meetings by phone. Details for participation via teleconference were available on the NRD’s website: www.upperbigblue.org. A board agenda as well as materials to be discussed were also posted on the District’s website.

Directors participating in the board meeting via teleconference were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff and others participating via teleconference were David Eigenberg, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors’ meeting on April 9, 2020 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted at the NRD Office and that this meeting was held in compliance with Executive Order 20-03 issued by Governor Ricketts.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were participating during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. ADOPTION OF AGENDA.
It was moved by Rich and seconded by Robotham to approve the agenda for the April 16, 2020 board of directors meeting as presented. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 6. APPROVAL OF MINUTES OF THE FEBRUARY 20, 2020 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Miller to approve the minutes of the February 20, 2020 Board of Directors meeting. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Water & Regulations Committee met March 12, 2020 and April 7, 2020 and presented the committee’s recommendations.

ITEM 8. GROUNDWATER TRANSFER MONTE & DIANA DREW.

Monte and Diana Drew applied for a groundwater transfer to irrigate 7 acres in the SW 1/4 of Section 4-T8N-R7W from well construction permit UBB-1-5742 located in the NW1/4 NW1/4 of Section 9-T8N-R7W, all in Clay County. The proposed transfer complies with the District’s groundwater regulations.

It was moved by Kuehner and seconded by Rich to approve Groundwater Transfer T-101. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 9. ROUTINE FLOW METER MAINTENANCE PAYMENT TO TRI CITY METERS.

Tri City Meters has completed 428 routine flow meter inspections. An invoice totaling $19,840.00 was received for 428 inspections, 14 Vic gaskets and 20 canopy boots.

It was moved by Kuehner and seconded by Luebbe to pay Tri City Meters for routine flow meter maintenance work to date totaling $19,840.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None
ITEM 10. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Two Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payment, totaling $1,250.00.

It was moved by Kuehner and seconded by Luebbe to make cost-share payment for two well abandonments, as reviewed by the Committee, at a cost of $1,250.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 11. FLOWMETER REPAIR COST SHARE PAYMENT.

Seven flow meter repair cost-share applications have been approved for final payment totaling $1,050.00.

It was moved by Kuehner and seconded by Robotham to pay seven flow meter repair cost-share claims totaling $1,050.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 12. WISH NEBRASKA, INC. PAYMENT FOR MATERIALS FOR RESALE.

The District has purchased 125 Seametric batteries from WISH Nebraska to begin the annual battery replacement program. The cost of the battery is reimbursed to the District by the landowner. The invoice total is $12,537.50.

It was moved by Kuehner and seconded by Volkmer to pay WISH Nebraska for 125 Seametric batteries totaling $12,537.50. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 13. KLEIN SALES & SERVICE PAYMENT FOR MATERIALS FOR RESALE.

Staff has purchased 100 sets of Watermark sensors along with 20 dataloggers and 10 replacement cables for handheld meters from Klein Sales & Service. The items have been delivered and placed in the inventory for resale. All items will be sold to producers as part of the Irrigation Scheduling Discount Program. The invoice total is $20,225.00.

It was moved by Kuehner and seconded by Stahly to pay Klein Sales & Service for irrigation scheduling equipment for resale totaling $20,225.00. The motion was approved.
ITEM 14. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Work continues on Phase 2 of the Regional Groundwater Model. An invoice has been received for work completed in February totaling $10,765.00. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the other three basin districts and the Nebraska Department of Natural Resources.

It was moved by Kuehner and seconded by Eberle to pay Brown & Caldwell for the work completed for the month of February totaling $10,765.00. The motion was approved.

ITEM 15. WATER SCIENCES LABORATORY PAYMENT.

District staff have collected two years of Arsenic, Uranium and Selenium samples from our dedicated monitoring well sites. An invoice from the Water Sciences Laboratory has been received for 50 samples totaling $2,227.50. In visiting with researchers at the University of Nebraska-Lincoln it is recommended that we continue sampling for one more year before reviewing the data. Staff plans to continue sampling in 2020.

It was moved by Kuehner and seconded by Luebbe to pay the Water Sciences Laboratory for 50 Arsenic, Uranium and Selenium samples totaling $2,227.50. The motion was approved.

ITEM 16. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the acres’ certification for 7 parcels totaling 459.81 acres, yielding an increase in irrigated acres of 20.48. This brings the total irrigated acres to 1,240,496.14.

It was moved by Kuehner and seconded by Miller to certify the acres’ changes as presented to the Board. The motion was approved.

ITEM 17. RULE 5 CHANGES.
The staff presented the draft Rule 5 changes as directed by the Committee in February. The draft changes correct some grammatical errors; add two new active ingredients to the approved nitrification inhibitor list; eliminates the use of nitrification inhibitors district wide but keeps the Phase III requirement of use; eliminates the requirement of split application; and changes the Phase II/III reporting requirements. The changes stay within the confines of the proposed changes presented for public hearing last fall. So, a public hearing will not be required. The Committee amended the draft to strike language “Prior to applying nitrogen fertilizer, but” in Chapter 20, Paragraph 07.

It was moved by Kuehner and seconded by Miller to forward the draft changes to Rule 5 as amended, to the Board for final approval.

Moore expressed his desire to see the matter held over until the Upper Big Blue NRD board meetings are being conducted at the office and not telephonically to allow the public to have the ability to be present when the decision is made.

It was moved by Moore and seconded by Rich to refer the matter back to Committee until such time that the board can resume regular board meetings. The motion was approved.

NAY: Miller

ITEM 18. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Seven Aquifer Quality Well Abandonment Cost-Share Assistance Program applications totaling $3,893.54 were approved by the committee for final payment in the month of April.

It was moved by Kuehner and seconded by Rich to make cost-share payments for seven well abandonments, as reviewed by the Committee, at a cost of $3,893.54. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 19. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Work continues on Phase 2 of the Regional Groundwater Model. An invoice has been received for work completed in March totaling $46,125.25. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the other three basin districts and the Nebraska Department of Natural Resources.

It was moved by Kuehner and seconded by Volkmer to pay Brown & Caldwell for the work completed for the month of March totaling $46,125.25. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None
ITEM 20. CERTIFICATION OF IRRIGATED ACRES.
In April the Committee reviewed the certification of acres for 207 parcels totaling 20,137.08 acres, which was an increase in irrigated acres of 310.96. This brings the total irrigated acres to 1,240,807.10.

It was moved by Kuehner and seconded by Nuss to certify the acres’ changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None
NOT VOTING: Kuehner

ITEM 21. PATRICIO GRASSINI, UNL, DATA REQUEST.
In 2017, a request was made to the board to release an anonymous dataset of Phase II/III report data (2005-2015) to Dr. Patricio Grassini, with the University of Nebraska-Lincoln. Dr. Grassini used the information, along with similar information from other Districts, to research benchmarking nitrogen application and grain yield. He presented his research findings at the Project GROW 2019 Winter Workshop. The final report has been published and reviewed by the Committee. Dr. Grassini has requested an update to the original dataset (2016-2018) so that he can continue his benchmarking research. The Committee discussed the value in Dr. Grassini’s research.

It was moved by Kuehner and seconded by Rich to release an updated, anonymous Phase II/III dataset to Dr. Grassini for continued research in his benchmarking research. The motion was approved.

AYE: Bethune, Bohaty, Eberle, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt
NAY: Bruns, Dickinson, Kuehner, Luebbe, Weiss

ITEM 22. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.
Robotham reported that the Projects & Programs Committee met on March 12, 2020 and April 7, 2020 and presented the committee’s recommendations.

ITEM 23. LAND TREATMENT PROGRAM COST-SHARE PAYMENT.
It was moved by Robotham and seconded by Yates that the Upper Big Blue NRD approve payment of $1,912.47 for one completed NSWCP Land Treatment application as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 24. BUFFER STRIP PROGRAM THIRD QUARTER PAYMENTS.
It was moved by Robotham and seconded by Nuss that the Upper Big Blue Natural Resources District approve third quarter payments totaling $2,411.72 for two Nebraska Buffer Strip contracts, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 25. CITY OF STROMSBURG TREE PLANTING COST-SHARE.

The City of Stromsburg requests assistance in planting trees in the city park in the southwest area of Stromsburg. Trees will be planted by NRD Staff.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD provide $839.50 (25% of total costs - $3,358.40) of financial assistance to the City of Stromsburg for planting trees in the City Park, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 26. LAND TREATMENT PROGRAM COST-SHARE PAYMENT.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue Natural Resources District approve payment of $11,398.55 for two completed NSWCP Land Treatment applications, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 27. MENTINK DAM SLIP LINING PROJECT.

Due to some changes in access to the dam while working with the landowner, staff thought contractors needed additional time to submit bids for the slip lining project at Mentink Dam and didn’t think contractors could prepare bids prior to the April 7 Projects and Programs Committee meeting. Staff set the bid opening for 10:00 a.m. on April 15th at the NRD Office. Staff requested permission for the Board to consider awarding the bid at the April 16th Board Meeting.

Wergin told the board that the engineer’s estimate for the project was $22,874.65. He reviewed the bids that were received for the project. M.E. Collins’ bid was $69,671 and Pankoke Construction bid $36,460.

It was moved by Robotham and seconded by Miller to award the bid to Pankoke Construction for $36,460. The motion was approved.
ITEM 28. PLOTTER / SCANNER PURCHASE.

The Projects Department budgeted for a new large format printer/scanner to replace the old plotter that was purchased in 2015. It has had service issues and parts have become difficult to find. In addition to a new plotter, staff wanted scanning capabilities in order to scan as-built drawings on file in the basement. A number of models were reviewed and staff selected a Canon Image PROGRAF TM-305 MFP T36.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue Natural Resources District purchase a Canon Image PROGRAF TM-305 MFP T36 large format printer/scanner for the quoted price of $7,688.00, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Houdersheldt
NAY: None

ITEM 29. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on March 12, 2020 and April 7, 2020 and presented the committee’s recommendations.

ITEM 30. DIRECTORS EXPENSES FOR ATTENDING 2020 GMDA WINTER CONFERENCE.

The 2020 Groundwater Management District Association (GMDA) Winter Conference was held in Fort Lauderdale, Florida. Linda Luebbe submitted a request for reimbursement of $1,615.00 for her expenses to attend the conference.

It was moved by Miller and seconded by Yates to approve payment to Linda Luebbe of $1,615.00 for expenses for the 2020 winter GMDA Conference. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None
NOT VOTING: Luebbe

ITEM 31. DIRECTORS’ FIRST QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors’ per diem and expenses for this past quarter. The first quarter directors’ per diem was $7,630.00 and expenses were $3,145.07 for a total expenditure of $10,775.07. This total represents per diem and expenses for 16 board members. Director Weiss’ submission was not received in time to process for the April Committee meeting. Per diem and expenses for Director Weiss will be considered at the May meeting.
It was moved by Miller and seconded by Rich to approve payment of first quarter 2020 directors’ per diem of $7,630.00 and expenses of $3,145.07 for a total of $10,775.07, and to publish these approved expenditures in the March Financial Report, except that each director who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: Kuehner

ITEM 32. FINANCIAL REPORT FEBRUARY 1 - 29, 2020 AND PUBLICATION OF EXPENDITURES FOR FEBRUARY 2020.

Eigenberg reviewed the financial report for the period February 1, 2020 to February 29, 2020 that was distributed. It was moved by Stahly and seconded by Yates to retroactively approve the financial report for February 2020 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None


Eigenberg reviewed the financial report for the period March 1, 2020 to March 31, 2020 that was distributed. It was moved by Volkmer and seconded by Miller to accept the financial report for March 2020 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 34. MOTION TO ADJOURN.

It was moved by Rich and seconded by Dickinson to adjourn the meeting at 9:22 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

NOT PRESENT: Kuehner, Robotham

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held April 16, 2020,
that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________

Linda L. Luebbe, Secretary
Due to concerns about COVID-19 the Upper Big Blue NRD Board of Directors conducted their May 21, 2020 meeting at 7:30 p.m. via teleconference as provided for by Executive Order 20-03 issued by Governor Ricketts on March 17, 2020. Members of the public are not currently allowed into the office, instead they have been encouraged to participate in the board meetings by phone. Details for participation via teleconference were available on the NRD’s website: www.upperbigblue.org. A board agenda as well as materials to be discussed were posted on the District’s website.

Directors participating in the board meeting via teleconference were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff and others participating via teleconference were David Eigenberg, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Rodney Verhoeff, Dennis Ditloff, Josh Bowers of York County NRCS, Josh Eickmeier, Mayor of Seward, and Seward City Administrator Greg Butcher.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors’ meeting on May 14, 2020 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted at the NRD Office and that this meeting was held in compliance with Executive Order 20-03 issued by Governor Ricketts.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were participating during the call. Stahly was unable to vote on the first three motions due to audio problems.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. ADOPTION OF AGENDA.

It was moved by Miller and seconded by Moore to approve the agenda for the May 21, 2020 board of directors meeting as presented. The motion was approved.
ITEM 6. APPROVAL OF MINUTES OF THE APRIL 16, 2020 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Volkmer to approve the minutes of the April 16, 2020 Board of Directors meeting. The motion was approved.

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

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Water & Regulations Committee met May 12, 2020 and presented the committee’s recommendations.

ITEM 8. GROUNDWATER TRANSFER – NEBRASKA GAME & PARKS COMMISSION.

The Nebraska Game & Parks Commission applied for a groundwater transfer to irrigate 37.08 acres in the NW ¼ of Section 1-T9N-R6W from well construction permit UBB-1-5748 located in the SW ¼ of Section 36-T10N-R6W, all in Hamilton County. The proposed transfer complies with the District’s groundwater regulations.

It was moved by Kuehner and seconded by Volkmer to approve Groundwater Transfer T-102. The motion was approved.

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

ITEM 9. GROUNDWATER TRANSFER – DENNIS & SHARI DITLOFF.

Dennis & Shari Ditloff applied for a groundwater transfer to irrigate 160 acres in the SE ¼ of Section 21-T12N-R4W from well G-034689 located in the NE ¼ of Section 28-T12N-R4W, all in York County. The proposed transfer complies with the District’s groundwater regulations.

It was moved by Kuehner and seconded by Yates to approve Groundwater Transfer T-103.

Bethune expressed his concern that Mr. Ditloff doesn’t hold title to the property since the closing isn’t until December 1, 2020, and the name and address of the owner for the destination tract was left blank on the application.
Under the terms of the purchase agreement, which was attached to the application, Mr. Ditloff has the right to farm the property rent free from March 2, 2020 until the closing date. Mr. Ditloff provided Marie Krausnick, water department manager, the names of family members that would be listed on the deed. It was suggested that in the meanwhile Mr. Ditloff work with the current owner and have them complete and sign the application as the landowner for the destination tract.

It was moved by Miller and seconded by Luebbe to refer the matter back to the Water and Regulations Committee. The motion failed.

AYE: Bethune, Luebbe, Miller, Rich, Volkmer
NAY: Bohaty, Dickinson, Eberle, Kuehner, Moore, Nuss, Robotham, Weiss, Yates, Houdersheldt
NOT VOTING: Stahly
NOT PRESENT: Bruns

The question was called on the main motion. The motion was approved.

AYE: Bohaty, Dickinson, Eberle, Kuehner, Moore, Nuss, Robotham, Volkmer, Weiss, Yates, Houdersheldt
NAY: Bethune, Luebbe, Miller, Rich
NOT VOTING: Stahly
NOT PRESENT: Bruns

**ITEM 10. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.**

Six Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payment, totaling $2,584.10.

It was moved by Kuehner and seconded by Luebbe to make cost-share payments for six well abandonments, as reviewed by the Committee, at a cost of $2,584.10. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

**ITEM 11. FLOWMETER REPAIR COST SHARE PAYMENT.**

One flow meter repair cost-share application has been approved for final payment totaling $150.00.

It was moved by Kuehner and seconded by Luebbe to pay one flow meter repair cost-share claim totaling $150.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

**ITEM 12. ROUTINE FLOW METER MAINTENANCE PAYMENT – TRI CITY METERS.**
Tri City Meters has completed 688 routine flow meter inspections. Two invoices were received for work completed totaling $31,745.00. Invoice #16377 totaling $15,205.00 and invoice #16378 totaling $16,540.00.

It was moved by Kuehner and seconded by Stahly to pay Tri City Meters for routine flow meter maintenance work completed to date totaling $31,745.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 13. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the acres’ certification for 50 parcels totaling 3,864.97 acres, yielding an increase in irrigated acres of 183.95. This brings the total irrigated acres to 1,241,505.92.

It was moved by Kuehner and seconded by Rich to certify the acres’ changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

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

Robotham reported that the Projects & Programs Committee met on May 12, 2020 and presented the committee’s recommendations.

ITEM 15. SEWARD TRAIL – REQUEST FOR EXTENSION OF INTERLOCAL AGREEMENT.

The Interlocal Agreement between the Upper Big Blue NRD and the City of Seward for the Seward Trail will expire on June 30, 2020. Through the interlocal agreement, the NRD will provide 25% of the local cost-share not to exceed $150,000.00. Greg Butcher, Seward Administrator attended the call and requested an extension of the interlocal agreement. Delays include some realignment and addressing the railroad concerns with the one railroad crossing. Discussions included safety concerns with the Highway 15 crossing on the northwest edge of Seward.

It was moved by Robotham and seconded by Miller that the Upper Big Blue Natural Resources District extend the Interlocal Agreement with the City of Seward for the Seward Trail Project to June 30, 2023, as recommended by staff, and reviewed by the Committee. The motion was approved.

AYE: Bohaty, Dickinson, Eberle, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Houdersheldt
NAY: Bethune, Bruns, Luebbe, Weiss, Yates
ITEM 16. PAYMENT TO MID-NEBRASKA LAND DEVELOPERS.

Mid-Nebraska Land Developers has placed the rock on the face of the dam at Pioneer Trails.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue Natural Resources District pay Mid-Nebraska Land Developers $8,552.00 for placing rock on the face of Pioneer Trails dam, as recommended by staff, and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

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

Miller reported that the Executive Committee met on May 12, 2020 and presented the committee’s recommendations.

ITEM 18. DIRECTOR’S FIRST QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed Director Weiss’ per diem and expenses for this past quarter. Director Weiss’ first quarter per diem was $210.00 and expenses were $27.60 for a total of $237.60. His individual expense voucher was available for review. Director Weiss’ submission was not received in time to process during the month of April.

It was moved by Miller and seconded by Luebbe to approve payment to Director Weiss for first quarter 2020 per diem of $210.00 and $27.60 for expenses, for a total expenditure of $237.60, and to publish these approved expenditures in the May Financial Report. The motion was approved.

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

ITEM 19. AUTHORITY TO MAKE PAYMENT OF JUNE 2020 FACILITY MORTGAGE.

The Committee was advised that the mortgage loan payment of $243,292.37 for the NRD office/storage facility is due June 16, 2020. This payment represents both principle and interest payment.

It was moved by Miller and seconded by Kuehner to authorize the General Manager to make payment to Cornerstone Bank of $243,292.37 for the June 2020 NRD mortgage loan payment. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 20. BURKE SCHOLARSHIP SELECTION.
Ten applications were received for the 2020 Burke Scholarship. An interim committee was appointed to review and rank all applications. The interim committee recommended that two applicants be awarded scholarships and that one alternate be named.

$2,000 Scholarship: Benjamin Janssen, Marquette, Nebraska, graduate of Nebraska Christian High School, attending University of Nebraska-Lincoln.

$2,000 Scholarship: Kaitlyn Fehlhafer, Utica, Nebraska, graduate of Centennial High School, attending University of Nebraska-Lincoln.

Alternate: Alena Carlson, Aurora Nebraska, graduate of Aurora High School, attending University of Nebraska-Kearney.

It was moved by Miller and seconded by Rich to award a $2,000 scholarship to Benjamin Janssen, Marquette, Nebraska; a $2,000 scholarship to Kaitlyn Fehlhafer, Utica, Nebraska; and to further name Alena Carlson, Aurora, Nebraska as the alternate. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 21. EDUCATIONAL CAPITAL PROJECTS (ECAP) SELECTION PROCESS.

The Committee was informed of two applications for the Educational Capital Projects Fund (ECAP). One application was received from Centennial Public High School to assist with the development of a Citizen Scientist educational program. This program is a start-up effort of Upper Big Blue NRD and Centennial Public High School. The program will help students understand the analysis of water samples and the process of understanding their results. This application is requesting $1,200 in assistance. The second application is from Osceola High School to enhance an existing educational horticulture program. The application requests $1,000 to purchase a dual-direction rear-tine tiller and 10 bags of potting soil.

It was moved by Miller and seconded by Dickinson to award a $1,200 grant to Centennial Public High School for their Citizen Scientist Program. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

It was moved by Miller and seconded by Stahly to award a $1,000 grant to Osceola High School to enhance an existing educational horticulture program. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 22. FISCAL YEAR 21 SALARY SCHEDULE.
The General Manager reviewed his recommended changes to the FY21 Salary Schedule. This schedule has been developed to provide guidance on FY21 salary structure. Midpoints were calculated by taking the average of 5 NRDs with similar property valuations, annual payrolls, and staffing numbers. Midpoints were then used to develop minimum (80%) and maximum (120%) wage limits. The Salary Schedule will be used in accordance with the Operating Policy.

It was moved by Miller and seconded by Dickinson to approve the FY21 Salary Schedule as presented. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Luebbe, Rich, Volkmer

ITEM 23. FISCAL YEAR 21 WAGE INCREASE.

Fiscal Year 21 salaries and wages of the employees were discussed with the Committee. Eigenberg asked that the board authorize $27,458 (2.0% of total FY20 payroll) for salary increases for the staff in the FY21 budget.

It was moved by Miller and seconded by Eberle to adjust the annual FY21 salaries of the district staff, except for the General Manager, by an amount not to exceed $27,458 (2.0% of total FY20 payroll), and to authorize the General Manager to determine and make the salary and wage adjustments, in accordance with the Operating Policy.

It was moved by Bohaty and seconded by Kuehner to amend the main motion and substitute with a motion to have a salary and wage freeze for fiscal year 2021. The amendment failed.

AYE: Bohaty, Kuehner, Luebbe, Robotham, Volkmer
NAY: Bethune, Bruns, Dickinson, Eberle, Miller, Moore, Nuss, Rich, Stahly, Weiss, Yates, Houdersheldt

It was moved by Kuehner and seconded by Bohaty to amend the motion to insert that any one employee can have a maximum of 2.0% pay increase.

Following a brief discussion Chairman Houdersheldt ruled the amendment out of order due to conflict with Operating Policy 17. The question was called on the main motion. The motion was approved.

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


Eigenberg reviewed the financial report for the period March 1, 2020 to March 31, 2020 that was distributed. It was moved by Miller and seconded by Yates to approve the financial report for March
2020 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

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

ITEM 25. MOTION TO ADJOURN.

It was moved by Dickinson and seconded by Moore to adjourn the meeting at 9:29 p.m. The motion was approved.

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

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held May 21, 2020, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Linda L. Luebbe, Secretary

:ndb
The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 18, 2020 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Rodney Verhoeff, Nancy Beach, Stan Boehr, Kendall Siebert, Randy Wheeler, and Josh Bowers of York County NRCS,

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors’ meeting on June 11, 2020 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during the roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Gary Eberle requested an excused absence from the June 18, 2020 board meeting due to health reasons.

It was moved by Miller and seconded by Dickinson to excuse the absence of Eberle from the June 18, 2020 Board of Directors meeting as requested. The motion was approved.

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

ITEM 5. ADOPTION OF AGENDA.
It was moved by Rich and seconded by Bethune to approve the agenda for the June 18, 2020 board of directors meeting as presented. The motion was approved.

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

ITEM 6. APPROVAL OF MINUTES OF THE MAY 21, 2020 BOARD OF DIRECTORS MEETING.

It was moved by Stahly and seconded by Rich to approve the minutes of the May 21, 2020 Board of Directors meeting. The motion was approved.

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

ITEM 7. EMPLOYEE RECOGNITION.

Nancy Beach, who has worked as the Water Data Specialist for the Upper Big Blue NRD for the past 14 years, is retiring June 26. She was recognized by the board and staff for her service to the district.

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

Kuehner reported that the Water & Regulations Committee met June 9, 2020 and presented the committee’s recommendations.

ITEM 9. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Two Aquifer Quality Well Abandonment Cost-share Assistance Program applications have been approved for final payment totaling $1,329.14.

It was moved by Kuehner and seconded by Luebbe to make cost-share payments for two well abandonments as reviewed by the committee at a cost of $1,329.14. The motion was approved.

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

ITEM 10. FLOW METER REPAIR COST-SHARE PAYMENT.

One flow meter repair cost-share application has been approved for final payment totaling $150.00.
It was moved by Kuehner and seconded by Yates to pay one flow meter repair cost-share claim totaling $150.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahl, Volkmer, Yates, Houdersheldt
NAY: None
NOT PRESENT: Eberle, Weiss

ITEM 11. ROUTINE FLOW METER MAINTENANCE PAYMENT TO TRI CITY METERS.

Tri City Meters has completed the final 743 routine flow meter inspections. Two invoices totaling $34,500 were received.

It was moved by Kuehner and seconded by Volkmer to pay Tri City Meters for routine flow meter maintenance for work completed totaling $34,500. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahl, Volkmer, Yates, Houdersheldt
NAY: None
NOT PRESENT: Eberle, Weiss

ITEM 12. REGIONAL GROUNDWATER MODELING PAYMENT TO BROWN & CALDWELL.

Work continues on Phase 2 of the Regional Groundwater Model. Two invoices were received for work completed during April and May totaling $44,462.00. As the project lead the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the other three basin districts and the Nebraska Department of Natural Resources.

It was moved by Kuehner and seconded by Volkmer to pay Brown & Caldwell for the work completed for the months of April and May totaling $44,462.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahl, Volkmer, Yates, Houdersheldt
NAY: None
NOT PRESENT: Eberle, Weiss

ITEM 13. NEBRASKA CLIMATE CENTER WEATHER STATION PAYMENT UNL.

The University of Nebraska-Lincoln Mesonet has submitted an invoice for the annual hosting and maintenance of the Recharge Lake Weather Station totaling $2,600.00. This is the only weather station in the District. Mesonet has a system of weather stations across the State and hosts the data on a Mesonet website. The data is used to calculate daily crop water use, groundwater modeling and mapping.

It was moved by Kuehner and seconded by Luebbe to pay the University of Nebraska-Lincoln $2,600.00 for the annual hosting and maintenance fees for the Recharge Lake Weather Station. The motion was approved.
ITEM 14. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the certification of acres for 50 parcels totaling 3,427.73 acres which yielded an increase in irrigated acres of 78.46. This brings the total irrigated acres to 1,241,880.18.

It was moved by Kuehner and seconded by Yates to certify the acres changes as presented to the Board. The motion was approved.

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

ITEM 15. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on June 11, 2020 and presented the committee’s recommendations.

ITEM 16. LAND TREATMENT COST-SHARE PAYMENTS.

It was moved by Robotham and seconded by Rich that the Upper Big Blue NRD approve payment of $49,887.71 for nine completed NSWCP Land Treatment applications and $31,264.94 for thirteen completed NRD Land Treatment applications (combined total $81,152.65) as recommended by staff and reviewed by the committee. The motion was approved.

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

ITEM 17. NEBRASKA BUFFER STRIP PROGRAM 4th QUARTER PAYMENTS.

The Nebraska Department of Agriculture provides funds for filter and riparian buffer strips along streams and lakes.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue Natural Resources District approve 4th quarter payments totaling $16,536.21 for nine Nebraska buffer strip contracts as recommended by staff and reviewed by the committee. The motion was approved.
ITEM 18. CORNERS FOR WILDLIFE PAYMENTS.

The Nebraska Environmental Trust provides funding through the Pheasants Forever Chapters for developing pivot corners for wildlife habitat.

It was moved by Robotham and seconded by Bruns that the Upper Big Blue Natural Resources District approve payments totaling $664.50 for three Corners for Wildlife contracts as recommended by staff and reviewed by the committee. The motion was approved.

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

ITEM 19. MENTINK DAM UPDATE AND PAYMENT REQUESTS.

The Snap Tite slip lining pipe purchased from ISCO was delivered to the site on May 19 and the grouting was completed June 8, 2020. ISCO submitted an invoice for the pipe totaling $21,361.88. Pankoke Construction has completed 80.6 percent of the installation work totaling $31,789.43. It is our policy to withhold 10% retainage until contracts are completed. The progress payment request less retainage is $28,610.49.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue Natural Resources District approve payment of $21,361.88 to ISCO Industries for the Snap Tite pipe and riser for Mentink Dam, as recommended by staff and reviewed by the committee. The motion was approved.

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

It was moved by Robotham and seconded by Luebbe that the Upper Big Blue Natural Resources District approve payment of $28,610.49 to Pankoke Construction for work completed on the pipe installation at Mentink Dam as recommended by staff and reviewed by the committee. The motion was approved.

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

ITEM 20. STROMSBURG PARK TREE PROJECT PAYMENT.

The City of Stromsburg tree planting project at Buckley Park has been completed. NRD staff planted 428
trees and a total of 3,250 feet of weed control fabric was installed. The total project cost was $3,285.08 and the City has requested reimbursement as outlined in our interlocal agreement.

It was moved by Robotham and seconded by Yates that the Upper Big Blue NRD approve payment of $821.27 (25% of total costs of $3,285.08) to the City of Stromsburg for planting trees in the city park, as recommended by staff and reviewed by the Committee. The motion was approved.

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

ITEM 21. SUTTON TRAIL BRIDGE INTERLOCAL AGREEMENT EXTENSION.

The City of Sutton did not receive funding for their grant application for repair of the pedestrian trail bridge. With the grant awards being announced at the beginning of each year, it would be difficult to complete the repair of the bridge by the end of June of that same year. Staff suggested extending the Interlocal Agreement with Sutton for two years. The current Interlocal Agreement provides for a maximum cost share of $20,000. If the city is successful in obtaining the grant in early 2021, the NRD could then budget funds in fiscal year 2022.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD extend the Interlocal Agreement with the City of Sutton for repair of the pedestrian trail bridge for two years through June 30, 2022, as recommended by staff and reviewed by the Committee.

It was moved by Nuss and seconded by Miller to amend the motion to include that the Upper Big Blue NRD fund up to 25% of the local share, not to exceed $40,000. The amendment was approved.

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

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

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

ITEM 22. SMITH CREEK RECREATION AREA IMPROVEMENTS.

Staff presented a plan to add improvements to the Smith Creek Recreation Area. The proposal would bring water and power to the site, including a security light with room for a siren, electrical outlets at the picnic shelter, and a well with one ADA complaint hydrant near the picnic shelter. Total project costs would be $35,250. Discussion included having staff solicit additional bids for the well installation.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD move forward with bringing water and power to Smith Creek Recreation Area, including a pole with security light, electrical outlets at picnic shelter, and a well with one ADA compliant hydrant, at a cost not to exceed $40,000,
after staff has received additional bids for the well, as recommended by staff and reviewed by the committee. Staff will not proceed until additional bids are presented at the July committee meeting. The motion was approved.

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

ITEM 23. FY2021 PROJECTS DEPARTMENT BUDGET.

Staff presented a revised draft FY2021 Projects Department Budget to the committee. Recent dam inspections identified some priority maintenance projects that need to be included in the draft budget. Changes included increasing line 16, Project Operation and Maintenance from $165,000 to $310,000 and increasing line 44, Project Construction Costs from $313,000 to $315,000. Staff presented information on each maintenance project and planned construction projects.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD accept changes to the draft FY2021 Projects Budget, as recommended by staff and reviewed by the committee. The motion was approved.

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

ITEM 24. PROJECTS PRIORITY LIST.

The Projects and Programs Committee reviewed the project priority list. A supplemental well at Oxbow Trails was added to the list. The Committee discussed the importance of a supplemental well at Oxbow Trail Recreation Area to protect the fishery during drought periods.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD add the Oxbow Trail Supplemental Well project to the FY2021 Projects Budget, as recommended by staff and reviewed by the committee. The motion was approved.

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

ITEM 25. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on June 11, 2020 and presented the committee’s recommendations.

ITEM 26. PAYMENT REQUEST FROM HARRY A. KOCH CO. FY 21 INSURANCE PACKAGE.

Staff has been working with Cornerstone Insurance to obtain quotes for the FY21 insurance renewal package. Due to the liability for the District owned dams, it has been difficult to get insurers to quote the complete package. We have 1 high-hazard dam (Hastings Northwest) and 2 significant-hazard dams
(Recharge Lake and Oxbow Trails), and 42 low-hazard dams that the District owns and maintains.

The renewal quote for the District’s insurance package through Glatfelter has been received from Cornerstone Insurance and The Harry A. Koch Company of Omaha. The quote for FY21 is $73,531, and the FY20 quote was $64,107. The workmen’s compensation carrier is BITCO. The workmen’s compensation premium is based on actual payroll, so a payroll audit is done at the end of each fiscal year to determine any increase or refund of premium.

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Staff was directed to perform a competitive insurance coverage search prior to FY22 renewal.

It was moved by Miller and seconded by Yates to make payment of $73,531.00 to Harry A. Koch Co. for liability, auto, workmen’s compensation, fire, and casualty insurance for FY21. The motion was approved.

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

**ITEM 27. PAYMENT REQUEST FROM NEBRASKA ASSOCIATION OF RESOURCES DISTRICT (NARD).**

An invoice totaling $10,244.26 was received from NARD for trees and supplies for the FY20 tree planting season.

It was moved by Miller and seconded by Bruns to make payment of $10,244.26 to NARD for trees and supplies for the FY20 tree planting season. The motion was approved.

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

**ITEM 28. PAYMENT TO UNANIMOUS FOR WEBSITE IMPROVEMENTS.**

An invoice totaling $5,400.00 was received from Unanimous for website enhancement. Unanimous is our consultant for website support. The enhancements included: search icon/search results page, alert bar, updated banner area, drop-down menus banner video support, groundwater levels link, social media meta tag on news, rec areas, listing and map integration.

It was moved by Miller and seconded by Yates to make payment of $5,400.00 to Unanimous for website
enhancements. The motion was approved.

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

ITEM 29. FACILITY MORTGAGE PAYOFF.

Over the years board members have expressed a desire to see the mortgage on the NRD office paid off as quickly as possible. The loan originated on May 16, 2016 and was scheduled for two payments of $243,292.37 each fiscal year with the final payment due October of 2023. The NRD has prepaid some additional principal since the inception of this loan. Interest on the current mortgage is 2.09%. In light of the fact that interest rates are near all-time lows, staff recommended that funds on hand be used to pay off the NRD facility mortgage. Staff obtained payoff information from Cornerstone Bank. As of June 19, 2020, the payoff amount was $596,790.46.

It was moved by Miller and seconded by Yates to authorize the General Manager to make payoff of $596,790.46 on June 19, 2020 to Cornerstone Bank. The motion was approved.

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

ITEM 30. 2020 PRIMARY ELECTION COSTS.

The Clay County Clerk has billed the District $1,914.97 for primary election costs.

It was moved by Miller and seconded by Nuss to approve payment of $1,914.97 to the Clay County Clerk for 2020 primary election costs. The motion was approved.

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

ITEM 31. EVALUATION OF GENERAL MANAGER JOB PERFORMANCE AND REPORT ON STAFF WAGES.

The Executive Committee recommended that the full board consider the General Manager’s job performance and any salary adjustment at the June 18th Board Meeting. The General Manager was also to report on the staff wages for FY21.

It was moved by Miller and seconded by Yates that the board go into closed session at 8:26 p.m. to prevent needless injury and to protect the reputation of the General Manager while conducting an evaluation of his job performance. The motion was approved.
AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Weiss

It was moved by Yates and seconded by Volkmer to return to open session at 9:15 p.m. The motion was approved.

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

NAY: None

NOT PRESENT: Eberle, Weiss

It was moved by Stahly and seconded by Moore to increase the General Manager’s salary by one and one-half percent. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Houdersheldt

NAY: Miller, Yates

NOT PRESENT: Eberle, Weiss


Eigenberg reviewed the financial report for the period May 1, 2020 to May 31, 2020 that was distributed. It was moved by Volkmer and seconded by Yates to approve the financial report for May 2020 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

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

NAY: None

NOT PRESENT: Eberle, Weiss

ITEM 33. MOTION TO ADJOURN.

It was moved by Volkmer and seconded by Rich to adjourn the meeting at 9:40 p.m. The motion was approved.

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

NAY: None

NOT PRESENT: Eberle, Weiss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held June 18, 2020, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later
than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Linda L. Luebbe, Secretary

:ndb
MINUTES
BOARD OF DIRECTORS MEETING
July 23, 2020

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 23, 2020 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Jeff Bohaty, Doug Bruns, Doug Dickinson, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Kendall Siebert, Jonathan Rempel, Dr. Dan Snow, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Miller reported that we published the legal notice of the board of directors’ meeting on July 16, 2020 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Miller advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Thirteen directors were present during the roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Paul Bethune, Gary Eberle, Roger Houdersheldt, and Paul Weiss requested excused absences from the July 23, 2020 board meeting.

It was moved by Volkmer and seconded by Rich to excuse the absence of Bethune, Eberle, Houdersheldt and Weiss from the July 23, 2020 Board of Directors meeting as requested. The motion was approved.

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

ITEM 5. ADOPTION OF AGENDA.
It was moved by Rich and seconded by Volkmer to approve the agenda for the July 23, 2020 board of directors meeting as presented. The motion was approved.

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

ITEM 6. APPROVAL OF MINUTES OF THE JUNE 18, 2020 BOARD OF DIRECTORS MEETING.

It was moved by Stahly and seconded by Dickinson to approve the minutes of the June 18, 2020 Board of Directors meeting. The motion was approved.

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

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Water & Regulations Committee met July 14, 2020 and presented the committee’s recommendations.

ITEM 8. WATER ACCOUNTING SOFTWARE PROJECT UPDATE AND PAYMENT.

Jim Schneider of Olsson Incorporated and John Burns of Sitka Technologies updated the Water and Regulations Committee via Zoom on the work completed on the Water Accounting Software. The group has completed the algorithm to pool the tracts, wells, and people. Work is proceeding on the water accounting portion of the software to provide staff the ability to track water use by pool. An invoice has been received from Olsson for work completed to date totaling $27,554.96. This project is partially funded through the Water Sustainability Fund. The District is responsible for payments to Olsson. The District will request reimbursement from the Nebraska Department of Natural Resources for 60% of the project through the Water Sustainability Fund agreement.

It was moved by Kuehner and seconded by Robotham to pay Olsson for work done to date on the Water Accounting Software totaling $27,554.96. The motion was approved.

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

ITEM 9. MATERIALS FOR RESALE - PAYMENT TO CLEMENTS ASSOCIATES INC.
Staff purchased 10 soil probe handles, extension rods, and consultant tubes for resale through the Irrigation Water Management Discount program. An invoice totaling $2,364.60 has been received from Clements Associates Inc.

It was moved by Kuehner and seconded by Luebbe to pay Clements Associates Inc. for 10 soil probe handles, extension rods and consultant tubes totaling $2,364.60. The motion was approved.

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

ITEM 10. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Seven Aquifer Quality Well Abandonment Cost-share Assistance Program applications have been approved for final payments, totaling $4,543.40.

It was moved by Kuehner and seconded by Volkmer to make cost-share payments for seven well abandonments, as reviewed by the Committee, at a cost of $4,543.40. The motion was approved.

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

ITEM 11. FLOWMETER REPAIR COST-SHARE PAYMENTS.

Two flow meter repair cost-share applications have been approved for final payments totaling $300.00.

It was moved by Kuehner and seconded by Luebbe to pay two flow meter repair cost-share claims totaling $300.00. The motion was approved.

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

ITEM 12. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Brown & Caldwell are continuing their work on Phase 2 of the Regional Groundwater Model. They have submitted an invoice for work completed during June totaling $14,901.50. As the project lead, the District will make the payment to Brown & Caldwell and request reimbursement from the other three basin districts and the Nebraska Department of Natural Resources.

It was moved by Kuehner and seconded by Yates to pay Brown & Caldwell for the work completed for the month of June totaling $14,901.50. The motion was approved.
ITEM 13. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on July 14, 2020 and presented the committee’s recommendations.

ITEM 14. LAND TREATMENT PROGRAM COST-SHARE PAYMENT.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD approve payment of $8,971.91 for seven completed NRD Land Treatment applications, as recommended by staff and reviewed by the Committee. The motion was approved.

ITEM 15. PRIVATE DAM PROGRAM PAYMENT.

Work on the Kleinschmidt Dam has been completed at a total cost of $67,974.96. The maximum NRD cost-share for the project under the private dam program is $50,000.00.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue Natural Resources District approve payment totaling $50,000.00 to Abbi Kleinschmidt for the completed Kleinschmidt Dam under the private dam program, as recommended by staff and reviewed by the Committee. The motion was approved.

ITEM 16. JOHNSON CREEK DAM #46 – PAYMENT TO LOWER BIG BLUE NRD FOR PIPE INSTALLATION.

The Lower Big Blue NRD led the Johnson Creek Dam #46 slip lining project. The total cost of the project was $37,262.99. Total assistance provided by the Lower Big Blue NRD was $10,831.80.

It was moved by Robotham and seconded by Rich that the Upper Big Blue Natural Resources District approve payment of $10,831.80 to the Lower Big Blue NRD for work completed on the Johnson Creek Dam #46 slip lining project, as recommended by staff and reviewed by the Committee. The motion was approved.
ITEM 17. MENTINK DAM – PAYMENT TO PANKOKE CONSTRUCTION FOR PIPE INSTALLATION.

The Mentink Dam slip lining pipe project has been completed. The original contract with Pankoke Construction was $36,460.00. Two change orders approved by staff, which included access road improvements and emergency spillway erosion repair, brought the revised contract cost to $41,332.00. Payment of $28,610.49 was made to Pankoke Construction in June leaving a final payment due of $12,721.51.

It was moved by Robotham and seconded by Yates that the Upper Big Blue Natural Resources District approve a final payment of $12,721.51 to Pankoke Construction for work completed on the pipe installation at Mentink Dam, as recommended by staff and reviewed by the Committee. The motion was approved.

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

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

Yates reported that the Executive Committee met on July 21, 2020 and presented the committee’s recommendations.

ITEM 19. DIRECTORS’ SECOND QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors’ per diem and expenses for this past quarter. Totals for the second quarter directors’ per diem are $7,070.00 and expenses are $959.88, for a total expenditure of $8,029.88.

It was moved by Yates and seconded by Dickinson to approve payment of second quarter 2020 directors’ per diem of $7,070.00 and expenses of $959.88 for a total of $8,029.88, and to publish these approved expenditures in the June 2020 Financial Report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. The motion was approved.

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

ITEM 20. PAYMENT TO YORK PRINTING COMPANY FOR THE BLUEPRINT NEWSLETTER.
An invoice in the amount of $11,131.42 was received from York Printing Company for the June 2020 issue of the BLUEPRINT newsletter.

It was moved by Yates and seconded by Luebbe to approve payment of $11,131.42 to York Printing Company for printing the June 2020 edition of the BLUEPRINT newsletter. The motion was approved.

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

ITEM 21. NRD SHARED SERVICES SALARIES REIMBURSEMENT LOWER BIG BLUE NRD.

An invoice dated July 2, 2020 totaling $6,804.98 was received from the Lower Big Blue NRD for salaries and benefits for the Saline County NRCS clerk and technician. We were invoiced $5,936.21 for work performed by the clerk in FY 2020 (July 1, 2019 - June 30, 2020) and $868.77 for the technician during the months of July and August in FY 2020.

At the request of our board the Interlocal Cooperative Agreements with Central Platte NRD, Little Blue NRD, Lower Big Blue NRD, Lower Platte South NRD and Lower Platte North NRD for shared personnel services were revised to remove payment for any future technician’s salaries. The process was started in July of 2019 and the last agreement was fully executed September 18, 2019. The Interlocal Agreement with the Lower Big Blue NRD was approved by their board on August 26, 2019. Since the original Interlocal Agreement was still in place during the months of July and August we were billed for the technician’s time for those two months. No further payments will be made for technician’s wages.

It was moved by Yates and seconded by Rich to approve payment of $6,804.98 to the Lower Big Blue NRD for the NRCS clerk and the July and August technician salaries in Saline County for FY 2020. The motion was approved.

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

ITEM 22. NRD SHARED SERVICES SALARIES REIMBURSEMENT LITTLE BLUE NRD.

An invoice dated June 16, 2020 totaling $24,193.72 was received from the Little Blue NRD for salaries and benefits for the Clay and Adams County NRCS clerks. The invoice breakdown was $19,929.77 for Clay County and $4,263.95 for Adams County for work performed in FY 2020 (July 1, 2019 - June 30, 2020).

It was moved by Yates and seconded by Nuss to approve payment of $24,193.72 to the Little Blue NRD for NRCS clerk salaries in Clay and Adams County for FY 2020. The motion was approved.

AYE: Bohaty, Bruns, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: Dickinson
ITEM 23. NRD SHARED SERVICES SALARIES REIMBURSEMENT LOWER PLATTE NORTH NRD.

An invoice dated June 30, 2020, totaling $15,540.17 was received from the Lower Platte North NRD for our portion of the salary and benefits for the Butler County NRCS clerk. The Upper Big Blue NRD has 44.67% of the land area in Butler County. The invoice is for work performed in FY 2020 (July 1, 2019 - June 30, 2020).

It was moved by Yates and seconded by Stahly to approve payment of $15,540.17 to the Lower Platte North NRD for the NRCS clerk’s salary in Butler County for FY 2020. The motion was approved.

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

ITEM 24. FY 2021 CONSOLIDATED BUDGET.

Eigenberg recommended that the Board approve the additional 1% restricted funds authority. He advised the Board that a three-fourths majority of the Board present and voting was required for approval.

It was moved by Yates and seconded by Nuss to approve an increase in the total budgeted restricted funds authority by an additional 1%. The motion was approved.

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

The final draft of the FY21 Consolidated Budget was presented to the Board. Total tax asking for FY21 is down 8.34% as compared to the FY20 budget. Eigenberg provided a brief presentation outlining the budgeting process and rationale behind the proposed budget.

It was moved by Yates and seconded by Dickinson to recommend that the Board adopt the FY21 Consolidated Budget for the purpose of Public Hearing. The motion was approved.

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

The dates for two public hearings need to be set so that the proper public notices can be published. In the past, public hearings have coincided with the August and September Board meetings. Eigenberg recommended that the Board schedule the FY21 Budget Hearing for 7:30 p.m., Thursday, August 20, 2020, and the Special Public Hearing for the FY21 Tax Request for 7:30 p.m., Thursday, September 17, 2020.
It was moved by Yates and seconded by Dickinson to schedule the FY21 Budget Hearing for 7:30 p.m., Thursday, August 20, 2020 and the FY21 Tax Request Hearing for 7:30 p.m., Thursday, September 17, 2020. The motion was approved.

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

ITEM 25. 2020 PRIMARY ELECTION COSTS.

The Hamilton County Clerk invoiced the District $842.82 for primary election costs and the Seward County Clerk invoiced the District $4,180.19.

It was moved by Yates and seconded by Nuss to approve payment of $842.82 to the Hamilton County Clerk for 2020 primary election costs. The motion was approved.

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

It was moved by Yates and seconded by Dickinson to approve payment of $4,180.19 to the Seward County Clerk for 2020 primary election costs. The motion was approved.

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


Eigenberg reviewed the financial report for the period June 1, 2020 to June 30, 2020 that was distributed. It was moved by Dickinson and seconded by Yates to approve the financial report for June 2020 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

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

ITEM 27. MOTION TO ADJOURN.

It was moved by Yates and seconded by Dickinson to adjourn the meeting at 9:08 p.m. The motion was approved.
AYE: Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Houdersheldt, Weiss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held July 23, 2020, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Linda L. Luebbe, Secretary

:ndb
The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 20, 2020 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed fiscal year 2021 budget. The budget detail was available at the office of the Upper Big Blue NRD during regular business hours.

Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, John Bush, Kyle Yrkoski, Josh Bowers of York County NRCS, Jeff Wusk and Kyle Vnoucek representing the Geneva Boys Pond.

ITEM 1. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 2. PUBLIC NOTICE OF BUDGET HEARING AND BUDGET SUMMARY.

Houdersheldt stated for the record that the Notice of Budget Hearing and Budget Summary was published in the York News-Times on August 11, 2020.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during the roll call.

ITEM 4. PROPOSED FISCAL YEAR 2021 BUDGET DISCUSSION.

Houdersheldt asked general manager, David Eigenberg, to review the proposed budget. Last year’s property tax request was $3,755,302.84. The proposed property tax request for fiscal year 2021 is $3,442,206.44, which is a decrease of 8.34%, or $313,096.40 from the prior year. Eigenberg also reminded the board that the working document still shows the prior year’s valuations because the county clerks have until August 20 to certify the valuations and not all of those have been received. The tax request hearing to set the levy will take place September 17, 2020.

Under the current lid the Upper Big Blue NRD could increase their prior year’s restricted funds authority by 2.5% or $54,268.57. The board voted to approve an additional 1% increase in restricted funds authority in the amount of $21,707.43, making the allowable increase 3.5% or $75,975.99. Our unused restricted funds authority for fiscal year 2021 is $659,080.04. This means that the NRD taxed $659,080.04 less than the maximum allowed.
Eigenberg reviewed a table showing a comparison of the three prior fiscal year budgets and the current proposed budget figures. He asked if any of the board members had questions regarding the budget. There were no questions from the board.

**ITEM 5. PUBLIC COMMENTS.**

Houdersheldt asked the members of the public who were present if they had any questions or comments regarding the proposed fiscal year 2021 budget. No comments on the budget were received from any member of the public.

**ITEM 6. CLOSE OF HEARING.**

Houdersheldt officially closed the hearing at 7:33 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held August 20, 2020, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Linda L. Luebbe, Secretary

:ndb
MINUTES
BOARD OF DIRECTORS MEETING
August 20, 2020

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 20, 2020 at 7:33 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, John Bush, Kyle Yrkoski, Josh Bowers of York County NRCS, Jeff Wusk and Kyle Vnoucek representing Geneva Boys Pond, and Kendall Siebert.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors’ meeting on August 13, 2020 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during the roll call.

ITEM 4. ADOPTION OF AGENDA.

It was moved by Rich and seconded by Bethune to approve the agenda for the August 20, 2020 board of directors meeting as presented. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None

ITEM 5. APPROVAL OF MINUTES OF THE JULY 23, 2020 BOARD OF DIRECTORS MEETING.

It was moved by Miller and seconded by Rich to approve the minutes of the July 23, 2020 Board of Directors meeting. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None
ITEM 6. ADOPTION OF FISCAL YEAR 2021 BUDGET.

A separate hearing for the proposed fiscal year 2021 budget was held on August 20, 2020 beginning at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. The required Notice of Budget Hearing and Budget Summary was published on August 11, 2020 in the York News-Times.

The proposed budget was reviewed during the hearing. No one present had comments or questions regarding the adoption of the budget.

It was moved by Dickinson and seconded by Moore to adopt the FY2021 Budget as presented. The motion was approved.

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

NAY: None

ITEM 7. STAFF RECOGNITION.

John Bush, water resources technician, was recognized by the board for 10 years of service to the District. Kyle Yrkoski was recognized for 5 years of service. Kyle worked as a water resources technician for four and a half years, before being promoted to his current position as district forester.

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

Kuehner reported that the Water & Regulations Committee met August 11, 2020 and presented the committee’s recommendations.

ITEM 9. DISTRICT RULE 5 CHANGES.

Krausnick reviewed the draft changes to District Rule 5 – Groundwater Management Area #1 and #2 with the Water and Regulations Committee. The draft changes add a definition for nitrification inhibitors listing nitropyrin, pronitridine, or dicyandiamide as approved active nitrification inhibiting ingredients. It also cleans up grammatical errors, removes language pertaining to the use of nitrification inhibitors district-wide, and the requirement for split nitrogen applications in Phase II and III Management Areas.

It was moved by Kuehner and seconded by Yates to approve the proposed changes to District Rule 5 – Groundwater Management Area #1 & #2 with an effective date of November 1, 2020. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Weiss, Yates

NAY: Bruns, Luebbe, Stahly, Volkmer

ITEM 10. BEEHIVE 2.0 SCOPE OF WORK.
Krausnick reviewed the scope of work for phase 2 of online producer input using Beehive Coreweb with the Water and Regulations Committee. Funding is included in the FY21 budget to complete the migration of the existing Beehive database to version 2.0. Version 2.0 includes the development of a mobile interface for producer online input, a new level of account management for online users that allows one account to be created to access all related persons in Beehive, and a new staff user interface.

It was moved by Kuehner and seconded by Rich to approve the scope of work for phase 2 of online producer input. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Houdersheldt, Moore, Nuss, Rich, Robotham, Stahly, Yates  
NAY: Bohaty, Bruns, Kuehner, Luebbe, Miller, Volkmer, Weiss

**ITEM 11. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.**

Five Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling $3,284.66.

It was moved by Kuehner and seconded by Luebbe to make cost-share payments for five well abandonments, as reviewed by the Committee, at a cost of $3,284.66. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates  
NAY: None

**ITEM 12. FLOWMETER REPAIR COST SHARE PAYMENTS.**

Two flow meter repair cost-share applications have been approved for final payments totaling $300.00.

It was moved by Kuehner and seconded by Stahly to pay two flow meter repair cost-share claims totaling $300.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates  
NAY: None

**ITEM 13. ON-FARM RESEARCH PARTNERSHIP PAYMENT.**

One invoice for the On-Farm Research Partnership Program has been received from Justin Goertzen totaling $426.00. The program allows for reimbursement up to $300.00 for the cost of soil, water, and plant tissue sample analysis as a participant in UNL On-Farm Research Program.

It was moved by Kuehner and seconded by Yates to reimburse Justin Goertzen $300.00 for soil analysis expenses as part of the UNL On-Farm Research Program. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates  
NAY: None
ITEM 14. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on August 13, 2020 and presented the committee’s recommendations.

ITEM 15. GENEVA BOYS POND ASSISTANCE REQUEST.

Jeff Wusk from Geneva gave a presentation on planned maintenance and upgrades to the Geneva Boys Pond. The City owns the ground and the Geneva Fire Department does much of the maintenance. Planned improvements include removing silt from the existing pond and expanding the pond to the south. Facilities to be added include extending the concrete path, adding a new picnic shelter, a fishing dock, a fishing pier, and possibly a basketball court. Geneva has been discussing these improvements with the Nebraska Game and Parks Commission. Geneva requested technical and financial assistance from the NRD. Through the NRD Parks Program, the NRD offers financial assistance to communities for the development or improvement of natural resources in nature areas, campgrounds, and park facilities. The NRD can provide 25% of local cost-share assistance not to exceed $10,000.

It was moved by Robotham and seconded by Rich that the Upper Big Blue NRD enter into an interlocal agreement with the City of Geneva to provide technical assistance and 25% of local cost-share, not to exceed $7,500.00, to the City for planned improvements to the Geneva Boys Pond, as recommended by staff and reviewed by the Committee.

It was moved by Moore and seconded by Luebbe to amend the motion to include July 1, 2022 as the termination date for the interlocal agreement. The amendment carried.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None

It was moved by Bohaty and seconded by Rich to amend the motion to increase the cost-share not to exceed $10,000. The amendment carried.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None

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

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss
NAY: None
NOT VOTING: Yates

ITEM 16. SMITH CREEK RECREATION AREA – WATER AND POWER TO SITE.
Staff presented cost estimates submitted by contractors to bring power to Smith Creek, install a well, a water line and ADA compliant hydrant, a security light with room for a warning siren, and electrical service to the well, light, and the picnic shelter. Quotes submitted are estimates and may change as facilities are set in the field.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD proceed with the low quotes for bringing power to Smith Creek Recreation Area, installing a well, water line with ADA compliant hydrant, pole with security light, outlets on picnic shelter, and all electrical work, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None

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

Miller reported that the Executive Committee met on August 13, 2020 and presented the committee’s recommendations.

ITEM 18. 2020 PRIMARY ELECTION COSTS.

The Butler County Clerk invoiced the District $751.39 for primary election costs.

It was moved by Miller and seconded by Yates to approve payment of $751.39 to the Butler County Clerk for 2020 primary election costs. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None

ITEM 19. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS FY21 DUES.

An invoice for $35,488.00 was received from NARD for the FY 21 dues.

It was moved by Miller and seconded by Luebbe to approve payment of $35,488.00 to the NARD for the FY 21 dues. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None

ITEM 20. NEBRASKA WATER LEADERS ACADEMY SPONSORSHIP PROGRAM.

Staff reviewed a proposal for the Upper Big Blue NRD sponsorship of the Nebraska Water Leaders Academy. The Executive Committee was provided a draft of the proposal in July. The committee made no suggested changes to the proposal.
It was moved by Miller and seconded by Dickinson to adopt the Upper Big Blue NRD sponsorship program for the Nebraska Water Leaders Academy as outline in the attached proposal. Sponsorships will be available for the 2021 Academy. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss
NAY: Yates

ITEM 21. QUOTES FOR CONCRETE REPLACEMENT.

The Executive Committee was updated on several building issues. Three quotes were received for removing and re-pouring the concrete around the north entry doors. The existing concrete has settled causing the grade to tilt toward the building allowing water to pond against the building and leak into the basement.

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dan’s Construction</td>
<td>3016 Division Ave., York, NE</td>
<td>$8,000</td>
</tr>
<tr>
<td>Tom’s Construction</td>
<td>1422 Michigan, York NE</td>
<td>$9,636</td>
</tr>
<tr>
<td>Schoch Concrete Construction</td>
<td>P.O. Box 12, Benedict, NE</td>
<td>$10,580</td>
</tr>
</tbody>
</table>

The Executive Committee recommendation to the board was to accept the low quote of $8,000 from Dan’s Construction for the removal and re-pouring of the north patio on the north side of the building with work is to be completed prior to November 1, 2020.

The assistant manager, Rodney Verhoeff, was asked to check with Dan’s construction to ensure the work could be completed prior to November 1, 2020.

Verhoeff informed the board that when he contacted Dan’s Construction following the committee meeting Dan emphatically stated he could not complete this project by that time because he had taken on several new, large jobs. Dan did not offer any timeframe as he felt he was too booked up at this time to commit to the project. Based on this information Verhoeff recommended to the board they consider accepting the second lowest bid from Tom’s Construction for $9,636 with the original November 1, 2020 completion date.

It was moved by Miller and seconded by Dickinson to accept the quote from Tom’s Construction for the removal and re-pouring of the north patio on the north side of the building, at a cost not to exceed $9,636. Work is to be completed prior to November 1, 2020. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: Bethune, Rich

Eigenberg reviewed the financial report for the period July 1, 2020 to July 31, 2020 that was distributed. It was moved by Volkmer and seconded by Yates to approve the financial report for July 2020 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None

ITEM 23. MOTION TO ADJOURN.

It was moved by Bethune and seconded by Dickinson to adjourn the meeting at 8:21 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held August 20, 2020, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Linda L. Luebbe, Secretary
MINUTES
FISCAL YEAR 2021 TAX REQUEST HEARING
September 17, 2020

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 17, 2020 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request.

Directors present were Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Kendall Siebert, Josh Bowers of York County NRCS, and Kyle Overturf of AMGL.

ITEM 1. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 2. PUBLIC NOTICE OF TAX REQUEST HEARING.

Houdersheldt stated for the record that the Notice of Special Hearing to Set Final Tax Request was published in the York News-Times on September 9, 2020.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during the roll call.

ITEM 4. REQUEST FOR EXCUSED ABSENCE.

Jeff Bohaty requested an excused absence from the FY21 Tax Request Hearing.

It was moved by Kuehner and seconded by Volkmer to excuse the absence of Bohaty from the September 17, 2020 fiscal year 2021 tax request hearing. The motion was approved.

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

ITEM 5. FISCAL YEAR 2021 TAX REQUEST.
Houdersheldt asked general manager David Eigenberg to review the property tax request and proposed tax rate for fiscal year 2021. Eigenberg reviewed the valuations for the portions of nine counties within the Upper Big Blue NRD. The total valuation was $14,951,779,871, which was a decrease of $77,970,126 from the prior fiscal year, or just slightly over one-half percent. The property tax needed to fund the FY 21 budgeted expenditures is $3,442,206.43 which will require a property tax rate of .023022 to fund the budget. The board will need to adopt a resolution following this hearing to set the levy.

ITEM 6. PUBLIC COMMENTS.

Houdersheldt asked the members of the public who were present if they had any questions or comments regarding the proposed tax request for fiscal year 2021. No comments were received.

ITEM 7. CLOSE OF HEARING.

Houdersheldt officially closed the hearing at 7:35 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 September 17, 2020, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

__________________________________________
Linda L. Luebbe, Secretary

:ndb
MINUTES
BOARD OF DIRECTORS MEETING
September 17, 2020

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 17, 2020 at 7:36 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Josh Bowers of York County NRCS, Kendall Siebert, and Kyle Overturf with the accounting firm AMGL.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors’ meeting on September 10, 2020 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUEST FOR EXCUSED ABSENCE.

Jeff Bohaty requested an excused absence from the September 17, 2020 board of directors meeting.

It was moved by Volkmer and seconded by Dickinson to excuse the absence of Bohaty from the September 17, 2020 board of directors meeting as requested. The motion was approved.

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

ITEM 5. ADOPTION OF AGENDA.
It was moved by Rich and seconded by Stahly to approve the agenda for the September 17, 2020 board of directors meeting as presented. The motion was approved.

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

ITEM 6. APPROVAL OF MINUTES OF THE FY 2021 BUDGET HEARING.

It was moved by Miller and seconded by Yates to approve the minutes of the FY 2021 budget hearing. The motion was approved.

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

ITEM 7. APPROVAL OF MINUTES OF THE AUGUST 20, 2020 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Bruns to approve the minutes of the August 20, 2020 board of directors meeting. The motion was approved.

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

ITEM 8. ADOPTION OF RESOLUTION TO SET FY 2021 TAX REQUEST.

A separate hearing for the proposed fiscal year 2021 tax request was held on September 17, 2020 beginning at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. The required notice of special hearing to set final tax request was published on September 9, 2020 in the York News-Times. The tax request was reviewed during the hearing.

Miller read the following resolution required to set the tax request.

RESOLUTION SETTING THE FISCAL YEAR 2021 PROPERTY TAX REQUEST

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the governing body of the Upper Big Blue Natural Resources District passes by a majority vote a resolution setting the tax request; and

WHEREAS, a special public hearing was held on September 17, 2020 as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the governing body of the Upper Big Blue Natural Resource District resolves that:
1. The Fiscal Year 2021 property tax request be set at $3,442,206.43.

2. The total assessed value of property differs from last year’s total assessed value by a decrease of 1%.

3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be $0.025116 per $100 of assessed value.

4. The Upper Big Blue Natural Resources District proposes to adopt a property tax request that will cause its tax rate to be $0.023022 per $100 of assessed value.

5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the Upper Big Blue Natural Resources District will decrease from last year’s proposed operating budget by 8%.

6. A copy of this resolution shall be certified and forwarded to the County Clerk on or before October 13, 2020.

It was moved by Miller and seconded by Dickinson to adopt the Resolution to set the FY2021 Tax Request. The motion was approved.

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

NAY: None

NOT PRESENT: Bohaty

ITEM 9. FISCAL YEAR 2020 AUDIT.

Kyle Overturf of AMGL presented the FY20 audit to the board. He summarized the Independent Auditor’s Report, specifically the audit opinion which stated that the financial statements were free of materials misstatements and there were no issues. He said it is the highest level of assurance that you can get from an outside accounting firm.

He discussed the Management’s Discussion and Analysis section. One of the key points was that the NRD paid off the mortgage note payable of $1,138,868 to Cornerstone Bank, so liabilities were down about 1.1 million dollars. Total assets were down approximately $300,000 so effectively the net position was up a little over $800,000. He pointed out that of the District’s sources of revenue almost 86% comes from property taxes. He said that the fund balance in the General Fund was 42.8% of the General Fund expenditures for June 2020 year end; or about 5 months cash. The majority of the NRDs property tax collections come in every 6 months so that is an appropriate amount of cash to have on hand.

It was moved by Miller and seconded by Dickinson to accept the FY 2020 audit as presented. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
ITEM 10. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Water & Regulations Committee met September 8, 2020 and presented the committee’s recommendations.

ITEM 11. WATER QUALITY MANAGEMENT PLAN – STAKEHOLDER PROJECT GRANT APPLICATION.

Krausnick presented a Project Implementation Plan (PIP) document to the Water Committee. The PIP is a grant application to the Environmental Protection Agency (EPA) for Federal 319 funding for stakeholder work in the Priority and Special Priority Areas from the Water Quality Management Plan. A contract for facilitation services from JEO was also presented to the committee for their consideration. No action was taken on the facilitation contract.

It was moved by Kuehner and seconded by Volkmer to forward the Project Implementation Plan to the Environmental Protection Agency for funding consideration. The motion was approved.

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

ITEM 12. BEEHIVE ANNUAL MAINTENANCE AGREEMENT PAYMENT.

An invoice was received from Beehive Industries for the annual license renewal totaling $25,740.00. The annual agreement covers technical support, data hosting, and user licenses.

It was moved by Kuehner and seconded by Rich to approve payment of $25,740.00 for Beehive’s annual license renewal. The motion was approved.

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

ITEM 13. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Six Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments, totaling $2,486.75.

It was moved by Kuehner and seconded by Yates to make cost-share payments for six well abandonments, as reviewed by the Committee, at a cost of $2,486.75. The motion was approved.
ITEM 14. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Brown and Caldwell are continuing their work on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed during July totaling $22,195.00. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the other three basin districts and the Nebraska Department of Natural Resources.

It was moved by Kuehner and seconded by Stahly to pay Brown & Caldwell for work completed for the month of July totaling $22,195.00. The motion was approved.

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

ITEM 15. WATER ACCOUNTING SOFTWARE PROJECT UPDATE AND PAYMENT.

An invoice has been received from Olsson for work on the water accounting platform totaling $46,417.38. This project is partially funded through the Water Sustainability Fund. The District is responsible for payments to Olsson. The District will request reimbursement from the Nebraska Department of Natural Resources for 60% of the project through the Water Sustainability Fund agreement.

It was moved by Kuehner and seconded by Volkmer to pay Olsson for work done to date on the Water Accounting Software totaling $46,417.38. The motion was approved.

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

ITEM 16. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on September 10, 2020 and presented the committee’s recommendations.

ITEM 17. LAND TREATMENT PROGRAM PAYMENT.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD approve payment of $2,462.68 for one completed NSWCP Land Treatment application, as recommended by staff and
ITEM 18. NEBRASKA BUFFER STRIP PROGRAM FIRST QUARTER PAYMENT.

It was moved by Robotham and seconded by Luebbe that the Upper Big Blue Natural Resources District approve first quarter payment totaling $225.00 for one Nebraska Buffer Strip contract, as recommended by staff and reviewed by the Committee. The motion was approved.

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

ITEM 19. PRIVATE DAMS PROGRAM PAYMENT - DWAIN KUBICEK.

Work on the Kubicek Dam has been completed at a total cost of $71,156.03. Dwaine Kubicek and the NRCS have signed off on the project as completed as designed. Under the Private Dams Program, the cost share rate is 75%, not to exceed $50,000.00.

It was moved by Robotham and seconded by Yates that the Upper Big Blue Natural Resources District approve payment of $50,000.00 to Dwaine Kubicek for the Kubicek Dam construction under the Private Dams Program, as recommended by staff and reviewed by the Committee. The motion was approved.

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

ITEM 20. BEAVER CROSSING PARKS RESTROOM PROJECT.

In December of 2018, the NRD Board approved financial assistance of $5,000.00 from the FY2019 budget and an additional $5,000.00 from the FY2020 budget to Beaver Crossing for improvements to the restroom/snack shack in the Village park. Staff contacted the Village Clerk in April of 2020 and at that time no work had been done on the project. The NRD and the Village did not have an interlocal agreement, and because the approval for funding was tied to prior fiscal years, staff informed Beaver Crossing that they would need to be re-approved for funding assistance. Jere Leif and Terry Barth, representing Beaver Crossing, gave an update on the work. There were no ball games this summer due to COVID-19, so the City Council decided this summer was a good time to begin working on the project. Work started in June of 2020, and to date the Village has completed approximately 80% of the project and invested approximately $70,000.00. Most of the work was completed with volunteer labor and funding for this project is the result of fund raisers and donations. Total project costs are estimated to be $80,000.00. Work remaining includes painting, window installation, plumbing fixtures, concrete
sidewalks, and final electrical work. Jere Leif thought that the project would be completed in 30-45 days. He and Terry Barth expressed their appreciation for the NRD’s assistance with rebuilding the park since the 2014 tornado.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD provide 25% of local cost-share assistance, not to exceed $10,000, to the Village of Beaver Crossing for improvements on the park restroom/snack shack project, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bruns, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt
NAY: Bethune, Weiss
NOT VOTING: Dickinson, Kuehner
NOT PRESENT: Bohaty

ITEM 21. LITTLE BLUE NRD AND LOWER BIG BLUE NRD ALL-HAZARDS MITIGATION PLAN – INTERLOCAL AGREEMENT.

The Little Blue NRD has written an interlocal agreement with the UBBNRD for updating the nine county All-Hazards Mitigation Plan which includes 3 NRDS (Little Blue, Lower Big Blue, and Upper Big Blue), and nine counties (Adams, Clay, Fillmore, Gage, Jefferson, Nuckolls, Saline, Thayer, and Webster). Little Blue NRD has entered into an agreement with JEO Consulting Group for updating this plan. Estimated cost is $200,000 with a federal grant providing $150,000. Each NRD and County is to provide $4,166.67 of cash or in-kind service for this plan update. It will be dependent upon the costs whether the UBBNRD will need to provide funds or in-kind services. In 2010 the UBBNRD provided $3,000 of funding assistance for this plan, and in 2015 the UBBNRD agreed to provide $3,383.33 in cash or in-kind services, but upon completion of that update no payment was necessary.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD enter into an Interlocal Agreement with the Little Blue NRD, the Lower Big Blue NRD, and nine counties (Adams, Clay, Fillmore, Gage, Jefferson, Nuckolls, Saline, Thayer, and Webster) for the update of the All-Hazards Mitigation Plan for the nine county area, which each NRD and County agrees to provide $4,166.67 of cash or in-kind services, as recommended by staff and reviewed by the Committee. The motion was approved.

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

ITEM 22. OXBOY TRAIL – WATER AND POWER TO SITE.

Staff presented cost estimates submitted by contractors for bringing power to Oxbow Trail, installing a domestic well, a water line and ADA compliant hydrant, a security light with room for a warning siren, and electrical service to the well, light, and the picnic shelter. Quotes submitted are estimates and costs may change as facilities are set in the field. Staff confirmed with Butler Public Power District that the
buried power line from the road to the recreation area will allow for future upgrades, such as a day use area and RV park, if the NRD chooses to add these facilities in the future. This would be similar to the setup at Bruce Anderson Recreation Area (Recharge Lake) where the buried line runs from the overhead line north of the entrance to near the entrance of the RV area.

It was moved by Robotham and seconded by Stahly that the Upper Big Blue NRD proceed with the low quotes for bringing power to Oxbow Trail Recreation Area, installing a domestic well, water line with ADA compliant hydrant, pole with security light, outlets on picnic shelter, and all electrical work, as recommended by staff and reviewed by the Committee.

After some discussion it was moved by Bethune and seconded by Bruns to amend the motion to not exceed $45,000. The amendment failed.

AYE: Bethune, Bruns, Eberle, Kuehner, Moore, Robotham, Stahly
NOT PRESENT: Bohaty

The question was called on the original motion. The motion was approved.

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

ITEM 23. FRIESEN DAM – ADJACENT CULVERT REPAIR PROJECT – PIPE JACKING QUOTE.

Staff received a quote from Horizontal Boring & Tunneling of Exeter for jacking a 16” steel pipe adjacent to the 15” CMP culvert east of Friesen Dam. The quote will also include grouting the old culvert shut and if needed, pumping costs to lower the upstream water levels. This culvert is part of the Friesen Dam emergency spillway operation.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD accept the quote totaling $31,592.00 from Horizontal Boring & Tunneling Co. of Exeter for furnishing and boring/installing 128 feet of 16” x .312” wall Steel Pipe, filling existing CMP with grout, and pumping upstream water if needed east of Friesen Dam, as recommended by staff and reviewed by the Committee. The motion was approved.

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

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

Miller reported that the Executive Committee met on September 10, 2020 and presented the committee’s recommendations.

ITEM 25. NARD LEGISLATIVE RESOLUTION.
NARD Resolution 2020-1 – Extreme Weather Event or Climate Change Action Plan. Submitted by the Lower Platte South NRD. This resolution supports legislation for the development of an evidence-based, data-driven, strategic action plan to provide methods for adapting to and mitigating the impacts of extreme weather events or climate change. The consensus and recommendation of the Executive Committee was to oppose this resolution.

It was moved by Miller and seconded by Yates to oppose NARD Resolution 2020-1 – Extreme Weather Event or Climate Change Action Plan, Submitted by the Lower Platte South NRD with 1 yes and 4 no votes at the upcoming NARD business meeting. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Miller, Rich, Stahly, Volkmer, Weiss, Yates
NAY: Kuehner, Luebbe, Nuss, Robotham, Houdersheldt
NOT VOTING: Moore
NOT PRESENT: Bohaty


Eigenberg reviewed the financial report for the period August 1, 2020 to August 31, 2020 that was distributed. He advised the board that Paul Bethune submitted NADC Form C-3 Contractual Interest Statement disclosing that he made repairs to one of the offices totaling $103.96, for which he submitted an invoice. It was moved by Volkmer and seconded by Yates to approve the financial report for August 2020 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

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

ITEM 27. MOTION TO ADJOURN.

It was moved by Miller and seconded by Bethune to adjourn the meeting at 9:16 p.m. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None
NOT VOTING: Bohaty

NOT PRESENT: Bohaty

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held September 17, 2020, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered.
later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Linda L. Luebbe, Secretary

:ndb
MINUTES
BOARD OF DIRECTORS MEETING
October 15, 2020

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 15, 2020 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Kendall Siebert, Tim Horst of Ducks Unlimited, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors’ meeting on October 8, 2020 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call. Moore arrived a short time later.

ITEM 4. ADOPTION OF AGENDA.

It was moved by Rich and seconded by Volkmer to approve the agenda for the October 15, 2020 board of directors meeting as presented. The motion was approved.

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

ITEM 5. APPROVAL OF MINUTES OF THE FY 2021 TAX REQUEST HEARING.

It was moved by Yates and seconded by Rich to approve the minutes of the FY 2021 tax request hearing. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt
ITEM 6. APPROVAL OF MINUTES OF THE SEPTEMBER 17, 2020 BOARD OF DIRECTORS MEETING.

It was moved by Stahly and seconded by Volkmer to approve the minutes of the September 17, 2020 board of directors meeting. The motion was approved.

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

ITEM 7. EMPLOYEE RECOGNITION.

Jack Wergin was recognized for 5 years for service as the district’s engineer and Projects Department Manager.

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

Kuehner reported that the Water & Regulations Committee met October 6, 2020 and presented the committee’s recommendations.

ITEM 9. GROUNDWATER TRANSFER AUTHORIZATION REQUEST - BEN UNDERWOOD.

Ben Underwood, Ryan Underwood, and Molly Underwood Niazi have purchased property in the SE ¼ of Section 18-T09N-R01W and applied for a well construction permit to irrigate 150 acres on the same property. Ben, Ryan, and Molly would like to apply for a groundwater transfer to use the proposed well to irrigate 80 acres in the N ½ SW ¼ of Section 17-T09N-R01W. This transfer fits within the groundwater transfer rules.

It was moved by Kuehner and seconded by Yates to approve groundwater transfer T-104. The motion was approved.

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

ITEM 10. POTENTIAL WATER QUALITY PARTNERSHIP PROJECT WITH UNIVERSITY OF NEBRASKA, LINCOLN.

Dr. Laila Puntel, with University of Nebraska, was on site to present a grant opportunity in partnership with the Upper Big Blue and Tri Basin Natural Resources Districts. The potential project would utilize the
district’s Phase II/III Management Area data coupling it with a benchmarking platform and University of Nebraska Extension to assist with in field trials. The grant application is due on October 16, 2020 and the University is looking for a partnership commitment from the Upper Big Blue Natural Resources District.

It was moved by Kuehner and seconded by Rich to partner with the University of Nebraska on the water quality partnership project grant. The motion was approved.

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

ITEM 11. THE NATURE CONSERVANCY SOIL CARBON PROJECT CONTRACT.

The Nature Conservancy submitted a contract for the board’s consideration to partner in the Resource Conservation Partnership Project soil carbon project. The contract would require district staff to identify and work with area producers through Natural Resources Conservation Service, Environmental Quality Incentives Program to incorporate no-till, diverse crop rotations, and cover crops into their operations. The district would be eligible for salary reimbursement for time spent on the project.

It was moved by Kuehner and seconded by Robotham to approve the contract with The Nature Conservancy for the soil carbon project. The motion was approved.

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

ITEM 12. FLOW METER REPAIR COST-SHARE PAYMENT.

One flow meter repair cost-share application has been approved for final payment, totaling $150.00.

It was moved by Kuehner and seconded by Luebbe to make cost-share payment for one flow meter repair cost-share, as reviewed by the Committee, at a cost of $150.00. The motion was approved.

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

ITEM 13. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Brown & Caldwell are continuing to work on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed during August totaling $32,228.50. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the other three basin districts and the Nebraska Department of Natural Resources.
It was moved by Kuehner and seconded by Rich to pay Brown & Caldwell for work completed for the month of August totaling $32,228.50. The motion was approved.

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

ITEM 14. PHASE II BEEHIVE PRODUCER INPUT PAYMENT.

Beehive Industries is ready to begin work on phase 2 of online producer input and migration to Beehive 2.0. An invoice totaling $10,000.00, 50% of total project cost, has been received. The remaining costs will be invoiced upon completion of the project.

It was moved by Kuehner and seconded by Rich to pay Beehive Industries $10,000.00 to begin work on phase 2 of online producer input and data migration to Beehive 2.0. The motion was approved.

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

ITEM 15. WATER ACCOUNTING SOFTWARE PROJECT UPDATE AND PAYMENT.

Two invoices have been received from Olsson for work completed on the water accounting platform totaling $58,698.53 for work completed in August and September. This project is partially funded through the Water Sustainability Fund. The District is responsible for payments to Olsson. The District will request reimbursement from the Nebraska Department of Natural Resources for 60% of the project through the Water Sustainability Fund agreement.

It was moved by Kuehner and seconded by Nuss to pay Olsson for work completed in August and September on the Water Accounting Platform totaling $58,698.53. The motion was approved.

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

ITEM 16. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on October 8, 2020 and presented the committee’s recommendations.

ITEM 17. POTENTIAL OWNERSHIP OF WETLANDS PROPERTY.
Tim Horst from Ducks Unlimited attended the October 15, 2020 board meeting to answer any questions concerning the gifting of a wetland area to the NRD. The property is approximately 40 acres located in the SE ¼ of the SW ¼ of Section 34, Township 12 North, Range 5 West, in Hamilton County, or approximately 5 miles north of Hampton. Ducks Unlimited sees NRD ownership as a means to keep this area open to the public. In the past month, Ducks Unlimited has removed trees from the property and removed the pond in the northeast corner of the property. Staff showed photos at the Projects & Programs Committee meeting of the wetlands before and after this work had been completed and drone video of the property with the improvements.

**ITEM 18. RECHARGE LAKE – ROCK PURCHASE.**

Staff presented photos of bank erosion areas at Recharge Lake due to high reservoir levels for most of 2019. Rock will be placed along the dam east of the spillway, an area just west of the spillway, and both north and south of the boat dock. Rock will be placed by NRD staff with rented equipment. The estimated cost for 175 tons of rock delivered is $8,872.50.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD purchase 175 tons of rock to be placed along the dam and east shoreline of Recharge Lake, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Houdersheldt
NAY: None
NOT PRESENT: Weiss

**ITEM 19. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.**

Miller reported that the Executive Committee met on October 8, 2020 and presented the committee’s recommendations.

**ITEM 20. DIRECTORS’ THIRD QUARTER PER DIEM & EXPENSES.**

The Executive Committee reviewed the directors’ per diem and expenses for this past quarter. Totals for the third quarter directors’ per diem were $7,980.00 and expenses were $2,547.77 for a total
expenditure of $10,527.77. Individual expense vouchers were available for review.

It was moved by Miller and seconded by Yates to approve payment of third quarter 2020 directors’ per diem of $7,980.00 and expenses of $2,547.77 for a total of $10,527.77, and to publish these approved expenditures in the September 2020 Financial Report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. The motion was approved.

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

ITEM 21. PAYMENT TO AMGL CPAS & ADVISORS FOR FY2020 AUDIT.

An invoice for $8,300.00 was received from AMGL CPAs & Advisors for conducting the FY 2020 Audit.

It was moved by Miller and seconded by Luebbe to approve payment of $8,300.00 to AMGL CPAs & Advisors for conducting the FY 2020 Audit. The motion was approved.

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

ITEM 22. CONSIDERATION OF STATEMENT OF WORK SUPPLEMENTING MEMORANDUM OF AGREEMENT BETWEEN USDA, NRCS AND UBBNRD.

The Executive Committee was provided a copy of the Statement of Work which supplements the Memorandum of Agreement between the NRCS and UBBNRD. No Board comments were received on the Statement of Work during September. The Statement of Work details the working relationship between the parties, providing responsibilities and aligning resources for each party. Management recommended that formal action be taken to accept the Statement of Work.

It was moved by Miller and seconded by Bethune to approve this Statement of Work to supplement the Memorandum of Agreement between the NRCS and UBBNRD; and give the General Manager the authority to sign such document. The motion was approved.

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

ITEM 23. MASTER PLAN AND LONG-RANGE IMPLEMENTATION PLAN.

The Board was provided copies of both the Master Plan and Long-Range Implementation Plan for their review. No Board feedback or suggested changes were received. Staff recommends the Plans be
Approved.

It was moved by Miller and seconded by Dickinson to approve the 2020 editions of the Master Plan and Long-Range Implementation Plan, and to direct staff to provide a copy of the Master Plan to the Nebraska Department of Natural Resources, and copies of the Long-Range Implementation Plan to the Nebraska Department of Natural Resources, the Governor’s Policy Research Office, and the Nebraska Game and Parks Commission. The motion was approved.

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

ITEM 24. FUND RAISING FOR NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS.

In an email received from NARD, it was suggested by the NARD Executive Committee that each NRD consider a contribution to both the NARD and NARD Foundation. Last month, the Executive Committee instructed management to compile a summary of expenses incurred by Upper Big Blue NRD Board members and staff to attend last year’s fall conference. Total expenses exceeded $7,100. Management recommended a $7,000 contribution to NARD in lieu of 2020 Fall Conference registration and expenses.

The committee recommendation was to approve $4,250 be paid the Nebraska Association of Resources Districts, which was the amount of the registrations for last year’s fall conference.

It was moved by Miller and seconded by Yates to approve payment of $4,250 to NARD in lieu of 2020 Fall Conference registration and expenses. The motion was approved.

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


Eigenberg reviewed the financial report for the period September 1, 2020 to September 30, 2020 that was distributed. It was moved by Volkmer and seconded by Bethune to approve the financial report for September 2020 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt
NAY: None
NOT PRESENT: Weiss
ITEM 26. MOTION TO ADJOURN.

It was moved by Volkmer and seconded by Yates to adjourn the meeting at 8:49 p.m. The motion was approved.

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

NAY: None

NOT PRESENT: Weiss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held October 15, 2020, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Linda L. Luebbe, Secretary

:ndb
MINUTES
BOARD OF DIRECTORS MEETING
November 19, 2020

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 19, 2020 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Kendall Siebert, Landrum Neer and Lucy Harrington of Westervelt Ecological Services, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors’ meeting on November 12, 2020 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUEST FOR EXCUSED ABSENCE.

Weiss requested that his absence from the November 19, 2020 board of directors meeting be excused.

It was moved by Luebbe and seconded by Volkmer to excuse the absence of Weiss from the November 19, 2020 board of directors meeting as requested. The motion was approved.

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

ITEM 5. ADOPTION OF AGENDA.
It was moved by Rich and seconded by Robotham to approve the agenda for the November 19, 2020 board of directors meeting as presented. The motion was approved.

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

ITEM 6. APPROVAL OF MINUTES OF THE OCTOBER 15, 2020 BOARD OF DIRECTORS MEETING.

It was moved by Yates and seconded by Stahly to approve the minutes of the October 15, 2020 board of directors meeting. The motion was approved.

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

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Water & Regulations Committee met November 12, 2020 and presented the committee’s recommendations.

ITEM 8. BROWN AND CALDWELL MODELING CONTRACT AMENDMENT.

Brown and Caldwell submitted a contract amendment to extend work on the Blue River Basin Regional Groundwater Model to February 28, 2021. The amendment is not seeking additional funds to complete the project, just added time to deliver a fully calibrated model, provide technical training to use the model, and final report.

It was moved by Kuehner and seconded by Rich to approve the contract amendment with Brown and Caldwell to complete work on the Blue River Basin Regional Groundwater Model. The motion was approved.

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

ITEM 9. WATER QUALITY MANAGEMENT PLAN UPDATE/JEO FACILITATION CONTRACT.

The District has been approved for 319 funding to continue work on the Districts’ water quality management plan. Krausnick and Wergin reviewed the JEO facilitation contract for the Water Quality Management Plan Stakeholder Project. The goal of the project is to identify best management practices that landowners/operators would be most likely to implement. JEO will facilitate three stakeholder
meetings and one public open house. Upon completion, the district intends to apply for further 319 funding to put best management practices on the ground.

It was moved by Kuehner and seconded by Volkmer to approve the contract with JEO for facilitation of the Water Quality Management Plan Stakeholder Project. The motion was approved.

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

ITEM 10. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Seven Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments, totaling $3,750.00.

It was moved by Kuehner and seconded by Luebbe to make cost-share payments for seven well abandonments, as reviewed by the Committee, at a cost of $3,750.00. The motion was approved.

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

ITEM 11. FLOW METER REPAIR COST-SHARE PAYMENT.

One Flow Meter Repair Cost-Share application was approved for final payment, totaling $150.00.

It was moved by Kuehner and seconded by Yates to make cost-share payment for one flow meter repair cost-share, as reviewed by the Committee, at a cost of $150.00. The motion was approved.

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

ITEM 12. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Brown and Caldwell are continuing work on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed during September totaling $27,981.25. As the project lead, the District will cover 100% of the bill to Brown and Caldwell and request reimbursement from the other three basin districts and the Nebraska Department of Natural Resources.

It was moved by Kuehner and seconded by Yates to pay Brown and Caldwell for work completed for the month of September totaling $27,981.25. The motion was approved.
ITEM 13. ON-FARM RESEARCH PARTNERSHIP PAYMENT.

Two invoices for the On-Farm Research Partnership Program has been received from Kendall Siebert totaling $337.75. The Program allows for reimbursement up to $300.00 for the cost of soil, water, and plant tissue sample analysis as a participant in UNL On-Farm Research Program.

It was moved by Kuehner and seconded by Nuss to reimburse Kendall Siebert $300.00 for soil analysis expenses as part of the UNL On-Farm Research Program. The motion was approved.

ITEM 14. UNL WATER SCIENCES LABORATORY PAYMENT – ARSENIC, URANIUM, AND SELENIUM ANALYSIS.

Two invoices have been received from the UNL Water Sciences Laboratory totaling $3,207.60. The Water Sciences Lab processed 72 samples for Arsenic, Uranium, and Selenium.

It was moved by Kuehner and seconded by Volkmer to pay the UNL Water Sciences Laboratory for Arsenic, Uranium, and Selenium sample analysis totaling $3,207.60. The motion was approved.

ITEM 15. PHASE III IRRIGATION WATER SAMPLING UPDATE.

Three producers remain out of compliance for Phase III irrigation water sampling. In accordance with District Rule 4, staff recommends scheduling public hearings for each producer that is out of compliance.

It was moved by Kuehner and seconded by Moore to schedule a public hearing to run in conjunction with the December Board of Directors meeting for producers in violation of the Phase III Management Area irrigation sampling requirement. The motion was approved.
ITEM 16. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on November 12, 2020 and presented the committee’s recommendations.

ITEM 17. STARA DAM PLACEMENT OF ROCK.

The face of the Stara Dam in Butler County has been washing out. Staff has contacted three contractors (Pankoke Construction, Greckel Construction, and Hartmann Construction) to obtain quotes for placing 225 tons of rock along the face of the dam. Pankoke and Hartmann visited the site, but only Pankoke submitted a quote. Greckel and Hartmann said they were too busy and could not get to this project until next year. The engineer’s estimate was $22,000.00. Pankoke submitted a quote of $18,281.25.

It was moved by Robotham and seconded by Yates that the Upper Big Blue NRD accept the quote from Pankoke Construction of $18,281.25 for supplying and placing 225 tons of rock on the face of Stara Dam, as recommended by staff and reviewed by the Committee. The motion was approved.

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

ITEM 18. WESTERVELT REQUEST FOR UPPER BIG BLUE NRD TO HOLD EASEMENT.

Information was presented to the Board on the request from Westervelt Ecological Services to have the Upper Big Blue NRD hold easement on 79 acres of wetland located approximately 1 mile north of Utica (N ⅓ of the NE ¼ of Section 19, T11N, R1E in Seward County). This wetland would be part of a mitigation bank to restore habitat, which offer credits to offset ecological losses that occur in water of the U.S. Wetland, and stream credits allow a client to satisfy their environmental mitigation permit requirements prior to impacting wetlands or waters. Westervelt thought it would be more desirable for a local entity to hold the easement as compared to a federal agency. Landrum Neer and Lucy Harrington of Westervelt Ecological Services were present at the board meeting to provide additional information and to answer questions from the board regarding their request. The Projects and Programs Committee will consider the matter of the easement at their December meeting.

ITEM 19. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on November 12, 2020 and presented the committee’s recommendations.

ITEM 20. PAYMENT TO YORK PRINTING COMPANY FOR THE BLUEPRINT NEWSLETTER.

York Printing Company submitted an invoice in the amount of $7,515.10 for printing the Fall 2020 issue of the BLUEPRINT newsletter.

It was moved by Miller and seconded by Dickinson to approve payment of $7,515.10 to York Printing
Company for printing the Fall 2020 edition of the BLUEPRINT newsletter. The motion was approved.

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

**ITEM 21. TOM’S CONCRETE CONSTRUCTION INVOICE.**

The Executive Committee was informed that the tear out and replacement concrete work in the patio area north of the main office is complete. Tom’s Construction, 1422 Michigan, York, Nebraska was the contractor. An invoice for the original bid of $9,636.00 was received. Additional work over and above the original bid was completed. Tom’s Construction has requested to be compensated an additional $655.00 for extra labor and material. Total amount requested is $10,291.00 for concrete, labor, and materials.

It was moved by Miller and seconded by Nuss to approve payment of $10,291.00 to Tom’s Concrete Construction for the tear out and replacement concrete work in the patio area north of the main office.

It was moved by Bethune and seconded by Yates to divide the question so as to consider separately the part about the additional payment of $655. The motion was approved.

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

The question was called on the motion to pay Tom’s Concrete Construction $9,636.00. The motion was approved.

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

It was moved by Miller and seconded by Bohaty to pay Tom’s Concrete Construction an additional $655.00. The motion was approved.

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

**ITEM 22. PROPOSED REVIEW OF PERSONNEL POLICIES.**

Eigenberg requested permission to have legal counsel provide a review of the Personnel Policies. The Upper Big Blue NRD’s Personnel Policies were originally adopted in 1991. Several in-house revisions
have been made since then, but no legal review has been conducted. Staff has reviewed the current policies and have suggestions on grammar, spelling, and address corrections. Board action would be required before any edits could be made to the policies.

It was moved by Miller and seconded by Yates to have legal counsel provide a review of the personnel policies and instruct staff to incorporate proposed changes into a 2021 version of the Personnel Policies for Board approval. The motion was approved.

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


Eigenberg reviewed the financial report for the period October 1, 2020 to October 31, 2020 that was distributed. It was moved by Stahly and seconded by Rich to approve the financial report for October 2020 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

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

ITEM 24. MOTION TO ADJOURN.

It was moved by Rich and seconded by Yates to adjourn the meeting at 3:51 p.m. The motion was approved.

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

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held November 19, 2020, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.
MINUTES
BOARD OF DIRECTORS MEETING
December 17, 2020

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, December 17, 2020 at 1:40 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Kendall Siebert, Rodney Grotz, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors’ meeting on December 10, 2020 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during roll call.

ITEM 4. ADOPTION OF AGENDA.

It was moved by Rich and seconded by Yates to approve the agenda for the December 17, 2020 board of directors meeting as presented. The motion was approved.

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

NAY: None

ITEM 5. APPROVAL OF MINUTES OF THE NOVEMBER 19, 2020 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Stahly to approve the minutes of the November 19, 2020 board of directors meeting. The motion was approved.

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

NAY: None
ITEM 6. DIRECTOR RECOGNITIONS.

The board and staff recognized three directors who will be leaving the board, having fulfilled their term of office. Each director was presented with a plaque expressing appreciation for their years of dedicated service to the citizens of the District. Merlin Volkmer was recognized for 39 years; Gary Eberle for 23 years and Doug Bruns for 21 years on the board. They will be missed.

ITEM 7. GROUNDWATER QUALITY MANAGEMENT AREA ACTION ON ALLEGED VIOLATION.

The Upper Big Blue NRD held a formal adjudicatory hearing prior to this board meeting to hear the complaint filed by David Eigenberg on behalf of the District against Mitchell Leif. The complaint alleged that the required irrigation water samples from Phase III Groundwater Management Area wells were not submitted as required by the Groundwater Management Area Rules and Regulations. Notice of that hearing was published in the York News-times on November 25, December 3, and December 10, 2020.

It was moved by Rich and seconded by Kuehner to allow Mr. Leif until April 1, 2021 to comply with the Phase III Management Area sampling requirement. Also, this sampling will not be applied to his April 1, 2023 sampling requirement. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

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

Kuehner reported that the Water & Regulations Committee met December 10, 2020 and presented the committee’s recommendations.

ITEM 9. GROUNDWATER TRANSFER AUTHORIZATION WM REGIER FARMS.

WM Regier Farms, represented by Russell Regier, own a property in the NW ¼ of Section 31-T10N-R4W and in the E ½ of Section 36-T10N-R5W in Hamilton County. Russell Regier applied to transfer water from Section 31 to Section 36 to water 14 acres. This transfer fits within the groundwater transfer rules.

It was moved by Kuehner and seconded by Volkmer to approve groundwater transfer T-105. The motion was approved.

NAY: Bethune

ITEM 10. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Six Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling $4,239.54.
It was moved by Kuehner and seconded by Volkmer to make cost-share payments for six well abandonments, as reviewed by the Committee, at a cost of $4,239.54. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

**ITEM 11. FLOWMETER REPAIR COST-SHARE PROGRAM REVIEW.**

Staff reviewed the actual cost to repair a flowmeter in relationship to the cost-share payments received by program applicants. When the program was first initiated the intent was to cover roughly 50% of the cost of flowmeter repairs. Over time, the costs associated with flowmeter repairs have increased to the point that the District program is only covering 20-25% of the cost. Staff recommended increasing the maximum cost-share amount to $300.00, while leaving the percentage at 50% of the total cost.

It was moved by Kuehner and seconded by Rich to increase the flowmeter repair cost-share amount to 50%, not to exceed $300.00. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt
NAY: Bethune, Bohaty, Weiss

**ITEM 12. REGIONAL GROUNDWATER MODELING PAYMENT TO BROWN & CALDWELL.**

Brown and Caldwell are continuing to work on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed during October totaling $6,101.25. As the project lead, the District makes payment to Brown & Caldwell and requests reimbursement from the other three basin districts and the Nebraska Department of Natural Resources.

It was moved by Kuehner and seconded by Robotham to pay Brown & Caldwell for work completed for the month of October totaling $6,101.25. The motion was approved.

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

**ITEM 13. WATER ACCOUNTING PLATFORM UPDATE AND PAYMENT TO OLSSON.**

Olsson and Sitka Technologies have completed work on the water accounting platform. The team hosted a staff training on November 20, 2020. Sitka will remain the webhost of the platform for the next two years as part of the water sustainability contract. Sitka will also provide basic technical support for the staff. An invoice totaling $27,425.24 has been received for work completed through December 5, 2020.

It was moved by Kuehner and seconded by Rich to pay Olsson for work completed through December 5, 2020 on the water accounting platform totaling $27,425.24. The motion was approved.
ITEM 14. ON-FARM RESEARCH PARTNERSHIP PAYMENTS.

Invoices for the On-Farm Research Partnership Program have been received from Jay Goertzen and Lynn Yates totaling $585.26. The Program allows for reimbursement up to $300.00 for the cost of soil, water, and plant tissue sample analysis, as a participant in UNL On-Farm Research Program.

It was moved by Kuehner and seconded by Luebbe to reimburse Jay Goertzen and Lynn Yates for soil and plant tissue analysis expenses as part of the UNL On-Farm Research Program totaling $585.26. The motion was approved.

ITEM 15. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on December 10, 2020 and presented the committee’s recommendations.

ITEM 16. NEBRASKA BUFFER STRIP PROGRAM SECOND QUARTER PAYMENTS.

It was moved by Robotham and seconded by Yates that the Upper Big Blue Natural Resources District approve second quarter payments totaling $4,632.74 for six Nebraska Buffer Strip contracts, as recommended by staff, and reviewed by the Committee. The motion was approved.

ITEM 17. LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Robotham and seconded by Rich that the Upper Big Blue NRD approve payment of $1,698.74 for two completed NSWCP Land Treatment applications, and $2,993.19 for one NRD Land Treatment application, as recommended by staff and reviewed by the Committee. The motion was approved.

ITEM 18. PRIVATE DAMS PROGRAM NEW APPLICATION.
It was moved by Robotham and seconded by Yates that the Upper Big Blue NRD approve a private dam application for Suzanne Johnson located east of McCool in the NE 1/4 of Section 16-T9N-R1W in York County, at a cost estimate range of $15,000 - $35,000 as recommended by staff and reviewed by the Committee. The motion was approved.

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

NAY: None

ITEM 19. FY2021 STORM DAMAGED TREE PROGRAM PAYMENT.

In June of 2020 Marie Krausnick applied for cost-share assistance through the storm damaged tree program. At the July 23, 2020 meeting the board approved her application for cost-share assistance up to $300. In September of 2020 our district forester, Kyle Yrkoski, inspected the plantings and approved payment. On October 15, 2020 payment in the amount of $225.23 was made. Later there was some discussion about whether the board wanted to review and approve the final cost-share amount. It was the board’s decision that they want to approve all cost-share payments. As a result, the following motion was made to retroactively approve the payment to Krausnick.

It was moved by Robotham and seconded by Yates that the Upper Big Blue NRD approve payment of the storm damage tree program application from Marie Krausnick, who planted a maple tree at 205 Beech Ave in York, at a 50% cost-share of $225.23, as recommended by staff and reviewed by the Committee. The motion was approved.

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

NAY: None

ITEM 20. WESTERVELT REQUEST FOR UPPER BIG BLUE NRD TO HOLD WETLAND EASEMENT.

In November, the board received a request from Westervelt Ecological Services to have the Upper Big Blue NRD hold easement on 79 acres of wetland, located approximately 1 mile north of Utica (N ½ of the NE ¼ of Section 19-T11N-R1E in Seward County). One of the terms that the Board had before considering the proposal was that the property be open to public access. Westervelt Ecological Services indicated that they plan to sell a portion of the land on the west end of the property for a home to be built, so not all the 79 acres would be part of the wetland mitigation project. The Board expressed concern that if the wetland portion of the property were open to public access that the proximity to a dwelling could cause issues with hunting on the wetland. The NRCS could hold easement if NRD declines.

It was moved by Robotham and seconded by Weiss that the Upper Big Blue NRD Board not proceed with the request for holding an easement on the potential wetland property located in the N ½ of the NE ¼ of Section 19-T11N-R1E in Seward County, as discussed and reviewed by the Committee. The motion was approved.
ITEM 21. FRIESEN DAM CULVERT REPAIR.

Horizontal Boring & Tunneling completed the project with some minor changes from the quote to the final invoice. Water did not have to be pumped from the inlet which reduced the contract by $800.00. The total steel pipe installed was two feet longer than the original quote which added $458.00, for a total finished price of $31,250.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD approve payment of $31,250.00 to Horizontal Boring & Tunneling for work completed on the culvert adjacent to Friesen Dam, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 22. OXBOW TRAIL SUPPLY WELL.

Staff requested permission to begin soliciting quotes for installing a supply well in the northeast corner of the Oxbow Trail Recreation Area property. Costs would be itemized by well installation, power to site, electrical hookup, pad, pipeline, and fencing. This is in a high-risk water area of the NRD. The Committee recommended having a test well drilled to ensure the supply well could produce enough water.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD solicit bids for a test well and a supply well at the northeast corner of Oxbow Trail Recreation Area and report the results of the test well prior to continuing with the supply well, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: Bohaty

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

Miller reported that the Executive Committee met on December 10, 2020 and presented the committee’s recommendations.

ITEM 24. 2020 PRIMARY ELECTION COSTS.

The Fillmore County Clerk invoiced the District $900.56 for the 2020 primary election costs.

It was moved by Miller and seconded by Luebbe to approve payment of $900.56 to the Fillmore County Clerk for 2020 primary election costs. The motion was approved.
ITEM 25. 2020 GENERAL ELECTION COSTS.

Invoices were received from the Adams County Clerk in the amount of $483.00 and the Fillmore County Clerk in the amount of $3,891.99 for 2020 general election costs.

It was moved by Miller and seconded by Dickinson to approve payments of $483.00 to Adams County and $3,891.99 to Fillmore County for the 2020 general election costs. The motion was approved.

ITEM 26. RESOLUTION RATIFYING ASSIGNMENT OF DIVIDENDS FROM NARD RISK POOL.

May 30, 2020 the NARD and NARD Risk Pool offices were destroyed by fire. In September, the NARD and NARD Risk Pool Boards approved the use of $200,000 from the NARD general operating fund, $100,000 from the NARD Foundation, and $900,000 from the NARD Risk Pool to be used towards the purchase of another building to house the Association and Risk Pool offices. The NARD will borrow the remaining $900,000 for the purchase.

Dean Edson worked with the Nebraska Department of Insurance to make sure the NARD was properly accounting for the $900,000 proceeds under the Nebraska Intergovernmental Risk Act. The NARD Board also wants to properly account for the other funds to eventually pay back all three entities for the contribution made toward the purchase.

The Nebraska Department of Insurance determined that the best way to account for the $900,000 would be to treat the funds as dividends to each district then have each district assign the dividend on the same day to the NARD Foundation for the purpose of buying a building.

On behalf of the Upper Big Blue NRD, NARD Representative Paul Bethune was asked to sign an acknowledgement and attestation form on December 11, 2020 regarding the dividend distribution. Due to time constraints, Director Bethune requested the Executive Committee’s consensus for approval to sign the document and then have the full board ratify his actions.

On December 11, 2020, the NARD Intergovernmental Risk Management Pool Association board declared a dividend be issued December 28, 2020 totaling $900,000 to be evenly distributed to the 23 Natural Resources Districts with the intention that the Districts will ratify and assign their full portion of the dividend to the NARD.

A copy of both the acknowledgment and attestation form and the resolution are attached to these minutes.
It was moved by Miller and seconded by Yates to approve authority to sign attached resolution. The motion was approved.

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

NAY: None


Eigenberg reviewed the financial report for the period November 1, 2020 to November 30, 2020 that was distributed. It was moved by Stahly and seconded by Nuss to approve the financial report for November 2020 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

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

NAY: None

NOT PRESENT: Bohaty

ITEM 28. MOTION TO ADJOURN.

It was moved by Volkmer and seconded by Eberle to adjourn the meeting at 3:04 p.m. The motion was approved.

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

NAY: None

NOT PRESENT: Bohaty

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held December 17, 2020, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Linda L. Luebbe, Secretary

:ndb

Attachments (2)
MINUTES
BOARD OF DIRECTORS MEETING
January 21, 2021

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 21, 2021 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Houdersheldt reported that we published the legal notice of the board of directors’ meeting on January 14, 2021 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during roll call.

ITEM 4. ADOPTION OF AGENDA.

It was moved by Rich and seconded by Yates to approve the agenda for the January 21, 2021 board of directors meeting as presented. Motion approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt
NAY: None

ITEM 5. APPROVAL OF MINUTES OF THE DECEMBER 17, 2020 BOARD OF DIRECTORS MEETING.

It was moved by Yates and seconded by Robotham to approve the minutes of the December 17, 2020 board of directors meeting. Motion approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt
NAY: None
ITEM 6. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Water & Regulations Committee met January 14, 2021 and presented the committee’s recommendations.

ITEM 7. MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM APPLICATION MCCOOL JUNCTION.

Due to elevated nitrate levels in the Village’s municipal wells, the Village has decided to construct a new well to supply potable water to its residents. The Village has applied to the District to assist in the construction of the well. Since the Village received funds through this program within the last five years, the maximum funding they can receive is $41,650.00. The total project cost is $848,500.00.

Moved by Rich seconded by Yates to enter into an agreement with the Village of McCool Junction for the construction of a new municipal well at 25% of the local share not to exceed $41,650.00. Motion approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates, Houdersheldt
NAY: Weiss

ITEM 8. PILOT REVERSE OSMOSIS PROGRAM.

The Water and Regulations Committee discussed the draft pilot reverse osmosis program. Questions arose concerning responsibility for system maintenance and demand for the program. The Committee recommended that the district not proceed with developing a program.

Moved by Rich seconded by Stahly to discontinue discussions on a pilot reverse osmosis program. Motion approved.

AYE: Bethune, Dickinson, Grotz, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt
NAY: J. Bohaty, R. Bohaty, Kuehner, Nuss, Siebert

ITEM 9. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Krausnick informed the Committee that well abandonment assistance requests have exceeded the program budget for fiscal year 2021 by approximately $15,000. Krausnick requested that an additional $20,000 be authorized for the program. Sufficient funds remain in her department budget to allow this additional expenditure and not exceed her overall budget. The Water and Regulations Committee recommended that staff be allowed to exceed the well abandonment line item by $20,000.

Moved by Rich seconded by Robotham to exceed the AQWACAP budget by $20,000.00 for FY21. Motion approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt
Eleven Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payment, totaling $8,086.78.

Moved by Rich seconded by Nuss to make cost-share payments for eleven well abandonments, as reviewed by the Committee, at a cost of $8,086.78. Motion approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt
NAY: None

ITEM 10. CHEMIGATION PROGRAM SUMMARY AND PAYMENT – NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY (NDEE).

The District processed 245 new and 1,482 renewal chemigation permits in 2020. The District’s owes NDEE $4,189.00 for their share of the permit fees.

Moved by Rich seconded by Luebbe to pay the NDEE their share of the chemigation fees for 2020 totaling $4,189.00. Motion approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates, Houdersheldt
NAY: Weiss

ITEM 11. REGIONAL GROUNDWATER MODELING PAYMENT BROWN & CALDWELL.

Work continues on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed during November totaling $41,824.50. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the other three basin districts and the Nebraska Department of Natural Resources.

Moved by Rich seconded by Yates to pay Brown & Caldwell for work completed for the month of November totaling $41,824.50. Motion was approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt
NAY: None

ITEM 12. WATER QUALITY MANAGEMENT PLAN (WQMP) STAKEHOLDER PAYMENT – JEO ENGINEERING.
JEO Engineering has facilitated the first of three stakeholder meetings in conjunction with continuing implementation of the Districts WQMP. JEO Engineering has submitted an invoice totaling $3,345.00 for work completed through December 18, 2020.

Moved by Rich seconded by Stahly to pay JEO Engineering for work completed through December 18, 2020, totaling $3,345.00, for the facilitation of stakeholder meetings surrounding continued implementation of the Districts WQMP. Motion approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt
NAY: None

ITEM 13. ARSENIC, URANIUM, AND SELENIUM ANALYSIS PAYMENT – WATER SCIENCES LABORATORY.

An invoice was received from the Water Sciences Laboratory totaling $2,284.20. The Water Sciences Lab processed 47 samples for Arsenic, Uranium, and Selenium.

Moved by Rich seconded by Luebbe to pay the Water Sciences Laboratory for Arsenic, Uranium, and Selenium sample analysis totaling $2,284.20. Motion approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt
NAY: None

ITEM 14. PHASE II AND III REPORTING UPDATE.

There are 28 producers out of compliance for not reporting their 2020 Phase II and III Management Area practices. They have been issued complaints and violations according to our rules and regulations. Staff recommends scheduling public hearings to coincide with the February board of directors meeting.

Moved by Rich seconded by Yates to schedule public hearings for the 28 producers out of compliance for Phase II and III Management Area Reporting. Motion approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt
NAY: None

ITEM 15. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on January 14, 2021 and presented the committee’s recommendations.

ITEM 16. TREATMENT PROGRAM PAYMENTS.

Moved by Robotham seconded by Nuss that the Upper Big Blue NRD approve payment of $40,847.38 for six completed NSWCP land treatment applications, as recommended by staff and reviewed by the
ITEM 17. BEAVER CROSSING PARK RESTROOM AND SNACK SHACK PAYMENT.

The Upper Big Blue NRD has an interlocal Agreement with Beaver Crossing for the construction of a Park Restroom and Snack Shack. Through this Interlocal Agreement, the NRD agreed to provide 25% of the local cost not to exceed $10,000.00. Beaver Crossing has completed the work on the facility. Total construction costs were $82,930.32, and Beaver Crossing contributed 595 hours of volunteer work. Twenty-five percent of $82,930.32 is $20,732.58 but the NRD contribution would not exceed $10,000.00.

Moved by Robotham seconded by Luebbe that the Upper Big Blue NRD approve payment of $10,000.00 to Beaver Crossing for work completed on the Park Restroom / Snack Shack as outlined in the Interlocal Agreement, and as recommended by staff and reviewed by the Committee. Motion approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt
NAY: None

ITEM 18. OXBOX TRAIL SUPPLY WELL.

Staff provided three quotes for the supply well at the northeast corner of Oxbow Trail Recreation Area. Quotes received were Sargent Drilling of Geneva - $62,654.88; Volzke Corp Irrigation Well Drilling of Utica - $57,444.12; and Grosch Irrigation Drilling & Exploring of Silver Creek - $53,907.10. The actual cost of the well could be lower or higher depending on the site conditions. The well driller would provide an estimate of the well capacity upon completion of the test hole. The target flow from the well is 800 gallons per minute. Other costs include Butler Public Power District bringing 3 phase power from the north at an estimated cost of $12,875.00, and Klement Electric hooking up the power to the well at an estimated cost of $5,000.00. Additional costs would include building a 1-foot pad in the well location, fencing around the well, and digging a channel from the well to the existing channel.

Moved by Robotham seconded by Nuss that the Upper Big Blue NRD approve the low well quote from Grosch Irrigation, Drilling, and Exploring of Silver Creek, for $53,907.10, approve Butler Public Power District to bring 3 phase power to the site (estimated cost of $12,875.00), and Klement Electric to hook up power to the well for $5,000.00, with a total project costs not to exceed $110,000.00, as recommended by staff and reviewed by the Committee. Motion failed.

AYE: Bethune, Dickinson, Miller, Moore, Nuss, Rich, Robotham, Houdersheldt
NAY: J. Bohaty, R. Bohaty, Grotz, Kuehner, Luebbe, Siebert, Stahly, Weiss, Yates

ITEM 19. CXT VAULT RESTROOMS – OXBOX TRAIL & SMITH CREEK.
Staff presented estimated costs for replacing the existing vault restrooms at Smith Creek and Oxbow Trail Recreation Areas. Total cost estimate was $70,000 for each site and included a CXT Double Rocky Mountain Vault Restroom with chase, removal of existing vault, site prep, backfill, sidewalks, and an ADA parking stall. Turnaround time from the initial order to delivery of the CXT vault restroom is 90-120 days. Initial quotes from CXT were $48,464.00 for Smith Creek and $48,714.00 for Oxbow Trail for a Double Rocky Mountain Vault Restroom with electrical package (which provides lights). Final cost may be slightly higher as additional items may be added such as an electrical outlet in the chase. Staff will get quotes from contractors for the removal, site prep, backfill, and concrete work prior to delivery of the CXT vault.

Moved by Robotham seconded by Nuss that the Upper Big Blue NRD proceed with ordering 2 CXT Double Rocky Mountain Vaults with Chase and Electrical packages, one for Smith Creek Recreation Area and one for Oxbow Trail Recreation Area, as recommended by staff and reviewed by the Committee. Motion approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt
NAY: None

ITEM 20. KOHTZ WETLAND – WETLANDS AMERICA TRUST INC DONATION.

NRD staff and legal counsel have reviewed the Donation Agreement between the Upper Big Blue NRD and the Wetlands America Trust, Inc for the donation of the 39.75-acre wetland tract located in the SE ¼ of the SW ¼ of Section 34, Township 12 North, Range 5 West, in Hamilton County, approximately 5 miles north of Hampton. Work to be completed by the donor include fencing, and installation of a solar well. Discussion included property tax issues and future maintenance activities. NRD suggestions have been incorporated into the final Donation Agreement.

Moved by Robotham seconded by Rich that the Upper Big Blue NRD accept the wetland property and approve the board chairperson to sign the donation agreement between the Upper Big Blue NRD and the Wetlands America Trust, Inc., as recommended by staff and reviewed by the Committee. Motion approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt
NAY: None

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

Miller reported that the Executive Committee met on January 14, 2021 and presented the committee’s recommendations.

ITEM 22. DIRECTORS’ 4TH QUARTER PER DIEM AND EXPENSES.

The Executive Committee reviewed the Directors’ per diem and expenses for this past quarter. Totals for the 4th quarter 2020 directors’ per diem are $7,980.00 and expenses are $2,556.85 for a total expenditure of $10,536.85. Individual expense vouchers were available for review.
Moved by Miller seconded Rich to approve payment of 4th quarter 2020 directors’ per diem of $7,980.00 and expenses of $2,556.85 for a total of $10,536.85, and to publish these approved expenditures in the December 2020 Financial Report, except that each director who has per diem and/or reimbursement of expenses included in such financial report abstains from voting for the approval of his or her own per diem and/or expense reimbursement. Motion approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt
NAY: None

ITEM 23. 2020 GENERAL ELECTION COSTS.

Invoices have been received for 2020 general election costs. An invoice for $3,760.03 was received from the Seward County Clerk for $3,760.03, and York County Clerk for $4,076.00.

Moved by Miller seconded by Robotham to approve payments of $3,760.03 to the Seward County Clerk, and $4,076.00 to York County Clerk for the 2020 general election costs. Motion approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt
NAY: None


Eigenberg reviewed the financial report for the period December 1, 2020 to December 31, 2020 that was distributed. It was moved by Miller and seconded by Rich to approve the financial report for December 2020 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt
NAY: None

ITEM 25. NOMINATING COMMITTEE REPORT.

The Nominating Committee which consisted for Jeff Bohaty, Bill Stahly and Lynn Yates presented their slate of candidates for board officers.

ITEM 26. ELECTION OF OFFICERS.

Election of officer is conducted by secret ballot in accordance with Operating Policy 9. Houdersheldt appointed Marie Krausnick and Jack Wergin to count the ballots. Houdersheldt turned the meeting over to vice chairperson Miller during the election for chairperson.
Nominees for the office of chairperson were Roger Houdersheldt and Lynn Yates. Miller asked if there were any nominations from the floor. There were none. The board members were instructed to cast their ballots. Houdersheldt received 8 votes and Yates received 9 votes. Yates will serve as chairperson for 2 years.

Nominees for the office of vice chairperson were Bill Kuehner and John Miller. There were no nominations from the floor. The board members were instructed to cast their votes. Kuehner received 10 votes and Miller received 7 votes. Kuehner will serve as vice chairperson for 2 years.

Nominees for the office of secretary were Linda Luebbe and Bill Stahly. There were no nominations from the floor. The board members were instructed to cast their votes. Luebbe received 8 votes and Stahly received 9 votes. Stahly will serve as secretary for 2 years.

Nominees for the office of treasurer were Doug Dickinson and Ronda Rich. Kuehner nominated John Miller. There were no further nominations. Ballots were cast and Dickinson receive 7 votes, Rich 5 votes and Miller 5 votes. Because none of the candidates received a majority vote Houdersheldt instructed there to be a second round of voting. The board members were instructed to cast their vote for either Rich or Miller. The winner would then face off against Dickinson for the office. In the second round of voting Miller received 9 votes and Rich 8 votes. In the third and final round of voting Dickinson received 11 votes and Miller received 5 votes. Dickinson will serve as treasurer for 2 years.

Nominees for the position of NARD Representative were Paul Bethune and Larry Moore. Houdersheldt advised the board that the candidate with the highest number of votes would serve as the NARD Representative and the other remaining candidate would serve as NARD Alternate. Ballots were cast and Bethune received 11 votes and Moore received 6 votes. Bethune will serve as NARD Representative for 2 years and Moore will serve as Alternate for 2 years.

**ITEM 27. MOTION TO ADJOURN.**

It was moved by Dickinson and seconded by Robotham to adjourn the meeting at 3:43 p.m. Motion approved.

**AYE:** Bethune, J. Bohaty, R. Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates, Houdersheldt

**NAY:** None

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held January 21, 2021, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.
The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 18, 2021 at 1:44 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, and Grant Jackson of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on February 11, 2021 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act was posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call.

ITEM 4. REQUEST FOR EXCUSED ABSENCES.

Richard Bohaty, Roger Houdersheldt, and Mike Nuss requested that their absences from the February 18, 2021 board of directors meeting be excused.

It was moved by Kuehner and seconded by Dickinson to excuse the absence of Richard Bohaty, Mike Nuss, and Roger Houdersheldt from the February 18, 2021 board of directors meeting as requested. Motion approved.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

NOT PRESENT: Richard Bohaty, Houdersheldt, Nuss
ITEM 5. ADOPTION OF AGENDA.

It was moved by Rich and seconded by Robotham to approve the agenda for the February 18, 2021 board of directors meeting as presented. Motion approved.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty, Houdersheldt, Nuss

ITEM 6. APPROVAL OF MINUTES OF THE JANUARY 21, 2021 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Bethune to approve the minutes of the January 21, 2021 board of directors meeting. Motion approved.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty, Houdersheldt, Nuss

ITEM 7. ACTION ON ALLEGED VIOLATIONS PHASE II & III MANAGEMENT AREAS.

It was moved by Dickinson and seconded by Bethune to adopt the cease-and-desist order against Jason Preissler, as presented to the board on February 18, 2021. Motion approved.

AYE: Bethune, Dickinson, Grotz, Kuehner, Luebbe, Moore, Rich, Robotham, Siebert, Stahly, Yates
NAY: Jeff Bohaty, Weiss
NOT VOTING: Miller
NOT PRESENT: Richard Bohaty, Houdersheldt, Nuss

It was moved by Dickinson and seconded by Rich to adopt the cease-and-desist order against Robb Samuelson, as presented to the board on February 18, 2021. Motion approved.

AYE: Bethune, Dickinson, Grotz, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Yates
NAY: Jeff Bohaty, Weiss
NOT VOTING: Kuehner
NOT PRESENT: Richard Bohaty, Houdersheldt, Nuss

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

Kuehner reported that the Water & Regulations Committee met February 11, 2021 and presented the committee’s recommendations.

Richard Bohaty joined the meeting via Zoom at 2:00 p.m.
ITEM 9. PROPOSED UNIVERSITY OF NEBRASKA LINCOLN/UNIVERSITY OF NEBRASKA MEDICAL CENTER COLLABORATION.

ITEM 9a. VADOSE ZONE STUDY PROPOSAL.

Dr. Dan Snow was present at the Water and Regulations Committee meeting via Zoom to answer any questions on the proposal submitted at the request of the district to conduct a vadose zone study of the groundwater management areas. Dr. Snow is proposing a 4-year study, each year focusing in different groundwater management zones. He will collect a combination of shallow (0-15’) and deep (to the water table) samples. This project will also include work by Dr. Karrie Weber, to look at Arsenic, Uranium, and Selenium concentrations.

It was moved by Kuehner and seconded by Rich to accept the proposal for a district wide vadose zone study, not to exceed $279,254.00. Motion approved.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Yates
NAY: Grotz, Weiss
NOT PRESENT: Houdersheldt, Nuss

ITEM 9b. DRINKING WATER QUALITY STUDY PROPOSAL.

Dr. Eleanor Rogan and Dr. Karrie Weber were present via Zoom to answer any questions on the proposal submitted by the University of Nebraska Medical Center (UNMC) to conduct a drinking water quality study within the Upper Big Blue NRD. They are asking the district to assist in the collection of 50 private well samples near known pediatric cancer incidents for a minimum of two years. UNMC in return has agreed to cover all lab costs associated with the sample analysis.

It was moved by Kuehner and seconded by Luebbe to accept the proposal, presented by UNMC to assist in the collection of water samples from private drinking water wells within the Upper Big Blue NRD. Motion approved.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Houdersheldt, Nuss

ITEM 10. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Three Aquifer Quality Well Abandonment Cost-Share Assistance Program applications are being recommended for final payments totaling $1,856.48.

It was moved by Kuehner and seconded by Robotham to make cost-share payments for three well abandonments, as reviewed by the Committee, at a cost of $1,856.48. Motion approved.

ITEM 11. REGIONAL GROUNDWATER MODELING CONTRACT EXTENSION.

The contract for work on the regional groundwater model will expire on February 28, 2021. Brown & Caldwell is asking for an extension of time to continue calibration of the regional model. They are asking that the contract be extended to June 30, 2021.

It was moved by Kuehner and seconded by Robotham to authorize David Eigenberg to sign the contract extension, as drafted and presented to the Committee. Motion approved.

AYE: Bethune, Richard Bohaty, Dickinson, Luebbe, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: Jeff Bohaty, Grotz, Kuehner, Miller
NOT PRESENT: Houdersheldt, Nuss

ITEM 12. BROWN & CALDWELL REGIONAL GROUNDWATER MODELING PAYMENT.

Brown & Caldwell is continuing their work on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed during December totaling $23,225.50. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources.

It was moved by Kuehner and seconded by Stahly to pay Brown & Caldwell for work completed for the month of December totaling $23,225.50. Motion approved.

NAY: Jeff Bohaty
NOT PRESENT: Houdersheldt, Nuss

ITEM 13. WATER QUALITY MANAGEMENT PLAN (WQMP) STAKEHOLDER PAYMENT – JEO ENGINEERING.

JEO Engineering has facilitated the second of three stakeholder meetings in conjunction with continuing implementation of the Districts WQMP. JEO Engineering has submitted an invoice totaling $2,955.00 for work completed through January 22, 2021.

It was moved by Kuehner and seconded by Rich to pay JEO Engineering for work completed through January 22, 2021, totaling $2,955.00, for the facilitation of stakeholder meetings surrounding continued implementation of the Districts WQMP. Motion approved.

NAY: None
NOT PRESENT: Houdersheldt, Nuss
ITEM 14. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on February 11, 2021 and presented the committee’s recommendations.

ITEM 15. LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Robotham and seconded by Luebbe that the Upper Big Blue NRD approve payment of $14,819.10 for two completed NSWCP Land Treatment applications, as recommended by staff and reviewed by the Committee. Motion approved.

NAY: None
NOT PRESENT: Houdersheldt, Nuss

ITEM 16. CITY OF YORK–FLOOD MITIGATION EVALUATION – EXTENSION OF INTERLOCAL AGREEMENT.

The York City Council voted to approve the flood mitigation evaluation to be completed by JEO Consulting Group Inc., at a cost of $70,000. The Upper Big Blue NRD has an Interlocal Agreement with the City of York for a flood mitigation evaluation, in which the NRD agreed to provide 50% of the local cost-share, not to exceed $20,000. The Interlocal Agreement will expire on June 30, 2021 and the current study schedule runs through September 30, 2021.

It was moved by Robotham and seconded by Rich that the Upper Big Blue NRD approve Amendment #1 to the Interlocal Agreement with the City of York for the Flood Mitigation Evaluation, as recommended by staff and reviewed by the Committee. (Amendment #1 extends the Interlocal Agreement to June 30, 2022). Motion approved.

NAY: None
NOT PRESENT: Houdersheldt, Nuss

ITEM 17. EDUCATIONAL LANDS LEASE BUTLER COUNTY.

The Upper Big Blue NRD has received a State of Nebraska Cooperative Agreement Between the Nebraska Board of Educational Lands and Funds and Lessee and Upper Big Blue Natural Resources District, for a parcel located in Sections 17 and 20 of Township 13 North, Range 2 East in Butler County sold at public auction or acquired by assignment. This parcel is located approximately 1 mile northwest of Ulysses.

It was moved by Robotham and seconded by Rich that the Upper Big Blue NRD approve and sign the State of Nebraska Cooperative Agreement Between the Nebraska Board of Educational Lands and Funds and Lessee and Upper Big Blue Natural Resources District, as recommended by staff and reviewed by
ITEM 18. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on February 11, 2021 and presented the committee’s recommendations.

ITEM 19. PAYMENT TO YORK PRINTING COMPANY FOR THE BLUEPRINT NEWSLETTER.

The Executive Committee reviewed an invoice from York Printing Company in the amount of $7,537.57 for printing the Winter 2020/2021 issue of the Blueprint newsletter.

It was moved by Miller and seconded by Moore to approve payment of $7,537.57 to York Printing Company for printing the Winter 2020/2021 edition of the Blueprint newsletter. Motion approved.

ITEM 20. 2020 GENERAL ELECTION COSTS.

Invoices were received for 2020 general election costs from the Clay County Clerk in the amount of $1,876.00 and the Hamilton County Clerk for $3,547.83.

It was moved by Miller and seconded by Luebbe to approve payments of $1,876.00 to Clay County Clerk, and $3,547.83 to Hamilton County Clerk for the 2020 general election costs. Motion approved.

ITEM 21. ATTORNEY FEES.

Invoice # 6918 for $5,549.60 from BWJ, (Blankenau Wilmoth Jarecke), was received for services provided during the month of January 2021.

It was moved by Miller and seconded by Dickinson to approve payment of $5,549.60 to BWJ for services
provided during the month of January 2021. Motion approved.

AYE: Bethune, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Rich, Siebert, Stahly, Weiss, Yates  
NAY: Jeff Bohaty, Richard Bohaty, Robotham  
NOT PRESENT: Houdersheldt, Nuss

ITEM 22. COMMITTEE ASSIGNMENTS.

Yates presented draft committee assignments for 2021 – 2022 to the Executive Committee for their review. An effort was made to accommodate each director’s committee assignment request and maintain some historic prospective on each committee. The Executive Committee voted to forward the revised committee assignments to the board.

Committee assignments were finalized according to *Operating Policy 15: Board Standing Committees*. The board meeting was recessed at 3:00 p.m. to allow the Projects and Programs Committee, and the Water and Regulations Committee to meet to elect their respective committee chair and vice-chair. The Executive Committee met to appoint one additional representative from Projects and Programs and Water and Regulations Committee to the Executive Committee, after which the board meeting reconvened at 3:21 p.m. The two-year committee assignments are listed in the chart below.

<table>
<thead>
<tr>
<th>COMMITTEE MEMBER ASSIGNMENTS 2021 - 2022</th>
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<tr>
<td><strong>Projects &amp; Programs</strong></td>
</tr>
<tr>
<td>Richard Bohaty</td>
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<tr>
<td>Roger Houdersheldt</td>
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<tr>
<td>Bill Kuehner</td>
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<tr>
<td>Linda Luebbe, Vice-Chair</td>
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<td>Ronda Rich, Chair</td>
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<td>David Robotham</td>
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<td>Paul Weiss</td>
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<td>Bill Stahly</td>
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<td>Lynn Yates</td>
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Eigenberg reviewed the financial report for the period January 1, 2021 to January 31, 2021 that was distributed. It was moved by Luebbe and seconded by Rich to approve the financial report for January 2021 as presented, approve payments of the accounts payable and publish the expenditures. Motion approved.
ITEM 24. MOTION TO ADJOURN.

It was moved by Kuehner and seconded by Dickinson to adjourn the meeting at 3:35 p.m. Motion approved.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty, Houdersheldt, Nuss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held February 18, 2021, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_________________________________________________________________
Bill Stahly, Secretary

:ndb
MINUTES
BOARD OF DIRECTORS MEETING
March 18, 2021

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, March 18, 2021 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Patty Connors, Jeff Ball, DeeDee Novotny, and Josh Bowers of York County NRCS.

Brisk, Eigenberg, Grotz, Luebbe, Moore and Novotny participated via Zoom.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on March 11, 2021 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act was posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUEST FOR EXCUSED ABSENCES.

Kuehner requested that his absence from the March 18, 2021 board of directors meeting be excused.

It was moved by Miller and seconded by Rich to excuse the absence of Kuehner from the March 18, 2021 board of directors meeting as requested. Motion approved.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 5. ADOPTION OF AGENDA.
It was moved by Houdersheldt and seconded by Dickinson to approve the agenda for the March 18, 2021 board of directors meeting as presented. Motion approved.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Kuehner

ITEM 6. APPROVAL OF MINUTES OF THE FEBRUARY 18, 2021 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Bethune to approve the minutes of the February 18, 2021 board of directors meeting. Motion approved.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Kuehner

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met March 11, 2021 and presented the committee’s recommendations.

ITEM 8. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Four Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling $2,769.60.

It was moved by Miller and seconded by Nuss to make cost-share payments for four well abandonments, as reviewed by the Committee, at a cost of $2,769.60. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Kuehner

ITEM 9. REGIONAL GROUNDWATER MODELING CONTRACT EXTENSION – NEBRASKA DEPARTMENT OF NATURAL RESOURCES.

The contract between the Upper Big Blue Natural Resources District and the Nebraska Department of Natural Resources, for work on the regional groundwater model will expire on March 31, 2021. As presented, the contract extension extends the agreement between the two agencies until June 30, 2021. The contract extension corresponds with the contract extension with Brown & Caldwell.

It was moved by Miller and seconded by Dickinson to authorize David Eigenberg to sign the contract
extension, as drafted and presented to the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Kuehner

ITEM 10. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Brown & Caldwell are continuing their work on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed during January totaling $21,343.50. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the other three basin districts and the Nebraska Department of Natural Resources.

Brown & Caldwell has submitted a model calibration proposal to the Nebraska Department of Natural Resources for their approval. The proposal outlines a multi-step approach using the PEST method of calibration. At benchmark steps in the calibration process, ‘test calibrations’ will be run to verify the model’s overall calibration before proceeding further.

It was moved by Miller and seconded by Houdersheldt to pay Brown & Caldwell for work completed for the month of January totaling $21,343.50. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Kuehner

ITEM 11. WATER QUALITY MANAGEMENT PLAN (WQMP) STAKEHOLDER PAYMENT – JEO ENGINEERING.

JEO Engineering has facilitated the final stakeholder meeting in conjunction with continuing implementation of the Districts WQMP. A public open house was scheduled for March 18, 2021 from 3:00 – 6:00 at the Holthus Convention Center, in York. JEO Engineering has submitted an invoice totaling $4,355.00 for work completed through February 19, 2021.

It was moved by Miller and seconded by Dickinson to pay JEO Engineering for work completed through February 19, 2021, totaling $4,355.00, for the facilitation of stakeholder meetings surrounding continued implementation of the Districts WQMP. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Kuehner

ITEM 12. WATER ACCOUNTING PLATFORM PAYMENT – OLSSON.

The District’s water sustainability fund (WSF) contract for the water accounting platform included two
years of site hosting and maintenance. To close out the WSF contract, staff requested that Olsson submit an invoice for the two years of site hosting and maintenance totaling $15,000.00.

It was moved by Miller and seconded by Nuss to pay Olsson for two years of hosting and maintenance for the water accounting platform totaling $15,000.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Kuehner

ITEM 13. ROUTINE FLOW METER MAINTENANCE PAYMENT – TRI-CITY METERS, INC.

Tri-City Meters has submitted an invoice in the amount of $25,110.00 for the routine maintenance of 520 mechanical flowmeters. This is approximately one fourth of the meters for the year.

It was moved by Miller and seconded by Luebbe to pay Tri-City Meters for work completed for routine flow meter maintenance totaling $25,110.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Kuehner

ITEM 14. MATERIALS FOR RESALE IRRIGATION SCHEDULING EQUIPMENT PAYMENT – KLEIN SALES & SERVICES.

Staff purchased 143 Water Mark Sensors for resale from Klein Sales & Service in Osceola at a cost of $5,434.00.

It was moved by Miller and seconded by Robotham to pay Klein Sales & Services for 143 Water Mark Sensors totaling $5,434.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Kuehner

ITEM 15. MATERIALS FOR RESALE BATTERY REPLACEMENT PAYMENT – WISH NEBRASKA.

Staff purchased 100 Seametrics battery kits as part of the District’s electronic meter maintenance program from WISH Nebraska at a cost of $10,200.00.

It was moved by Miller and seconded by Stahly to pay WISH Nebraska for 100 Seametrics battery kits totaling $10,200.00. Motion carried.
ITEM 16. WITHDRAWAL REPORTING UPDATE.

Krausnick provided a list of outstanding agricultural water use report violators. Staff has followed the steps outlined in the District’s Rules and Regulations and issued a complaint, violation, and intends to issue an order of cease and desist/schedule of compliance. Since there have been no requests for public hearing, the staff recommends the issuance of an order of cease and desist in accordance with the District’s Rules and Regulations.

It was moved by Miller and seconded by Houdersheldt to issue orders of cease and desist for all out of compliance agricultural water use reporters as of March 18, 2021.

It was moved by Miller and seconded by Rich to amend the motion to include the names of those out of compliance. Code 504 LLC, Dale J. Luzum, John V. and Norman Ricenbaw, Mark W. Shonka, Snoberger Farms, and Cheyenne and Roxanne Wohlford. Amendment carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: Jeff Bohaty, Weiss
NOT PRESENT: Kuehner

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

AYE: Bethune, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: Jeff Bohaty, Richard Bohaty, Rodney Grotz, Kendall Siebert, Paul Weiss
NOT PRESENT: Kuehner

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

Rich reported that the Projects & Programs Committee met on March 11, 2021 and presented the committee’s recommendations.

ITEM 18. LAND TREATMENT PROGRAM PAYMENT.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD approve payment of $3,988.50 for one completed NSWCP land treatment application, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Kuehner
ITEM 19. NEBRASKA BUFFER STRIP PROGRAM.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD approve payment of $7,443.30 for six third quarter Nebraska Buffer Strip Program contracts, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Kuehner

ITEM 20. PERCIVAL ERICKSON DAM ROCK PURCHASE.

Percival Erickson Dam, located 1 mile southeast of Saronville, has erosion on the face if the dam. Staff wants to purchase rock and have it delivered to the dam site, where NRD staff will place the rock on the dam face later this year.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD purchase approximately 173 tons of rock to be delivered to Percival Erickson Dam, located 1 mile southeast of Saronville, at a cost of $11,260.57, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Kuehner

ITEM 21. SMITH CREEK DAM - RESTORE EMERGENCY SPILLWAY CHANNEL.

The land for the Smith Creek Dam and Recreation Area was purchased through an easement. Under the terms of the easement, the landowner was allowed to farm through the emergency spillway channel, provided it did not interfere with the operation of the spillway. Over the years the spillway channel has been raised 3 to 4 feet. Recommendations from the 2015 and 2020 Nebraska Department of Natural Resources dam inspection reports stated that the emergency spillway should be restored to original channel and grassed. Staff has met with the landowner and has put together a plan to restore the emergency spillway channel and grass approximately 100 feet of the spillway channel that was previously farmed.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD hire Pankoke Construction to restore the spillway channel at a cost of $7,322.50 and hire Miller Seed to seed and apply hydro mulch on approximately 125 feet of the spillway channel (includes 25 feet of dam), at a cost of $6,594.00, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates
NAY: Jeff Bohaty, Kendall Siebert
NOT VOTING: Luebbe
ITEM 22. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on March 11, 2021 and presented the committee’s recommendations.

ITEM 23. 2020 GENERAL ELECTION COSTS.

Invoices were received from the Butler County Clerk in the amount of $1,375.20 and the Saline County Clerk for $5,964.83 for the 2020 general election costs.

It was moved by Houdersheldt and seconded by Rich to approve payments of $1,375.20 to Butler County Clerk and $5,964.83 to Saline County Clerk for the 2020 general election costs. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Kuehner


Eigenberg reviewed the financial report for the period February 1, 2021 to February 28, 2021 that was distributed. It was moved by Houdersheldt and seconded by Rich to approve the financial report for February 2021 as presented, approve payments of the accounts payable and publish the expenditures. Motion approved.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT VOTING: Luebbe
NOT PRESENT: Kuehner

ITEM 25. MOTION TO ADJOURN.

It was moved by Houdersheldt and seconded by Rich to adjourn the meeting at 2:58 p.m. Motion approved.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Kuehner

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held March 18, 2021, that all of the subjects discussed at the meeting were contained in the agenda for the meeting,
kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Bill Stahly, Secretary

:ndb
MINUTES
BOARD OF DIRECTORS MEETING
April 15, 2021

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, April 15, 2021 at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Carleen Light, and Josh Bowers of York County NRCS. No one participated via Zoom.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on April 8, 2021 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act was posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Thirteen directors were present during roll call. Robotham arrived at 7:13 p.m. and Luebbe arrived at 7:23 p.m.

ITEM 4. REQUEST FOR EXCUSED ABSENCES.

Roger Houdersheldt and Paul Weiss requested that their absence from the April 15, 2021 board of directors meeting be excused.

It was moved by Rich and seconded by Kuehner to excuse the absence of Houdersheldt and Weiss from the April 15, 2021 board of directors meeting as requested. Motion approved.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Miller, Moore, Nuss, Rich, Siebert, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Robotham, Weiss
ITEM 5. ADOPTION OF AGENDA.

It was moved by Moore and seconded by Rich to approve the agenda for the April 15, 2021 board of directors meeting as presented. Motion approved.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Miller, Moore, Nuss, Rich, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Luebbe, Robotham, Weiss

ITEM 6. APPROVAL OF MINUTES OF THE MARCH 18, 2021 BOARD OF DIRECTORS MEETING.

It was moved by Miller and seconded by Rich to approve the minutes of the March 18, 2021 board of directors meeting. Motion approved.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Miller, Moore, Nuss, Rich, Siebert, Stahly, Yates
NAY: None
NOT VOTING: Kuehner
NOT PRESENT: Houdersheldt, Luebbe, Robotham, Weiss

ITEM 7. STAFF RECOGNITION.

Marie Krausnick, Water Department Manager, was recognized for 20 years of service to the District and presented with a framed print. Water Department Secretary Carleen Light was presented with a framed print in recognition of 15 years of service. General Manager David Eigenberg received a plaque and was recognized for 5 years of service.

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

Miller reported that the Water & Regulations Committee met April 6, 2021 and presented the committee’s recommendations.

ITEM 9. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Five Aquifer Quality Well Abandonment Cost-share Assistance Program applications were recommended for final payments totaling $3,077.98.

It was moved by Miller and seconded by Nuss to make cost-share payments for five well abandonments, as reviewed by the Committee, at a cost of $3,077.98. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Miller, Moore, Nuss, Rich, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Luebbe, Robotham, Weiss
ITEM 10. BEEHIVE 2.0 DEPLOYMENT PAYMENT – BEEHIVE INDUSTRIES.

Beehive Industries has completed work on the migration from Beehive to Beehive 2.0. Staff is reviewing the work before giving the final go ahead for the conversion. The 2.0 platform will be cloud-based to allow for mobile use by both staff and online users. The total project cost was $20,000.00. An invoice in the amount of $10,000.00 for the final installment was received.

It was moved by Miller and seconded by Dickinson to make the final payment to Beehive Industries of $10,000.00 for the completion of the Beehive 2.0 platform upgrades. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Miller, Moore, Nuss, Rich, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Luebbe, Robotham, Weiss

ITEM 11. ANNUAL PAYMENT TO BEEHIVE INDUSTRIES FOR ONLINE PRODUCER INPUT PORTAL.

An invoice was received for the annual hosting and maintenance of the Online Producer Input portal totaling $7,600.00 from Beehive Industries.

It was moved by Miller and seconded by Stahly to pay Beehive Industries for the annual hosting and maintenance of the Online Producer Input portal. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Miller, Moore, Nuss, Rich, Siebert, Stahly, Yates
NAY: None
NOT VOTING: Robotham
NOT PRESENT: Houdersheldt, Luebbe, Weiss

ITEM 12. REGIONAL GROUNDWATER MODELING PAYMENT BROWN & CALDWELL.

Brown and Caldwell are continuing work on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed in February totaling $9,786.00. As the project lead, the District makes payment to Brown & Caldwell and requests reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources.

The Nebraska Department of Natural Resources has signed off on the model calibration proposal. Brown & Caldwell has started working through the first three calibration steps.

It was moved by Miller and seconded by Nuss to pay Brown & Caldwell for work completed for the month of February totaling $9,786.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
ITEM 13. WATER QUALITY MANAGEMENT PLAN STAKEHOLDER PAYMENT – JEO ENGINEERING.

Twenty-four attendees participated in a public open house held March 18, 2021. This included agency partners, University of Nebraska, stakeholders, and members of the public who were in attendance to learn about the District’s water quality management planning (WQMP) efforts. JEO Engineering submitted an invoice totaling $9,748.75 for work completed through March 19, 2021.

It was moved by Miller and seconded by Rich to pay JEO Engineering for work completed through March 19, 2021, totaling $9,748.75, for the facilitation of the public open house in conjunction with the stakeholder work as part of the WQMP implementation. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None

ITEM 14. ROUTINE FLOW METER MAINTENANCE PAYMENT – TRI-CITY METERS, INC.

Tri-City Meters has submitted their second invoice in the amount of $24,570.00 for the routine maintenance of 511 mechanical flow meters.

It was moved by Miller and seconded by Dickinson to pay Tri-City Meters for work completed for routine flow meter maintenance totaling $24,570.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None

ITEM 15. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Projects & Programs Committee met on April 8, 2021 and presented the committee’s recommendations.

ITEM 16. PAYMENT TO LINCOLN-OAKES NURSERY.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $2,198.60 to Lincoln-Oakes Nursery for 2,150 trees purchased by the NRD, as recommended by staff, and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None

NOT PRESENT: Houdersheldt, Luebbe, Weiss
ITEM 17. DUNKER DAM SLIP LINING PROJECT.

Staff has prepared specifications for slip lining Dunker Dam, located 4 miles west of Ulysses, and expects to have bids back by noon on Thursday, April 15th. Wergin advised the committee that quotes for the HDPE pipe purchase have already been obtained. He requested that he be allowed to present the information to the full board on April 15 for their consideration.

It was moved by Rich and seconded by Moore that the Upper Big Blue NRD consider purchasing the HDPE pipe and awarding a bid for slip lining Dunker Dam at the NRD board meeting on April 15, 2021, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

Wergin stated that the cost to purchase pipe for the slip lining project is estimated to be $6,297.50. $2,497.50 for the pipe and estimated shipping of $4,000.

Three contractors were provided specifications for bidding the project. Two bids were received for installation of the pipe. M.E. Collins Contracting $24,425.00 and Pankoke Construction $25,284.00. The engineer’s estimate was $23,875.00.

It was moved by Dickinson and seconded by Bethune that the Upper Big Blue NRD purchase 125 feet of 18” HDPE pipe from ISCO Industries for $2,497.50, plus shipping and handling, and award the pipe installation contract to M.E. Collins Contracting for $24,425.00 for the repair of Dunker Dam principal spillway pipe. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

ITEM 18. SMITH CREEK RECREATION AREA REQUEST TO UTILIZE RECREATION AREA.

Randy Wheeler and Thomas Anthony requested permission to utilize the park area at Smith Creek Recreation Area. Two years ago, their group was allowed to park campers around the picnic shelter. Last year they were not allowed access to the park area, so they camped in the parking lot. Their group has done some repairs at the park and does a good job of cleanup. The Committee said that they like to see the park used. Discussion included having the group fill out a special occasion permit with the NRD, which will protect the NRD and provide proof that the group has approval from the NRD.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD allow the group to apply for a special occasion permit to utilize the Smith Creek Park Area on the last week of June 2021. Motion carried.
ITEM 19. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Executive Committee met on April 8, 2021 and presented the committee’s recommendations.

ITEM 20. DIRECTORS’ 1ST QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors’ per diem and expenses for this past quarter. The first quarter directors’ per diem is $7,840.00 and expenses are $2,310.04 for a total expenditure of $10,150.04. Individual expense vouchers were available for review.

It was moved by Kuehner and seconded by Rich to approve payment of first quarter 2021 directors’ per diem of $7,840.00 and expenses of $2,310.04 for a total of $10,150.04, and to publish these approved expenditures in the March Financial Report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. Motion carried.

ITEM 21. ATTORNEY FEES.

Invoice #7020 for $5,992.00 from BWJ, (Blankenau Wilmoth Jarecke), was received for services provided during the month of March 2021.

It was moved by Kuehner and seconded by Dickinson to approve payment of $5,992.00 to BWJ for services provided during the month of March 2021. Motion carried.

ITEM 22. FANTASTIC FUN RIVER RUN EXHIBIT.

In 2005 Scott Snell, former public relations department manager, designed and fabricated the Fantastic Fun River Run exhibit. The purpose of the exhibit was to make an interactive game for all ages to make
learning about rivers and our environment fun. Snell constructed the exhibit himself with the financial help of a grant of $15,418 from Water for the West which was funded through the Bureau of Reclamation.

Snell logged thousands of miles with the traveling exhibit in the first several years of its life. It was even displayed at the Nebraska State Fair twice. The exhibit is now 16 years old, and the District no longer receives requests for use of the exhibit. For the past 5 years the exhibit has been sitting unused in the basement of the NRD office.

Chrystal Houston, current public relations department manager, has been trying to find a new, permanent place to house the exhibit. Houston recently offered the exhibit to Raising Nebraska for display at the Nebraska State Fair, but the offer was declined. Houston explained to the committee that due to the size of the exhibit, which is over 34 feet long, there are not many facilities that have the space to set it up and have room for people to walk around it. Then they would also be faced with where to store it when not in use. The other concern that has been raised is the risk of spreading COVID since the exhibit is interactive and requires lots of physical contact.

The committee recommended that because we are unable to find another individual, group, or agency that would utilize the exhibit for its intended purpose, the District should gift the river run to Scott Snell.

It was moved by Kuehner and seconded by Nuss to gift the river run education exhibit to Scott Snell to be used as he deems appropriate. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

ITEM 23. KOHTZ WETLAND – WETLANDS AMERICA TRUST INC. DONATION.

The District has received the executed Donation Agreement between the Upper Big Blue NRD and the Wetlands America Trust, Inc for the donation of the 39.75-acre wetland tract located in the Southeast Quarter of the Southwest Quarter of Section 34, Township 12 North, Range 5 West, in Hamilton County, approximately 5 miles north of Hampton. The deed transfer is filed, and the real estate transfer has been received.

ITEM 24. REVISED PERSONNEL POLICIES.

A copy of the revised Employee Handbook was provided to the Board for their review. Legal counsel and staff have met to discuss proposed revisions to our policy. Management hopes that Board approval can be obtained at the May Board Meeting.

Eigenberg reviewed the financial report for the period March 1, 2021 to March 31, 2021 that was distributed. It was moved by Miller and seconded by Rich to approve the financial report for March 2021 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

ITEM 26. MOTION TO ADJOURN.

It was moved by Kuehner and seconded by Dickinson to adjourn the meeting at 8:14 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held April 15, 2021, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_____________________________________
Bill Stahly, Secretary

:ndb
The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, May 20, 2021 at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Lisa Hurley, Executive Director of the York County Development Corporation, Julie Hoffman, and April McDaniel, representing the Peyton Parker Lane Playground, and Josh Bowers of York County NRCS. No one participated via Zoom.

**ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.**

Yates reported that we published the legal notice of the board of directors’ meeting on May 13, 2021 in the York News-Times.

**ITEM 2. OPEN MEETINGS ACT.**

Yates advised those in attendance that the Open Meetings Act was posted in the back of the room by the entry doors.

**ITEM 3. ROLL CALL OF DIRECTORS.**

Fifteen directors were present during roll call. Robotham arrived at 7:09 p.m., and Luebbe arrived at 7:23 p.m.

**ITEM 4. ADOPTION OF AGENDA.**

It was moved by Kuehner and seconded by Rich to approve the agenda for the May 20, 2021 board of directors meeting as presented. Motion carried.

**AYE:** Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Siebert, Stahly, Weiss, Yates

**NAY:** None

**NOT PRESENT:** Luebbe, Robotham

**ITEM 5. APPROVAL OF MINUTES OF THE APRIL 15, 2021 BOARD OF DIRECTORS MEETING.**

It was moved by Rich and seconded by Dickinson to approve the minutes of the April 15, 2021 board of directors meeting. Motion carried.
ITEM 6. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met May 11, 2021 and presented the committee’s recommendations.

ITEM 7. FLOW METER REPAIR COST SHARE PAYMENTS.

It was moved by Miller and seconded by Nuss to pay twelve flow meter repair cost-share claims totaling $3,293.20. Motion carried.

ITEM 8. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Nineteen Aquifer Quality Well Abandonment Cost-share Assistance Program applications were recommended for final payments, totaling $11,477.12. A discussion took place regarding the end of year obligated funds for 28 remaining well abandonments resulting in a committee recommendation to continue paying claims through the end of FY21.

It was moved by Miller and seconded by Rich to continue future payments through FY21, and to make cost-share payments for 19 well abandonments, as reviewed by the Committee, at a cost of $11,477.12. Motion carried.

ITEM 9. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the no-crop and irrigated acres’ certification for 806 parcels totaling 72,776.31 acres, resulting in an increase in irrigated acres of 1,141.61. This brings the total irrigated acres to 1,243,583.31.

It was moved by Miller and seconded by Grotz to certify the acres’ changes as presented to the committee. Motion carried.
ITEM 10. REGIONAL GROUNDWATER MODELING PAYMENT TO BROWN & CALDWELL.

Brown & Caldwell are continuing to work on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed during March totaling $1,311.75. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources.

It was moved by Miller and seconded by Nuss to pay Brown & Caldwell for work completed for the month of March totaling $1,311.75. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Luebbe

ITEM 11. WATER QUALITY MANAGEMENT PLAN (WQMP) STAKEHOLDER PAYMENT – JEO ENGINEERING.

JEO Engineering has facilitated the final report and follow-up stakeholder survey in conjunction with continuing implementation of the Districts WQMP. JEO Engineering has submitted an invoice totaling $462.50 for work completed through April 23, 2021.

It was moved by Miller and seconded by Rich to pay JEO Engineering for work completed through April 23, 2021, totaling $462.50, for the facilitation of the final report and stakeholder survey surrounding continued implementation of the Districts WQMP. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Luebbe

ITEM 12. ROUTINE FLOW METER MAINTENANCE PAYMENT – TRI-CITY METERS, INC.

Tri-City Meters has submitted the final two invoices totaling $47,215.00 for the routine maintenance of 1,007 mechanical flow meters. All data has been delivered and reviewed by the staff.

It was moved by Miller and seconded by Dickinson to pay Tri-City Meters for work completed for routine flow meter maintenance totaling $47,215.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
ITEM 13. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Projects & Programs Committee met on May 13, 2021 and presented the committee’s recommendations.

ITEM 14. LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $9,973.54 for 2 completed NSWCP Land Treatment Projects, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 15. GILTNER DRAINAGE STUDY.

Giltner submitted a request for funding assistance for a drainage study. Brandon Loughrin of Miller & Associates discussed problems around the school and bank, along the east side of Giltner. Study costs were estimated at $9,000.00.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD enter into a Interlocal Agreement with the Village of Giltner to cost-share a drainage study at 50%, not to exceed $4,500.00, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 16. PEYTON PARKER LANE PLAYGROUND.

April McDaniel, Julie Hoffman, and Lisa Hurley were present at the Projects and Programs Committee meeting to give a presentation and update on the Peyton Parker Lane Playground to be constructed in Minck’s Park in York. The estimated cost for the facility is $920,000.00. The City of York is supportive of the project and NRD financial assistance would be provided through an interlocal agreement with the City of York.

It was moved by Rich and seconded by Bethune that the Upper Big Blue NRD enter into an Interlocal Agreement with the City of York to provide $20,000.00 of fiscal year 2022 funding and $20,000.00 of fiscal year 2023 funding for the Peyton Parker Lane Playground project.

It was moved by Weiss and seconded by Grotz to amend the motion to provide $50,000 funding per year for two years.
It was moved by Dickinson and seconded by Jeff Bohaty to refer the matter back to the Projects and Programs Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Rich, Robotham, Siebert, Stahly, Yates
NAY: Grotz, Miller, Moore, Nuss, Weiss

ITEM 17. PERCIVAL-ERICKSON DAM – PAYMENT FOR ROCK.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD pay Martin Marietta $11,774.80 for 180.90 tons of rock delivered to Percival-Erickson Dam west of Sutton. NRD staff will place the rock on the face of the dam. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 18. SMITH CREEK RECREATION AREA IMPROVEMENTS.

Pipers Inc has installed the domestic well and waterline at Smith Creek. The ADA accessible hydrant is on back order. Norris Public Power has installed the power pole and the security light pole. Staff has requested a quote for removal of the existing vault restroom.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD accept Pankoke Construction’s bid of $4,100.00 for removing the existing vault restroom at Smith Creek, as recommended by staff, and reviewed by the committee. Motion carried.

AYE: Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly
NAY: Bethune, Jeff Bohaty, Nuss, Weiss, Yates

ITEM 19. OXBOIN TRAIL RECREATION AREA IMPROVEMENTS.

Pipers Inc will be installing the domestic well and waterline at Oxbow Trail. Butler Public Power will be bringing power to the site. Staff obtained a quote for removal of the existing vault restroom.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD accept Pankoke Construction’s bid of $4,500.00 for removing the existing vault restroom at Oxbow Trail, as recommended by staff, and reviewed by the committee. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly
NAY: Bethune, Nuss, Weiss, Yates

ITEM 20. WETLANDS EASEMENT – REAL PROPERTY.
Tim Horst of Ducks Unlimited attended the Projects & Programs Committee meeting and presented information on a parcel of land upon which they would like the NRD to hold an agricultural easement to prevent any building construction on an 89-acre parcel of land located in the NW quarter of Section 8, Township 8 North, Range 2 West in Fillmore County, north of Fairmont. This parcel is adjacent to a restored wetland. The Projects and Programs Committee took no action on his request.

It was moved by Rich and seconded by Bethune that the Upper Big Blue NRD agree to hold an agricultural easement on the 89-acre parcel of land in the NW ¼ of Section 8, Township 8 North, Range 2 West in Fillmore County owned by Ducks Unlimited.

It was moved by Miller and seconded by Kuehner to amend the motion to say that if at any time the tax status is lowered the District will relinquish the easement. Question was called on the amendment. Amendment failed.

AYE: Jeff Bohaty, Kuehner, Miller, Weiss  
NAY: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates

The question was called on the original motion. Motion carried.

AYE: Bethune, Dickinson, Houdersheldt, Luebbe, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates  
NAY: Jeff Bohaty, Richard Bohaty, Grotz, Kuehner, Miller, Weiss

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

Kuehner reported that the Executive Committee met on May 13, 2021 and presented the committee’s recommendations.

ITEM 22. BURKE SCHOLARSHIP SELECTION.

The scholarship selection committee met and recommended changes to the Burke Scholarship selection parameters. First, to change the deadline for application from the end of April until the middle of March so the selection process would mirror school sponsored honor programs. Award announcements would be made at the April Board Meeting. The selection committee also recommends that the Upper Big Blue NRD administer up to three scholarships awarded annually in the amount of $2,000 each.

Eleven completed applications were received for the 2021 Burke Scholarship. An interim selection committee was appointed to review and rank all applications. The selection committee recommended that three applicants be awarded scholarships and that one alternate be named. The recipients are as follows.

$2,000 Scholarship: Alena Carlson, Aurora, Nebraska, graduate of Aurora High School, attending University of Nebraska, Kearney.

$2,000 Scholarship: Makenna Havlat, Seward, Nebraska, graduate from Milford Public Schools, attending Chadron State College, Chadron.
$2,000 Scholarship: Blake Frink, Hastings, Nebraska, graduate from Adams Central Schools, attending University of Nebraska, Lincoln.

Alternate: Keeley Conrad, York Nebraska, graduate of York High School, attending University of Nebraska, Lincoln.

It was moved by Kuehner and seconded by Luebbe to suspend the current policy governing the selection and award process for the Burke Scholarship Program for FY 21, allowing for the additional award of a $2,000 scholarship to Alena Carlson, Aurora, Nebraska; and for FY 22, $2,000 scholarships would be awarded to Blake Frink, Hastings, Nebraska, and Makenna Havlat, Seward, Nebraska; and to further name Keeley Conrad, York, Nebraska, the alternate. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 23. EDUCATIONAL CAPITAL PROJECTS (ECAP) SELECTION PROCESS.

The Committee was advised of one application for the FY2021 Educational Capital Projects Fund (ECAP). The application was received from Cross County Public High School to assist with the development of a sensory garden. The garden will become home to raised vegetable gardens, a small garden pond and fish, a seating area, as well as space for a variety of native and exotic vegetation. The application requests $1,900 of a total project cost of $18,000.

It was moved by Kuehner and seconded by Dickinson to award a $1,900 grant to Cross County Public High School for their sensory garden project. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 24. FISCAL YEAR 22 SALARY SCHEDULE.

Eigenberg presented his recommended changes for the FY22 Salary Schedule. He explained the logic and starting point behind this recommendation and answered questions. This schedule was developed to provide guidance on the FY22 salary structure. Midpoints were calculated by taking the average of 5 NRDs with similar property valuations, annual payrolls, and staffing numbers. Midpoints were then used to develop minimum (80%) and maximum (120%) wage limits. The Salary Schedule will be used in accordance with the Operating Policy.

It was moved by Kuehner and seconded by Houdersheldt to approve the FY22 Salary Schedule as presented. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
ITEM 25. FISCAL YEAR 22 WAGE INCREASE.

The current FY21 salaries and wages of the employees were reviewed with the Executive Committee. Eigenberg asked that the board authorize $41,178 (3.0% of total FY21 payroll) for salary increases for the staff in the FY22 budget.

It was moved by Kuehner and seconded by Nuss to adjust the annual FY22 salaries of the district staff, except for the General Manager, by an amount not to exceed $41,200 (3.0% of total FY21 payroll), and to authorize the General Manager to determine and make the salary and wage adjustments, in accordance with the Operating Policy. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None


Eigenberg reviewed the financial report for the period April 1, 2021 to April 30, 2021 that was distributed. It was moved by Stahly and seconded by Houdersheldt to approve the financial report for April 2021 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 27. MOTION TO ADJOURN.

It was moved by Houdersheldt and seconded by Rich to adjourn the meeting at 9:11 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held May 20, 2021, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.
MINUTES
BOARD OF DIRECTORS MEETING
June 17, 2021

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 17, 2021, at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, Mike Nuss, Ronda Rich, Kendall Siebert, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Julie Hoffman, and Josh Bowers of York County NRCS. No one participated via Zoom.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on June 11, 2021, in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act was posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

David Robotham, John Miller, and Larry Moore requested that their absence from the June 17, 2021, board of directors meeting be excused.

It was moved by Rich and seconded by Kuehner to excuse the absence of Robotham, Miller and Moore from the June 17, 2021, board of directors meeting. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

ITEM 5. ADOPTION OF AGENDA.
It was moved by Rich and seconded by Dickinson to approve the agenda for the June 17, 2021, board of directors meeting as presented. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

ITEM 6. APPROVAL OF MINUTES OF THE MAY 20, 2021, BOARD OF DIRECTORS MEETING.

It was moved by Stahly and seconded by Dickinson to approve the minutes of the May 20, 2021, board of directors meeting. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Jeff Bohaty reported that the Water & Regulations Committee met June 8, 2021 and presented the committee’s recommendations.

ITEM 8. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Twelve Aquifer Quality Well Abandonment Cost-share Assistance Program applications have been approved for final payment, totaling $8,551.41.

It was moved by Jeff Bohaty and seconded by Dickinson to make cost-share payments for twelve well abandonments, as reviewed by the committee, at a cost of $8,551.41. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

ITEM 9. NEBRASKA MESONET PAYMENT – RECHARGE LAKE WEATHER STATION.

An invoice totaling $3,900.00 was received for the maintenance and hosting of the Recharge Lake weather station. Nebraska Mesonet is shifting payments to the calendar year rather than July 1 fiscal year. The invoice is for the period July 1, 2021, through December 31, 2022.

It was moved by Jeff Bohaty and seconded by Luebbe to pay Nebraska Mesonet $3,900.00 for eighteen months of Recharge Lake weather station maintenance and hosting. Motion carried.
ITEM 10. PAYMENT TO SARGENT DRILLING FOR MONITORING WELL PUMP REPLACEMENT.

During spring sampling, the deep monitoring well at the York dedicated monitoring well site (York 5B) was not working. Staff had the pump replaced by Sargent Drilling, Geneva, Nebraska who submitted an invoice for $3,881.00.

It was moved by Jeff Bohaty and seconded by Bethune to pay Sargent Drilling, of Geneva, for the replacement of York 5B pump totaling $3,881.00. Motion carried.

ITEM 11. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Brown and Caldwell are continuing their work on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed during April totaling $15,015.75. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources.

It was moved by Jeff Bohaty and seconded by Houdersheldt to pay Brown & Caldwell for work completed for the month of April totaling $15,015.75. Motion carried.

ITEM 12. CONTRACT EXTENSION REGIONAL GROUNDWATER MODELING – BROWN & CALDWELL.

Brown and Caldwell are continuing to work on the refinement and calibration of the regional Blue River Basin groundwater model. Transient model runs are taking large amounts of computation time. Brown & Caldwell is asking for an extension of time until December 31, 2021 to complete the modeling work.

It was moved by Jeff Bohaty and seconded by Houdersheldt to approve the Blue River Basin groundwater model contract extension allowing work to continue through December 31, 2021. Motion carried.
ITEM 13. WATER QUALITY MANAGEMENT PLAN (WQMP) STAKEHOLDER PAYMENT – JEO ENGINEERING.

JEO Engineering has facilitated the final report and follow-up stakeholder survey in conjunction with continuing implementation of the Districts WQMP. JEO Engineering has submitted an invoice totaling $1,202.50 for work completed through May 21, 2021. This will be the last invoice, as the stakeholder implementation phase of work has been completed.

It was moved by Jeff Bohaty and seconded by Rich to pay JEO Engineering for work completed through May 21, 2021, totaling $1,202.50, for the facilitation of the final report and stakeholder survey surrounding continued implementation of the Districts WQMP. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

ITEM 14. DRAFT FY22 WATER DEPARTMENT BUDGET.

Krausnick reviewed the second draft of the Water & Regulations Department budget with the committee. Additional funds were added to complete the regional Blue River Basin model. The committee recommended that the draft be forwarded to the Executive Committee for inclusion in the consolidated budget.

It was moved by Jeff Bohaty and seconded by Luebbe to forward the Water Department budget to the Executive Committee for inclusion in the consolidated budget. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

ITEM 15. PHASE II/III PROGRAM REVIEW.

Krausnick provided two lists of producers who are in violation of district rules and regulations for Phase II/III management area reporting, and those who have not completed nitrogen certification training. Staff has followed the steps outlined in the District’s Rules and Regulations and issued a complaint, violation, and intent to issue an order of cease and desist/schedule of compliance. The producers have until June 18 to complete the Phase II/III management area report and June 16 to complete the nitrogen certification test. If the producers fail to come into compliance, they have the option of requesting a public hearing before the board of directors or face the issuance of an Order of Cease and Desist.

It was moved by Jeff Bohaty and seconded by Luebbe to issue orders of cease and desist for all producers out of compliance with Phase II/III reporting by the close of business Friday, June 18, 2021. Motion carried.
NAY: Grotz, Siebert
NOT PRESENT: Miller, Moore, Robotham

It was moved by Jeff Bohaty and seconded by Rich to issue orders of cease and desist for all producers out of compliance with nitrogen certification training by the close of business Wednesday, June 16, 2021.

Krausnick informed the board that staff has contacted producers who are out of compliance with nitrogen certification training and offered them the opportunity to attend a special nitrogen certification training on Thursday, June 24. They may also take the written test. She asked that the board amend the motion and extend the deadline to close of business on Friday, June 25.

It was moved by Houdersheldt and seconded by Dickinson to amend the motion to say Friday, June 25, 2021. Amendment carried.

NAY: Siebert
NOT PRESENT: Miller, Moore, Robotham

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

NAY: Grotz, Siebert
NOT PRESENT: Miller, Moore, Robotham

ITEM 16. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Projects & Programs Committee met on June 10, 2021 and presented the committee’s recommendations.

ITEM 17. LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $1,413.64 for one completed NSWCP Land Treatment Project, and $18,364.48 for ten completed NRD Land Treatment Projects, as recommended by staff and reviewed by the Committee. Motion carried.
ITEM 18. NEBRASKA BUFFER STRIP PROGRAM.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve 4th quarter payments of $18,016.70 for ten Nebraska Buffer Strip Program contracts, as recommended by staff and reviewed by the Committee. Motion carried.


NAY: None

NOT PRESENT: Miller, Moore, Robotham

ITEM 19. CORNERS FOR WILDLIFE PROGRAM PAYMENTS.

It was moved by Rich and seconded by Jeff Bohaty that the Upper Big Blue NRD approve payment of $402.00 for two Corners for Wildlife contracts, as recommended by staff and reviewed by the Committee. Motion carried.


NAY: None

NOT PRESENT: Miller, Moore, Robotham

ITEM 20. PEYTON PARKER LANE PLAYGROUND FUNDING REQUEST.

The Committee reviewed the NRD’s Parks Program guidelines and discussed the Special Projects Program. They discussed eligibility requirements and the importance of staying within the program to be consistent with all parties. The City of York is supportive of the project and NRD financial assistance would be provided through the City of York.

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD enter into an Interlocal Agreement with the City of York to provide 25% of the local cost-share, not to exceed $10,000.00 of fiscal year 2022 funds for the Peyton Parker Lane Playground, as outlined in the NRD’s Parks Program. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Nuss, Rich, Siebert, Stahly, Yates

NAY: Bethune, Weiss

NOT PRESENT: Miller, Moore, Robotham

ITEM 21. DUNKER DAM SLIP LINING PROJECT.
M.E. Collins grouted the pipe on June 4. There was some concern with the cellular grout used, so the contractor will be plugging the grout pipes and vent pipes with concrete. Shipping costs for the pipe were higher due to shortages of trailers and truck drivers.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD approve payment of $7,397.50 to ISCO Industries for the 18” HDPE Pipe and delivery, as recommended by staff and reviewed by the Committee. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

ITEM 22. YORK FLOOD MITIGATION EVALUATION.

The City of York requested reimbursement for work completed between February and May on the York Flood Mitigation Evaluation. The evaluation will identify potential flood risk reduction measures. To-date JEO Consulting has completed the kickoff meeting, conducted a field visit, has reviewed NDNR/FEMA updated flood modeling, and has started to look at flood plain modeling scenarios. The NRD has an Interlocal Agreement with the City of York to provide 50% of the costs not to exceed $20,000.

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue approve payment of $5,281.25 (50% of local costs totaling $10,562.50) to the City of York for work completed on the York Flood Mitigation Evaluation project, as recommended by staff and reviewed by the Committee. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

ITEM 23. SMITH CREEK RECREATION AREA IMPROVEMENTS.

Pieper’s Inc. has installed the domestic well and waterline at Smith Creek and Pankoke Construction has removed the old restroom. The new CXT Rocky Mountain Double Vault Restroom was installed on Thursday, June 10th. The ADA accessible hydrant will be installed following some additional grading work.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $13,312.00 to Pieper’s Inc. for installation of the domestic well at Smith Creek, as recommended by staff and reviewed by the Committee. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham
It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD approve payment of $3,198.00 to Pankoke Construction for removing the existing vault restroom at Smith Creek, as recommended by staff and reviewed by the committee. Motion carried.

NAY: None  
NOT PRESENT: Miller, Moore, Robotham

ITEM 24. OXBOB TRAIL RECREATION AREA IMPROVEMENTS.

Pankoke Construction has removed the old restroom. The new CXT Rocky Mountain Double Vault Restroom was installed on Wednesday, June 9th. Pieper’s Inc will be installing the domestic well and waterline at Oxbow Trail. Butler Public Power will be bringing power to the site. They will need to install some overhead line from the road to cross the gas line.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD approve payment of $3,510.00 to Pankoke Construction for removing the existing vault restroom at Oxbow Trail, as recommended by staff and reviewed by the Committee. Motion carried.

NAY: None  
NOT PRESENT: Miller, Moore, Robotham

ITEM 25. FY 2022 DRAFT FORESTRY BUDGET.

Staff presented the second draft of the FY 2022 Forestry budget for the committee’s review. The committee recommended that the draft be forwarded to the Executive Committee for inclusion in the consolidated budget.

It was moved by Rich and seconded by Luebbe to forward the draft Forestry budget to the Executive Committee. Motion carried.

NAY: None  
NOT PRESENT: Miller, Moore, Robotham

ITEM 26. FY 2022 DRAFT PROJECTS BUDGET.

Staff presented a second draft of the FY 2022 Projects budget for the committee’s review. The committee made changes to the proposed budget and recommended that the draft be forwarded to the Executive Committee with those changes for inclusion in the consolidated budget.
It was moved by Rich and seconded by Houdersheldt to forward the draft Projects budget to the Executive Committee with the additions of 1) $125,000 for purchasing additional 16.3 acres on the west side of Oxbow Trails for park development 2) $100,000 for installing storm warning sirens at Pioneer Trails, Recharge Lake, Smith Creek, and Oxbow Trail recreation areas 3) $160,000 for installing storm shelters at Pioneer Trails and Recharge 4) $40,000 for improving parking/camping options at Smith Creek. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Nuss, Rich, Siebert, Stahly, Yates
NAY: Weiss
NOT PRESENT: Miller, Moore, Robotham

ITEM 27. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Executive Committee met on June 10, 2021 and presented the committee’s recommendations.

ITEM 28. PAYMENT TO THE HARRY A. KOCH CO. FOR FY 22 INSURANCE COVERAGE.

Staff worked with Cornerstone Insurance to obtain quotes for the FY22 insurance package. Due to the liability for the district owned dams it is difficult to get insurers to quote the complete package. We have 1 high-hazard dam (Hastings Northwest) and 3 significant-hazard dams (Stuebing, Recharge Lake and Oxbow Trail), and 40 low-hazard dams or structures that the district owns and maintains.

A renewal quote of $77,589 was submitted by Cornerstone Insurance and The Harry A. Koch Company of Omaha for the district’s FY 22 insurance package through Glatfelter. The cost of coverage for FY21 was $73,531. Our workers compensation carrier is BITCO. The work comp premium is based on actual payroll, so a payroll audit will be conducted at the end of each fiscal year to determine any additional premium due.

<table>
<thead>
<tr>
<th></th>
<th>FY21</th>
<th>FY 22</th>
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<tr>
<td>Liability, Auto, Fire &amp; Casualty</td>
<td>$52,436</td>
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<tr>
<td>Workers Compensation</td>
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<td>$20,676</td>
</tr>
<tr>
<td>Estimated Total</td>
<td>$73,531</td>
<td>$77,589</td>
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</table>

It was moved by Kuehner and seconded by Rich to make payment of $77,589 to Harry A. Koch Co. for liability, auto, workmen’s compensation, fire, and casualty insurance for FY22. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

ITEM 29. PAYMENT REQUEST FROM NEBRASKA ASSOCIATION OF RESOURCES DISTRICT (NARD).
An invoice totaling $11,107.79 was received from NARD for trees and supplies for the FY21 tree planting season.

It was moved by Kuehner and seconded by Luebbe to make payment of $11,107.79 to NARD for trees and supplies for the FY21 tree planting season. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

ITEM 30. PAYMENT TO NORTH PRINTING COMPANY FOR THE BLUEPRINT NEWSLETTER.

The Executive Committee reviewed an invoice from North Printing Company in the amount of $10,916.16 for printing the Spring 2021 edition of the BLUEPRINT newsletter.

It was moved by Kuehner and seconded by Rich to approve payment of $10,916.16 to York Printing Company for printing the Spring 2021 edition of the BLUEPRINT newsletter. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

ITEM 31. EVALUATION OF GENERAL MANAGER’S JOB PERFORMANCE AND FY22 COMPENSATION.

The Executive Committee recommended that the full board consider the general manager’s job performance and any salary adjustment at the June 17th Board Meeting.

It was moved by Kuehner and seconded by Houdersheldt that the board go into closed session at 8:22 p.m. to prevent needless injury and to protect the reputation of the general manager while conducting an evaluation of his job performance. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

It was moved by Kuehner and seconded by Dickinson to return to open session at 8:35 p.m. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

It was moved by Houdersheldt and seconded by Grotz to increase the general manager’s salary by 3%.
Motion carried.

NAY: None
NOT VOTING: Luebbe
NOT PRESENT: Miller, Moore, Robotham


Eigenberg reviewed the financial report for the period May 1, 2021, to May 31, 2021 that was distributed. It was moved by Houdersheldt and seconded by Grotz to approve the financial report for May 2021 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

ITEM 33. MOTION TO ADJOURN.

It was moved by Kuehner and seconded by Dickinson to adjourn the meeting at 9:17 p.m. Motion carried.

NAY: None
NOT PRESENT: Miller, Moore, Robotham

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held June 17, 2021, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

__________________________________________
Bill Stahly, Secretary
:ndb
MINUTES
BOARD OF DIRECTORS MEETING
July 22, 2021

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 22, 2021, at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, and Josh Bowers of York County NRCS. No one participated via Zoom.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.
Yates reported that we published the legal notice of the board of directors’ meeting on July 15, 2021, in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.
Yates advised those in attendance that the Open Meetings Act was posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.
Sixteen directors were present during roll call. Grotz arrived at 7:02 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.
There were no requests for excused absence.

ITEM 5. ADOPTION OF AGENDA.
It was moved by Rich and seconded by Dickinson to approve the agenda for the July 22, 2021, board of directors meeting as presented. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 6. APPROVAL OF MINUTES OF THE JUNE 17, 2021, BOARD OF DIRECTORS MEETING.
It was moved by Luebbe and seconded by Bethune to approve the minutes of the June 17, 2021, board of directors meeting. Motion carried.
ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met July 13, 2021 and presented the committee’s recommendations.

ITEM 8. MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM AGREEMENT EXTENSION – MCCOOL JUNCTION.

The Village of McCool Junction was awarded funding by the Upper Big Blue NRD for the construction of a new municipal well. The well driller is having trouble acquiring the materials needed to construct the well. The original funding agreement expired on June 30, 2021. The Village is requesting an extension to December 31, 2021, for completion of this project.

It was moved by Miller and seconded by Luebbe to extend the Municipal Water System Assistance Program agreement with the Village of McCool Junction until December 31, 2021. Motion carried.

ITEM 9. FLOWMETER REPAIR COST-SHARE PAYMENTS.

Six flow meter repair cost-share applications have been approved for final payments totaling $1,386.60.

It was moved by Miller and seconded by Luebbe to pay six flow meter repair cost-share claims totaling $1,386.60. Motion carried.

ITEM 10. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Five Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payment, totaling $3,594.61.

It was moved by Miller and seconded by Rich to make cost-share payments for five well abandonments, as reviewed by the Committee, at a cost of $3,594.61. Motion carried.
ITEM 11. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Projects & Programs Committee met on July 13, 2021 and presented the committee’s recommendations.

ITEM 12. LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD approve payment of $54,051.36 for 12 completed NRD Land Treatment Projects, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 13. STORM DAMAGED TREE PROGRAM PAYMENT.

It was moved by Rich and seconded by Stahly that the Upper Big Blue NRD approve payment of $99.50 to Joe and Carol Schmeiding for a tree through the storm damaged tree program, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 14. DUNKER DAM SLIP LINING PROJECT PAYMENT.

M.E. Collins has completed packing the grout and vent pipes with concrete.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD approve payment of $24,425.00 to M.E. Collins Contracting for work completed at Dunker Dam, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 15. STARA DAM - PAYMENT TO PANKOKE CONSTRUCTION.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $18,848.38 to Pankoke Construction for the purchase and placement of 232 tons of rock on the face of Stara Dam, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
ITEM 16. YORK FLOOD MITIGATION EVALUATION PAYMENT.

JEO met with the City of York, the mayor, city council members, and NRD staff to update the city on the evaluation. JEO will be taking a closer look at modeling in a few areas of town to see if a more detailed flood routing could reduce the flood plain.

It was moved by Rich and seconded by Bethune that the Upper Big Blue NRD approve payment of $2,312.50 (50% of local costs totaling $4,625.00) to the City of York for work completed on the York Flood Mitigation Evaluation project, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 17. PAYMENT TO CXT INCORPORATED FOR SMITH CREEK RECREATION AREA RESTROOMS.

The new CXT Rocky Mountain double vault restroom was installed on Thursday, June 10.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $52,244.00 to CXT Incorporated for the purchase and installation of the CXT Rocky Mountain double vault restroom at Smith Creek, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 18. PAYMENT TO CXT INCORPORATED FOR OXBOX TRAIL RECREATION AREA RESTROOMS.

The new CXT Rocky Mountain double vault restroom was installed on Wednesday, June 9th.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD approve payment of $52,494.00 to CXT Incorporated for the purchase and installation of the CXT Rocky Mountain double vault restroom at Oxbow Trail, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 19. GENEVA BOYS POND – PAYMENT TO CITY OF GENEVA.

Geneva has completed the digging of the Boys Pond and the city has requested payment of $10,000 through the Interlocal Agreement (25% of $41,725.00 = $10,431.25). Geneva had 122 hours of
volunteer work at the time the digging was completed. Other work included installation of erosion seeding mats along the shoreline, rock ramp area for fish stocking, and habitat trees.

It was moved by Rich and seconded by Bethune that the Upper Big Blue NRD approve payment of $10,000 to the City of Geneva for work completed on the rehabilitation of the Geneva Boys Pond as outlined in the Interlocal Agreement between the City and the NRD, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

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

Kuehner reported that the Executive Committee met on July 22, 2021 and presented the committee’s recommendations.

ITEM 21. DIRECTORS’ SECOND QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors’ per diem and expenses for this past quarter. Totals for the second quarter directors’ per diem are $9,100.00 and expenses are $2,981.61, for a total expenditure of $12,081.61. Individual expense vouchers were available for review.

It was moved by Kuehner and seconded by Rich to approve payment of second quarter 2021 directors’ per diem of $9,100.00 and expenses of $2,981.61 for a total of $12,081.61, and to publish these approved expenditures in the June 2021 financial report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 22. LITTLE BLUE NRD SALARY REIMBURSEMENT.

An invoice dated June 22, 2021, totaling $20,608.66 was received from Little Blue NRD for the Clay County NRCS clerk’s salary for work performed in FY 2021 (July 1, 2020 - June 30, 2021). The Adams County NRCS clerk position was vacant during FY 2021.

It was moved by Kuehner and seconded by Nuss to approve payment of $20,608.66 to the Little Blue NRD for the NRCS clerk salary in Clay County. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 23. LOWER BIG BLUE NRD SALARY REIMBURSEMENT.
An invoice dated June 23, 2021, totaling $6,394.34 was received from the Lower Big Blue NRD for the Saline County NRCS clerk’s salary for work performed in FY 2021 (July 1, 2020 - June 30, 2021).

It was moved by Kuehner and seconded by Rich to approve payment of $6,394.34 to the Lower Big Blue NRD for the NRCS clerk in Saline County for FY 2021. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 24. LOWER PLATTE NORTH NRD SALARY REIMBURSEMENT.

An invoice dated July 8, 2021, totaling $16,161.95 was received from the Lower Platte North NRD for the Butler County NRCS clerk’s salary for work performed in FY 2021 (July 1, 2020 - June 30, 2021).

It was moved by Kuehner and seconded by Houdersheldt to approve payment of $16,161.95 to the Lower Platte North NRD for the NRCS clerk’s salary in Butler County for FY 2021. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 25. REVIEW PROPOSED PERSONNEL POLICY CHANGES.

Eigenberg led discussion and staff answered questions regarding the process of updating the Personnel Policies.

It was moved by Kuehner and seconded by Dickinson to approve Personnel Policy DRAFT 04-08-2021.

After lengthy discussion regarding proposed changes to the policy, payment for leave in excess of the maximum carryover limits, and the sick leave banking policy, it was moved by Kuehner and seconded by Miller to send Personnel Policy Draft 04-08-2021 back to the Executive Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Siebert, Stahly, Weiss, Yates
NAY: Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates

ITEM 26. FY 2022 CONSOLIDATE BUDGET.

Eigenberg recommended that the Board approve the additional 1% restricted funds authority. The affirmative vote of three-fourths majority of the board members present (13 votes) is required for approval.

It was moved by Kuehner and seconded by Rich to approve an increase in the total budgeted restricted funds authority by an additional 1%. Motion failed to achieve a three-fourths vote.

AYE: Bethune, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
A draft of the FY22 Consolidated Budget was presented to the Executive Committee and other board members. In this draft, the tax request for FY22 was down 9.82% as compared to the FY21 budget. Eigenberg briefly explained the budgeting process and rationale behind the proposed budget. There was discussion about the total dollars needed to purchase a new half-ton four-wheel drive crew cab pickup for the forestry department. An additional $12,000 was placed in the Forestry budget auto & truck line item, bringing the total for the line item to $44,000. Further action was taken by the Committee to amend the proposed FY22 Budget by adding to the sinking fund $100,000 designated for future drainage projects, $100,000 designated for Oxbow Trail Recreational Area Development and $100,000 designated for Recharge Watershed Improvements and adding $50,000 to professional services in the Project Department budget. These proposed changes caused the total tax asking for FY22 to increase by 0.80%, as compared to the FY21 budget. The Executive Committee forwarded the draft FY22 Budget with these changes to the full board for their approval.

It was moved by Kuehner and seconded by Rich to adopt the FY22 Consolidated Budget as amended for the purpose of Public Hearing.

There was a great deal of discussion regarding the proposed transfers to the sinking fund, especially the funds earmarked for future drainage projects.

It was moved by Grotz and seconded by Kuehner to amend the motion to remove the $100,000 transfer to sinking fund for “Future Drainage Projects” from the proposed FY22 Budget. Amendment failed

AYE: Jeff Bohaty, Richard Bohaty, Grotz, Kuehner, Luebbe, Siebert, Stahly, Weiss  
NAY: Bethune, Dickinson, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Yates

The question was called on the original motion. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Yates  
NAY: Jeff Bohaty, Grotz, Kuehner, Siebert, Stahly, Weiss

The dates for two public hearings need to be set so that the public notices can be published. In the past, public hearings have coincided with August and September Board meetings. Action is needed by the Board to schedule the FY22 Budget Hearing for 7:00 p.m., Thursday, August 19, 2021, and the Special Public Hearing for the FY22 Tax Request for 7:00 p.m., Thursday, September 16, 2021. Regular monthly Board meetings will also occur on these dates following the close of the hearings.

It was moved by Kuehner and seconded by Rich to schedule the FY22 Budget Hearing for 7:00 p.m., Thursday, August 19, 2021, and the FY22 Tax Request Hearing for 7:00 p.m., Thursday, September 16, 2021. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates  
NAY: None

Eigenberg reviewed the financial report for the period June 1, 2021, to June 30, 2021, that was distributed. It was moved by Houdersheldt and seconded by Dickinson to approve the financial report for June 2021 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE:    Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY:    None

ITEM 28. MOTION TO ADJOURN.

It was moved by Kuehner and seconded by Rich to adjourn the meeting at 9:10 p.m. Motion carried.

AYE:    Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY:    None

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held July 22, 2021, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Bill Stahly, Secretary

:ndb
MINUTES
FISCAL YEAR 2022 BUDGET HEARING
August 19, 2021

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 19, 2021 at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska for the purpose of hearing support, opposition, criticism, suggestions, or observations of taxpayers relating to the proposed fiscal year 2022 budget. The budget detail was available at the office of the Upper Big Blue NRD during regular business hours.

Directors present were Jeff Bohaty, Richard Bohaty, Doug Dickinson, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Kyle Overturf of AMGL, and Josh Bowers of York County NRCS.

ITEM 1. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 2. PUBLIC NOTICE OF BUDGET HEARING AND BUDGET SUMMARY.

Yates stated for the record that the Notice of Budget Hearing and Budget Summary was published in the York News-Times on August 3, 2021.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during the roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Paul Bethune and Rodney Grotz requested an excused absence.

It was moved by Rich and seconded by Dickinson to excuse the absence of Bethune and Grotz from the FY2022 Budget Hearing as requested. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Bethune, Grotz

ITEM 5. PROPOSED FISCAL YEAR 2022 BUDGET DISCUSSION.

Yates asked general manager, David Eigenberg, to review the proposed budget. Last year’s property tax request was $3,442,206.43. The proposed property tax request for fiscal year 2022 is $3,469,900.61, which is an increase of .80%, or $27,694.18 from the prior year.

The budget includes transfers totaling $300,000 to the sinking fund. The transfers are $100,000 for Oxbow Trail development; $100,000 for Recharge Lake watershed improvements; and $100,000 for future drainage improvements. Eigenberg also reminded the board that the working document still shows the prior year’s
valuations because the county clerks have until August 20 to certify the valuations and not all of those have been received. The tax request hearing to set the levy will take place September 16, 2021.

Under the current lid the Upper Big Blue NRD could increase the prior year’s restricted funds authority by 2.5% or $56,167.97. The board could have approved an additional 1% increase in restricted funds authority but voted not to. The unused restricted funds authority for fiscal year 2022 is $897,937.58.

Eigenberg reviewed a comparison of the three prior fiscal year budgets and the current proposed budget figures. He asked if any of the board members had questions regarding the budget. There were no questions from the board.

ITEM 6. PUBLIC COMMENTS.

Yates asked the members of the public who were present if they had any questions or comments regarding the proposed fiscal year 2022 budget. No comments on the budget were received from any member of the public.

ITEM 7. CLOSE OF HEARING.

Yates officially closed the hearing at 7:08 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the fiscal year 2022 budget hearing held August 19, 2021, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Bill Stahly, Secretary
MINUTES
BOARD OF DIRECTORS MEETING
August 19, 2021

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 19, 2021, at 7:09 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Jeff Bohaty, Richard Bohaty, Doug Dickinson, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Marie Krausnick, Chrystal Houston, and Josh Bowers of York County NRCS. No one participated via Zoom.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on August 12, 2021, in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act was posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Paul Bethune and Rodney Grotz requested that their absence from the August 19, 2021 board of directors meeting be excused.

It was moved by Rich and seconded by Dickinson to excuse the absence of Bethune and Grotz from the August 19, 2021 board of directors meeting as requested. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Bethune, Grotz

ITEM 5. ADOPTION OF AGENDA.

It was moved by Luebbe and seconded by Rich to approve the agenda for the August 19, 2021, board of directors meeting as presented. Motion carried.
ITEM 6. APPROVAL OF MINUTES OF THE JULY 22, 2021, BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Rich to approve the minutes of the July 22, 2021, board of directors meeting. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

NOT PRESENT: Bethune, Grotz

ITEM 7. PRESENTATION OF FISCAL YEAR 2021 AUDIT.

Kyle Overturf of AMGL, P.C. presented the fiscal year 2021 audit to the board. He reviewed the audit report and management’s discussion and analysis. He said that the audit did not identify any deficiencies in internal controls that would be considered material weaknesses but did identify a significant deficiency relating to segregation of duties. He told the board that due to the limited number of personnel this is not uncommon, but something that they should be aware of. He did suggest that we consider adopting a formal capitalization policy of at least $2,500.

It was moved by Houdersheldt and seconded by Dickinson to accept the FY21 Audit as presented. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

NOT PRESENT: Bethune, Grotz

ITEM 8. ADOPTION OF FISCAL YEAR 2022 BUDGET.

Eigenberg reviewed the proposed fiscal year 2022 budget during the hearing held prior to the board meeting. There were no comments from the public regarding the budget.

It was moved by Rich and seconded by Moore to adopt the FY 2022 Budget as presented. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

NOT PRESENT: Bethune, Grotz

ITEM 9. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.
Miller reported that the Water & Regulations Committee met August 10, 2021 and presented the committee’s recommendations.

**ITEM 10. BEEHIVE INDUSTRIES ANNUAL MAINTENANCE PAYMENT.**

Beehive Industries provides a data management software solution for the district. The software solution houses all the water programs, along with land treatment, and dams’ data. An invoice for the annual maintenance and hosting has been received totaling $25,740.00.

It was moved by Miller and seconded by Moore to pay Beehive Industries for annual maintenance and hosting for Beehive 2.0 totaling $25,740.00. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

NOT PRESENT: Bethune, Grotz

**ITEM 11. FLOWMETER REPAIR COST-SHARE PAYMENTS.**

Seven flow meter repair cost-share applications have been approved for final payments totaling $1,586.20.

It was moved by Miller and seconded by Luebbe to pay seven flow meter repair cost-share claims totaling $1,586.20. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

NOT PRESENT: Bethune, Grotz

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

Twelve Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling $8,754.60.

It was moved by Miller and seconded by Houdersheldt to make cost-share payments for twelve well abandonments, as reviewed by the Committee, at a cost of $8,754.60. Motion carried. Jeff Bohaty and Richard Bohaty abstained from voting because they each had a cost-share payment eligible for final payment.

AYE: Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Siebert, Stahly, Weiss, Yates

NAY: None

NOT VOTING: Jeff Bohaty, Richard Bohaty

NOT PRESENT: Bethune, Grotz, Robotham
ITEM 13. PAYMENT TO BROWN & CALDWELL FOR REGIONAL GROUNDWATER MODELING.

Brown and Caldwell are continuing their work on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed during June totaling $16,069.00. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources. Under the current contract $80,242.13 remains to be billed.

The Nebraska Department of Natural Resources has requested more communication between Brown & Caldwell and the Department’s subcontractor, McDonald Morrissey Associates (MMA), in reviewing output files from the models. It is hoped that MMA staff can provide ideas to Brown & Caldwell that will shorten model runtimes and improve data efficiencies.

It was moved by Miller and seconded by Stahly to pay Brown & Caldwell for work completed for the month of June totaling $16,069.00. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Bethune, Grotz

ITEM 14. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the no-crop and irrigated acres’ certification for 186 parcels totaling 14,568.57 acres, yielding an increase in irrigated acres of 802.26. This brings the total irrigated acres to 1,243,575.21.

It was moved by Miller and seconded by Nuss to certify the acres’ changes as presented to the committee. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Bethune, Grotz

ITEM 15. POTENTIAL PROJECTS OR PROGRAMS.

Based on discussions at the July Board of Directors meeting, Krausnick presented some ideas for potential projects or programs for FY23. One project, replacement of the deep monitoring well at Beaver Crossing, sparked discussion. When the well was constructed, the neat cement called for in the construction specifications warped the casing. Once the casing was warped, a standard two-inch pump like the ones used in the other dedicated monitoring wells, would not fit down the casing. So, an alternative pump was set. The company who manufactured the original pump has discontinued the line of two-inch pumps originally set in the well. The staff found an alternative plastic pump that would fit down the casing. That pump only lasted a few years. The well has not been sampled since September 2020.
It was moved by Miller and seconded by Nuss to contact Sargent Drilling in Geneva to get an estimate of cost to replace the deep dedicated monitoring well at Beaver Crossing. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Bethune, Grotz

ITEM 16. FOUR-WHEELER BID AUTHORIZATION.

Krausnick has budgeted for the replacement of two Polaris 4-wheelers with Honda Ranchers. Due to supply shortages, Krausnick would like to get the districts name on the waiting list for the Honda Ranchers as soon as possible. Staff is requesting authorization to solicit bids for two Honda Ranchers to be presented to the committee for consideration in September.

It was moved by Miller and seconded by Luebbe to authorize staff to solicit bids for two Honda Rancher 4-wheelers to present to the committee for consideration in September. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Bethune, Grotz

ITEM 17. PHASE II/III MANAGEMENT AREA REPORTING UPDATE.

Krausnick updated the committee that 11 producers remain out of compliance for Phase II/III Management Area reporting. One additional producer has been turned over to the District Court for irrigating while under an Order of Cease and Desist. Twenty-four producers have come into compliance since the issuance of Order of Cease and Desist. Since the board of directors issues the Order of Cease and Desist, the board will have to lift the Order for those producers who have come into compliance.

It was moved by Miller and seconded by Moore to direct the staff to continue prosecuting anyone who has been issued a summons. Motion carried.

AYE: Dickinson, Houdersheldt, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates
NAY: Jeff Bohaty, Richard Bohaty, Kuehner, Nuss, Siebert, Weiss
NOT PRESENT: Bethune, Grotz

It was moved by Miller and seconded by Moore to lift the Order of Cease and Desist for 24 producers who have come into compliance for Phase II/III Management Area reporting. Producers are Michael P. Alberts, Mike Campbell, Terry I. Coats, Ryan Fjell, Gil Frank, Aidan T. Friesen, Michael George, Curtis Hackbart, Jon G. Hansen, Kevin P. Heine, Kevin Herrold, Steven J. Hiebner, Neal L. Hoagland, Cody Huenefeld, Timothy D. Johnson, James E. Konzak, Chase Kumpf, Miller Farms of Polk LLC, Garet J. Peters, Skyler Ratkovec, Robb Samuelson, Robert Lyle Sterns, Merlin G. & Chad M. Stuhr, and Matt Wyman, and Jeary Morgan. Motion carried.
ITEM 18. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Projects & Programs Committee met on August 12, 2021 and presented the committee’s recommendations.

ITEM 19. LAND TREATMENT PROGRAM PAYMENT.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $859.57 for one completed NRD Land Treatment Project, as recommended by staff and reviewed by the Committee. Motion carried.

ITEM 20. CITY OF YORK FLOOD MITIGATION EVALUATION UPDATE AND PAYMENT.

JEO is continuing their evaluation of the flood routing to see if the flood plain area can be reduced. The City of York submitted a request for payment in the amount of $3,712.50 for current work performed by JEO.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD approve payment of $3,712.50 (50% of local costs totaling $7,425.00) to the City of York for work completed on the York Flood Mitigation Evaluation project, as recommended by staff and reviewed by the Committee. Motion carried.

ITEM 21. SMITH CREEK RECREATION AREA ELECTRICAL QUOTE.

Staff presented an updated quote from Dawson Electric for the electrical work at Smith Creek. The updated quote was necessary due to increase in material costs and the additional electrical service to the new CXT Restroom. The Committee instructed staff to add a completion date to the work.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD approve the quote of $5,688.60 from Dawson Electric Inc. for completing the electrical work at Smith Creek Recreation Area, to be finished by Friday, November 19, 2021, as recommended by staff and reviewed by the Committee.
ITEM 22. WATER QUALITY MANAGEMENT PLAN IMPLEMENTATION.

Staff presented draft programs for implementing the NRDs Water Quality Management Plan (WQMP). Programs were developed as the result of the Stakeholder Group recommendations. These recommendations included installation of buffer strips, grassed waterways, terraces, and cover crops within target areas. The Agricultural Conservation Planning Framework program was used to identify the very high-risk areas and high-risk areas of the Recharge Lake watershed. The special priority areas would include the well head protection areas.

WQMP – Cover Crop Program - Staff presented a draft cover crop program that would target 1,000 acres of the Recharge Lake drainage area (the very high-risk and high-risk areas) and 1,000 acres of well head protection areas (from cities with an approved well head protection plan). Funding would cover actual costs up to an annual rate which would be set at $50/acre the first year, $50/acre the second year, $40/acre the 3rd year, $30/acre the 4th year, and $30/acre the fifth year.

WQMP – Land Treatment Program – Staff presented a draft WQMP Land Treatment Program that would mirror the NRDs land treatment program with an increased rate of cost share and a higher maximum cost share. Area for this program would be the very high-risk and high-risk areas of the Recharge Lake drainage. Cost share would be set at 90% with a maximum of $15,000.

WQMP Buffer Strip Incentive Program – Staff presented a draft WQMP Buffer Strip Incentive Program that would offer an NRD incentive payment set at 50% of the Nebraska Buffer Strip rate. The maximum rate from the Nebraska Buffer Strip Program is $250/acre so the maximum rate of the NRD incentive payment would be $125/acre. The area for this program would be the entire Beaver Creek watershed.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD adopt the WQMP Cover Crop, WQMP Land Treatment, and the WQMP Buffer Strip Incentive programs as written, as recommended by staff, and reviewed by the Committee. Motion carried.

AYE: Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: Jeff Bohaty
NOT PRESENT: Bethune, Grotz

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

Kuehner reported that the Executive Committee met on August 12, 2021 and presented the committee’s recommendations.

ITEM 24. UPDATE AND ADOPTION OF EMPLOYEE HANDBOOK.
The Upper Big Blue NRD Personnel Policies Handbook was originally adopted in May of 1991. A handful of policies have been added or updated over the years. Eigenberg received approval from the board in January 2021 to work with the District's legal counsel to draft an updated Employee Handbook. After staff and legal worked through several rough drafts of the existing personnel policies and incorporated new language, updated statutes, and new polices the board was provided with a draft Employee Handbook for their review in April 2021. Meanwhile, staff and legal continued to work on refining the draft Employee Handbook. In July the board considered adoption of the draft Employee Handbook, but due to the number of changes the board wanted more time to review the draft and get more clarification on some of the proposed changes prior to adoption. The draft was sent back to the Executive Committee for further development. In August the board was provided a new draft of the Employee Handbook dated 8-13-2021.

It was moved by Kuehner and seconded by Miller to recommend approval of Employee Handbook draft 08-13-2021. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Bethune, Grotz

ITEM 25. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS FY 22 DUES.

An invoice in the amount of $36,907.42 was received from the Nebraska Association of Resources Districts for the FY 22 dues.

It was moved by Kuehner and seconded by Siebert to approve payment of $36,907.42 to the NARD for the FY 22 dues.

AYE: Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: Jeff Bohaty
NOT PRESENT: Bethune, Grotz

ITEM 26. KANSAS NEBRASKA NATIONAL HERITAGE AREA DISCUSSION (NHA).

Discussion focused on the impact of a Kansas Nebraska National Heritage Area designation on counties in the District and the District as a whole.

It was moved by Kuehner and seconded by Robotham to recommend approval of Resolution 2021-1 opposing Kansas Nebraska National Heritage Area designation. Motion carried. A copy of Resolution 2021-1 is attached.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Moore, Nuss, Robotham, Siebert, Stahly, Weiss, Yates
NAY: Luebbe, Miller, Rich
NOT PRESENT: Bethune, Grotz
ITEM 27. EXECUTIVE ORDER #10048 “30X30 PLAN” - “CONSERVING AND RESTORING AMERICA THE BEAUTIFUL.”

Discussion focused on the impact that Executive Order #10048 (Conserving and Restoring America the Beautiful) would have on the district. Consensus was that this conservation work is what the NRD system already provides to the state daily.

It was moved by Kuehner and seconded by Houdersheldt to recommend approval of Resolution 2021-2 opposing Executive Order #10048 (Conserving and Restoring America the Beautiful). Motion carried. A copy of Resolution 2021-2 is attached.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Bethune, Grotz


Eigenberg reviewed the financial report for the period July 1, 2021, to July 31, 2021, that was distributed. It was moved by Rich and seconded by Houdersheldt to approve the financial report for July 2021 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Bethune, Grotz

ITEM 29. MOTION TO ADJOURN.

It was moved by Miller and seconded by Dickinson to adjourn the meeting at 9:15 p.m. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Bethune, Grotz

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held August 19, 2021, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available
for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________

Bill Stahly, Secretary

:ndb
Attachments (2)
MINUTES
FISCAL YEAR 2022 TAX REQUEST HEARING
September 16, 2021

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 16, 2021, at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska for the purpose of hearing support, opposition, criticism, suggestions, or observations of taxpayers relating to setting the final tax request.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, and Josh Bowers of York County NRCS.

ITEM 1. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 2. PUBLIC NOTICE OF TAX REQUEST HEARING.

Yates stated for the record that the Notice of Special Hearing to Set Final Tax Request was published in the York News-Times on September 7, 2021.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during the roll call. There were no requests for excused absence.

ITEM 4. FISCAL YEAR 2022 TAX REQUEST.

Yates asked general manager David Eigenberg to review the property tax request and proposed tax rate for fiscal year 2022. Eigenberg reviewed the valuations for the portions of nine counties within the Upper Big Blue NRD. The total valuation was $14,979,047,203, which was an increase of $27,267,332 from the prior fiscal year, or 0.18 percent. The property tax needed to fund the FY 22 budgeted expenditures is $3,469,099.61 which will require a property tax rate of 0.023165 to fund the budget. Eigenberg advised the board that they would need to adopt a resolution following this hearing to set the levy.

ITEM 6. PUBLIC COMMENTS.
Yates asked those who were present if they had any questions or comments regarding the proposed tax request for fiscal year 2022. No comments were received.

**ITEM 7. CLOSE OF HEARING.**

Yates officially closed the hearing at 7:07 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 September 16, 2021, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Bill Stahly, Secretary

:ndb
The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 16, 2021, at 7:08 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Marie Krausnick, Chrystal Houston, Josh Bowers of York County NRCS, Jonathan T. Rempel, Daniel Grotz, and Lance Peters. No one participated via Zoom.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on September 9, 2021, in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act was posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. ADOPTION OF AGENDA.

It was moved by Houdersheldt and seconded by Rich to approve the agenda for the September 16, 2021, board of directors meeting as presented. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates

NAY: None

NOT PRESENT: Weiss

ITEM 6. APPROVAL OF MINUTES OF THE FY 2022 BUDGET HEARING.
It was moved by Stahly and seconded by Dickinson to approve the minutes of the FY 2022 Budget Hearing. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Weiss

ITEM 7. APPROVAL OF MINUTES OF THE AUGUST 19, 2021 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Miller to approve the minutes of the August 19, 2021 board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Weiss

ITEM 8. ADOPTION OF FY 2022 TAX REQUEST RESOLUTION.

The following resolution was presented to the board for adoption.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the governing body of the Upper Big Blue Natural Resources District passes by a majority vote a resolution setting the tax request; and

WHEREAS, a special public hearing was held on September 16, 2021 as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the governing body of the Upper Big Blue Natural Resource District resolves that:

1. The Fiscal Year 2022 property tax request be set at $3,469,900.61.
2. The total assessed value of property differs from last year’s total assessed value by 0.18 percent.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be $0.02298 per $100 of assessed value.
4. The Upper Big Blue Natural Resources District proposes to adopt a property tax request that will cause its tax rate to be $0.023165 per $100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the Upper Big Blue Natural Resources District will increase from last year’s proposed operating budget by 6.8 percent.
6. A copy of this resolution shall be certified and forwarded to the County Clerk on or before October 13, 2021.
It was moved by Houdersheldt and seconded by Moore to adopt the FY 2022 Tax Request Resolution as presented. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Weiss

ITEM 9. STAFF RECOGNITION.

Nancy Brisk, office manager, was recognized for 40 years of service to the District.

ITEM 10. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met September 7, 2021 and presented the committee’s recommendations.

ITEM 11. GROUNDWATER TRANSFER – ROTH/HILLMANN.

Kirby Roth and Kris Saltzman own 148.11 acres in the SW1/4 of Section 19-T10N-R3E. The property is watered by well G-069284B. Roth and Saltzman would like to transfer water to 43.5 acres in the N1/2 NW1/4 of Section 30-T10N-R3E owned by Lynne D. Hillmann LE. This transfer fits within the groundwater transfer rules.

It was moved by Miller and seconded by Kuehner to approve groundwater transfer T-108. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT VOTING: Houdersheldt
NOT PRESENT: Weiss

ITEM 12. GROUNDWATER MANAGEMENT AREA #2 SUMMER SAMPLING.

Krausnick reviewed the results of the summer monitoring well sampling. The median nitrate levels in Zones 6 and 11 have reached the Phase III Management Area trigger of 10 ppm. Rule 5 states that when the median nitrate level reaches 10 ppm, the Board will take steps to move the affected zone from Phase II to Phase III Management.

It was moved by Miller and seconded by Moore to move Groundwater Management Area #2, Zones 6 and 11, from Phase II to Phase III Management effective January 1, 2022.

Siebert expressed concern that before we move from a phase II to phase III management area, we need to determine whether moving from phase II to phase III is beneficial and whether we are reducing the nitrate levels in our management areas. He referenced the On-Farm Research studies that we helped
fund last year. There were 6 inhibitor studies and 1 fall and spring anhydrous application study. He stated that producers who are attending our required nitrogen training sessions are being told by presenters that nitrification inhibitors are not effective in controlling leaching of nitrogen in the soils in this area. He feels our rules banning fall fertilization until after November 1 are effective.

Rodney Grotz was concerned about the number of additional acres that might be required to have a nitrification inhibitor applied if the land is moved from a phase II to phase III management area. He said that nitrification inhibitors are a relatively new technology, and it isn’t yet known what the impacts could be from their use. He cited research that shows they are not proven to work in all soil types. He felt the District should revisit the use of nitrification inhibitors in Rule 5.

Moore said that District Rule 5 has been reviewed and changed at least 13 times since its adoption. He was not opposed to opening Rule 5 up again for review but felt strongly that the board needs to take action to uphold the existing Rule 5. If changes are made to Rule 5 in the future, as far as what triggers a move from one management phase to the next or the use of a nitrification inhibitor, then we will act accordingly. Houdersheldt, Miller, Rich, and other board members agreed with Moore regarding the need to uphold the existing Rule 5.

Jonathan Rempel addressed the board to express his concerns. He felt that the District needs to review their data to determine if the management zones are working to reduce nitrates. He voiced the same concerns that Rodney Grotz raised regarding the use of nitrification inhibitors. He questioned whether the monitoring wells being sampled are representative of all the irrigation wells in the District. He asked whether the NRD had pulled any 3-10 foot core samples to determine whether there is less leaching in the shallow soil profile.

Houdersheldt said that expecting the nitrogen problem to be solved in 5-10 years is unrealistic. It took many years for us to get to this point and it will take many years for our rules to effect change. Hopefully in 15-20 years we will see some improvements. He also said he was not opposed to reviewing Rule 5 regarding the use of nitrification inhibitors.

Yates reminded those in attendance that there are other options besides fall fertilizing and nitrification inhibitors. Luebbe echoed this statement and said that fall fertilizing could be banned altogether, thus eliminating the need for a nitrification inhibitor.

Daniel Grotz and Lance Peters also address the board regarding their concerns about moving zones 6 and 11 from phase II to phase III management areas and the safety and effectiveness of nitrification inhibitors.

Jeff Bohaty asked if Rule 5 required a decision to be made right away. After further discussion regarding Rule 5 and how to proceed with the motion on the floor, it was moved by Grotz and seconded by Jeff Bohaty to refer the matter back to the Water and Regulations Committee. Motion failed.

AYE: Jeff Bohaty, Richard Bohaty, Grotz, Kuehner, Siebert, Stahly, Yates
NAY: Bethune, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham
NOT PRESENT: Weiss
After a great deal of discussion, it was moved by Luebbe and seconded by Moore to call for the question. Motion carried.

AYE: Bethune, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: Jeff Bohaty, Richard Bohaty, Grotz, Kuehner
NOT PRESENT: Weiss

Question was called on the original motion. Motion carried.

AYE: Bethune, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Yates
NAY: Jeff Bohaty, Richard Bohaty, Grotz, Kuehner, Siebert, Stahly
NOT PRESENT: Weiss

ITEM 13. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Three Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payment, totaling $2,250.00.

It was moved by Miller and seconded by Nuss to make cost-share payments for three well abandonments, as reviewed by the Committee, at a cost of $2,250.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Weiss

ITEM 14. REGIONAL GROUNDWATER MODELING PAYMENT TO BROWN & CALDWELL.

Brown and Caldwell are continuing their work on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed during July totaling $2,807.00. As the project lead, the District will cover 100% of the bill to Brown and Caldwell, and request reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources. Under the current contract, $77,435.13 remains to be billed.

It was moved by Miller and seconded by Nuss to pay Brown and Caldwell for work completed for the month of July totaling $2,807.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Weiss

ITEM 15. PHASE II/III MANAGEMENT AREA REPORTING UPDATE.

Krausnick updated the board on the producers who remain out of compliance for Phase II/III Management Area reporting. Three producers have been turned over to the District Court for irrigating
while under an Order of Cease and Desist. Six producers have come into compliance since the August board of directors meeting. Since the board of directors issues the Order of Cease and Desist, the board will have to lift the Order for those producers who have come into compliance.

It was moved by Miller and seconded by Nuss to lift the Order of Cease and Desist for six producers who have come into compliance for Phase II/III Management Area reporting. Producers are AF Farms Inc. c/o Adam Fritz, Randy L. Jensen, Allen J. Luebbe, Fred Schluckebier, and Matthew C. Snoberger, and Glenn Huebert. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Weiss

ITEM 16. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Projects & Programs Committee met on September 9, 2021 and presented the committee’s recommendations.

ITEM 17. NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $1,597.50 for two first quarter Nebraska Buffer Strip Program contracts, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Weiss

ITEM 18. PRIVATE DAMS PROGRAM.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD approve the Leona Rath private dam application with an estimated cost range of $50,000 - $75,000, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Weiss

ITEM 19. PAYMENT TO CITY OF YORK FOR FLOOD MITIGATION EVALUATION.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD approve payment of $2,981.25 (50% of local costs totaling $5,962.50) to the City of York for work completed on the York Flood Mitigation Evaluation project, as recommended by staff, and reviewed by the Committee. Motion
ITEM 20. SMITH CREEK RECREATION AREA IMPROVEMENTS.

Staff has put together a design for recreation improvements at Smith Creek Recreation Area. Improvements will include new ADA parking stalls, sidewalks, and enlargement of the parking area. Staff will solicit bids for work that involves earthwork, concrete, and disposal of existing bollards and separate bids for installation of a drain line from the hydrant to the reservoir. NRD staff plans to install new bollards south of the existing line of bollards.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD solicit bids for improvements to the Smith Creek Recreation Area and present bids at a future committee meeting for consideration. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Weiss

ITEM 21. SMITH CREEK EMERGENCY SPILLWAY RESTORATION.

Staff has prepared a design for restoration of the emergency spillway at Smith Creek Recreation Area. Work will include some erosion repair below the spillway channel, and staff will visit with the adjacent landowner to discuss possible improvements east of the spillway.

It was moved by Rich and seconded by Bethune that the Upper Big Blue NRD solicit bids for improvements to the Smith Creek emergency spillway, which will include restoring the channel, seeding, and fencing. Staff will present bids at a future committee meeting for consideration. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Weiss

ITEM 22. REQUEST TO SOLICIT BIDS FOR TRUCK, UTV, AND SNOW PUSHER ATTACHMENT.

Staff requested approval to solicit bids for a new pickup for the Forestry Department, a new 4 X 4 UTV, and a snow pusher attachment for the tractor.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD solicit bids for a new
pickup, a new 4 X 4 UTV, and a new snow pusher attachment for the tractor, as recommended by staff and reviewed by the committee. Staff will present bids at a future committee meeting for consideration. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates

NAY: None

NOT PRESENT: Jeff Bohaty, Weiss

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

Kuehner reported that the Executive Committee met on September 9, 2021 and presented the committee’s recommendations.

ITEM 24. PAYMENT TO AMGL CPAS & ADVISORS FOR FY 2021 AUDIT.

An invoice for $8,450.00 was received from AMGL CPAs & Advisors for conducting the FY 2021 Audit.

It was moved by Kuehner and seconded by Dickinson to approve payment of $8,450.00 to AMGL CPAs & Advisors for conducting the FY 2021 Audit. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates

NAY: None

NOT PRESENT: Jeff Bohaty, Weiss

ITEM 25. COPIER PURCHASE.

Quotes from three dealers for a new copier were reviewed and are listed on the spreadsheet below. Staff recommended purchasing the Ricoh IM C6000-RS # 418228 from Capital Business Systems at the quoted price of $10,096.54. Expected delivery may be two to three months depending on availability.

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<tr>
<th>Advanced Office Automation</th>
<th>Eakes Office Solutions</th>
<th>Eakes Office Solutions</th>
<th>Capital Business Systems</th>
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<tr>
<td>Total purchase price</td>
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<td>Total Purchase Price</td>
<td>$10,096.54</td>
</tr>
</tbody>
</table>

It was moved by Kuehner and seconded by Miller to purchase the Ricoh IM C6000-RS # 418228 with a quoted price of $10,096.54 from Capital Business Systems. Motion carried.
ITEM 26. RECOMMENDATION FOR THE PURCHASE OF 4-WHEELERS.

A quote from one dealer was reviewed for two Honda Ranchers, Model TRX420FM2. Quotes included assembly, setup, documentations fees, and delivery to York. Bid price was $7,862.00 per unit with an expected delivery date of on or before May 15, 2022. The dealer will allow $2,800 trade-in value for each of the 2014 Polaris Sportsman 400.

It was moved by Kuehner and seconded by Bethune to purchase two Honda Rancher 4-wheelers from Rod’s Power Sports, Lincoln, Nebraska, for a total of $15,724.00 and accept trade-in value of $5,600.00 for two 2014 Polaris Sportsman 400. Total expenditure will be $10,124.00. Motion carried.

ITEM 27. NARD LEGISLATIVE RESOLUTION 2021-1 – EXECUTIVE ORDER #10048 30X30 PLAN.

The Executive Committee was provided a copy of NARD Resolution 2021-1 – Executive Order #10048 – 30x30 plan submitted by the Tri-Basin NRD.

This resolution opposes any effort by the federal government to pursue an arbitrary goal to set aside any percentage of land and water in the United States that would circumvent the existing system of local control; infringe on private property rights; required federal approval of local or state soil and water conservation plans, regulations, or projects. The consensus and recommendation of the Executive Committee was to support this resolution.

It was moved by Houdersheldt and seconded by Miller to direct Paul Bethune, NARD Representative, to cast 5 votes in support of Resolution 2021-1 – Executive Order #10048 at the NARD Fall Conference. Motion carried.


Eigenberg reviewed the financial report for the period August 1, 2021, to August 31, 2021, that was distributed. It was moved by Houdersheldt and seconded by Grotz to approve the financial report for August 2021 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.
ITEM 29. MOTION TO ADJOURN.

It was moved by Houdersheldt and seconded by Miller to adjourn the meeting at 9:08 p.m. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Weiss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held September 16, 2021, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Bill Stahly, Secretary

:ndb
The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 21, 2021, at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Marie Krausnick, Chrystal Houston, Jack Wergin, legal counsel Don Blankenau and Kennon Meyer, and Josh Bowers of York County NRCS. No one participated via Zoom.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on October 14, 2021, in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Thirteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Roger Houdersheldt and Paul Weiss requested an excused absence from the October 21, 2021 board of directors meeting.

It was moved by Miller and seconded by Nuss to excuse the absence of Houdersheldt and Weiss from the October 21, 2021 board of directors meeting as requested. Motion carried.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: Bethune
NOT PRESENT: Grotz, Houdersheldt, Moore, Weiss

ITEM 5. ADOPTION OF AGENDA.
It was moved by Kuehner and seconded by Luebbe to approve the agenda for the October 21, 2021, board of directors meeting as amended to include going into closed session. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT VOTING: Moore
NOT PRESENT: Grotz, Houdersheldt, Weiss

ITEM 6. APPROVAL OF MINUTES OF THE FY 2022 TAX REQUEST HEARING.

It was moved by Rich and seconded by Dickinson to approve the minutes of the FY 2022 Tax Request Hearing. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT VOTING:  Moore
NOT PRESENT:  Grotz, Houdersheldt, Weiss

ITEM 7. APPROVAL OF MINUTES OF THE SEPTEMBER 16, 2021 BOARD OF DIRECTORS MEETING.

It was moved by Luebbe and seconded by Rich to approve the minutes of the September 16, 2021 board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Weiss

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

Miller reported that the Water & Regulations Committee met October 12, 2021 and presented the committee’s recommendations.

ITEM 9. WATER USE SUMMARY SCOPE OF WORK – OLSSON.

Krausnick presented a scope of work document to develop a water use summary report showing producers their pooling and water use. The report would use data available in the Water Accounting Platform. The intent would be to educate producers on how the district views and uses their water use data in an allocation. Total project cost is $10,000.

It was moved by Miller and seconded by Moore to authorize staff to begin working with Olsson and Sitka Technologies on the development of a water use summary not to exceed $10,000. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
ITEM 10. GROUNDWATER TRANSFER – O’C & O’C INC.

Paul J. Jr. and Nancy S. O’Connor own 159.75 acres in the SE1/4 of Section 31-T09N-R03W. The property is watered by well G-024560. The O’Connor’s would like to transfer water to 40 acres in the NE1/4 of Section 06-T08N-R03W owned by O’C and O’C Inc. This transfer fits within the groundwater transfer rules.

It was moved by Miller and seconded by Rich to approve groundwater transfer T-109. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Weiss

ITEM 11. FLOW METER REPAIR COST SHARE PAYMENT.

One flow meter repair cost share application has been approved for final payment totaling $300.00.

It was moved by Miller and seconded by Luebbe to make cost-share payment for one flow meter repair cost share, as reviewed by the Committee, at a cost of $300.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Weiss

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

Three Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payment, totaling $1,052.49.

It was moved by Miller and seconded by Nuss to make cost-share payments for three well abandonments, as reviewed by the Committee, at a cost of $1,052.49. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Weiss

ITEM 13. VADOSE ZONE STUDY PAYMENT - UNIVERSITY OF NEBRASKA LINCOLN.

Staff continues to work with local landowners to gain permissions to enter property for the vadose zone study. An invoice was received for work completed by the University totaling $2,421.77.
It was moved by Miller and seconded by Siebert to make payment to the University of Nebraska Lincoln for work completed on the vadose zone study, at a cost of $2,421.77. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Weiss

ITEM 14. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Brown and Caldwell are continuing to work on calibration of the Regional Groundwater Model. An invoice was received for work completed during August totaling $5,462.00. As the project lead, the District will cover 100% of the bill to Brown and Caldwell, and request reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources.

It was moved by Miller and seconded by Bethune to pay Brown and Caldwell for work completed for the month of August totaling $5,462.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Weiss

Brown and Caldwell have submitted a contract extension for the Blue River Basin Regional Groundwater Model to extend work to June 30, 2022. In addition, the total project cost is proposed to increase between $102,850 and $177,480. The Committee discussed the modeling and the amount of money invested over many years of modeling. Krausnick explained that the Upper Big Blue’s additional share for the updated contract would range from $20,055.75 to $34,608.60.

It was moved by Miller and seconded by Rich to authorize David Eigenberg to sign contract Amendment No. 4, as drafted and presented to the Committee, not to exceed $177,480.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: Kuehner, Luebbe
NOT PRESENT: Grotz, Houdersheldt, Weiss

ITEM 15. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the irrigated acres’ certification for 39 parcels totaling 2,800.87 acres, yielding an increase in irrigated acres of 147.80. This brings the total irrigated acres to 1,243,785.80.
It was moved by Miller and seconded by Nuss to certify the acres’ changes as presented to the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Weiss

ITEM 16. PHASE II/III MANAGEMENT AREA REPORTING UPDATE.

Chairperson Miller updated the committee on an out of compliance operator who has been in contact with the districts’ legal counsel requesting to settle out of court for their violation of district rules and regulations for nitrogen management reporting. Legal counsel was present at the October 21 board of directors meeting to discuss ongoing litigation with the board.

It was moved by Miller and seconded by Rich to go into closed session at 7:23 p.m. for the purpose of discussing pending litigation regarding violation of District rules and regulations for nitrogen management reporting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Weiss

It was moved by Kuehner and seconded by Dickinson to return to open session at 8:28 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Weiss

It was moved by Miller and seconded by Dickinson to authorize legal counsel to negotiate consent decrees with current violators of Phase II and III Management Area reporting. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: Jeff Bohaty, Kuehner, Siebert
NOT PRESENT: Grotz, Houdersheldt, Weiss

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

Rich reported that the Projects & Programs Committee met on October 14, 2021 and presented the committee’s recommendations.

ITEM 18. NARD INTERLOCAL AGREEMENT FOR PURCHASE OF TREES.
It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve the interlocal agreement with the Nebraska Association of Resources Districts that designates the NARD to act on the NRD’s behalf for the purposes of acquiring trees and shrubs from the USDA Forest Service, as recommended by staff, and reviewed by the Committee. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT VOTING: Jeff Bohaty, Moore
NOT PRESENT: Grotz, Houdersheldt, Weiss

ITEM 19. TREE PRICING FOR 2021-22 SEASON.

The purchase prices for trees increased a small amount, however NRD staff recommended keeping the resale prices the same as the 2020-21 season. The mulch/fabric contractor increased his rates for the installation of weed barrier from $0.80 to $0.85 per linear foot.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD keep the 2021-2022 prices for trees at the same rate as the 2020-2021 prices ($1.18 per tree, $55.00 for acreage package, $1.18 per tree for machine planting services), as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT VOTING: Grotz, Houdersheldt, Weiss

ITEM 20. YORK FLOOD MITIGATION EVALUATION PAYMENT.

JEO met with the city of York on September 14 to update them on the project. A more detailed routing of the flood flows through Tributary A, beginning near York High School, lowered the flood plain considerably. To change the flood plain the city will need to file a Letter of Map Revision (LOMR). The approval process could take up to a year, however JEO is confident approval would be granted. JEO also presented some alternatives that included installation of a levee on the south end of the city and is evaluating the installation of a flood basin in the northwest area of town. The total bill for the month was $15,700.00 however 50% cost share ($7,850.00) would exceed the total NRD funding amount of $20,000.00. The study is approximately 1 month behind.

It was moved by Rich and seconded by Bethune that the Upper Big Blue NRD approve payment of $5,712.50, the remainder of the $20,000 obligated, to the City of York for work completed on the York Flood Mitigation Evaluation project, as recommended by staff, and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
ITEM 21. PAYMENT TO CITY OF SUTTON FOR PEDESTRIAN BRIDGE.

The pedestrian bridge on Saunders Avenue in Sutton has been completed at a total cost of $290,421.00. The NRD has an interlocal agreement with Sutton to provide 25% of the local share not to exceed $40,000.00.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD approve payment of $40,000.00 as outlined in the interlocal agreement to the City of Sutton for the replacement of the pedestrian bridge on Saunders Avenue, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Weiss

ITEM 22. SMITH CREEK RECREATION AREA IMPROVEMENTS.

Staff contacted three contractors who have expressed interest in bidding on the recreation improvements at Smith Creek Recreation Area. Improvements will include new ADA parking stalls, sidewalks, and enlarged parking area. Two contractors will be submitting bids; however, both have said they are unable to get the work done by the proposed December 15th deadline. Staff will allow contractors to re-submit bids with an early spring completion date. A separate contractor was contacted for removing old bollards and installing new bollards but their quote seemed high so NRD staff will remove the old bollards and install the split rail fence.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD accept the bid of $4,500.00 from Pieper’s Inc. for installing a drain line from the hydrant near the restroom to the lake (approximately 125 feet) and approve NRD staff to purchase materials for the split rail fence (estimated at $3,000.00), as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Weiss

ITEM 23. SMITH CREEK EMERGENCY SPILLWAY RESTORATION.

Staff has put together a design for restoration of the emergency spillway at Smith Creek Recreation Area. Work will include some erosion repair below the spillway channel, and staff will visit with the adjacent landowner to discuss possible improvements east of the spillway.

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD award the bids for survey of up to $1,800.00 from Brian Foral, for earthwork of $7,688.63 from Pankoke Construction, and for fine grading, seeding, and hydro mulching of $11,400.00 from Miller Seed for restoring the
ITEM 24. SMITH CREEK EMERGENCY SPILLWAY – ADJACENT LANDOWNER.

The original easement dated 1984 stated the landowner could farm through the emergency spillway if it did not affect the operation of the spillway. The NRD, and the Nebraska Department of Natural Resources, now agree that this emergency spillway must be placed in grass to protect the dam. Staff has suggested the board consider compensating Tony Beckler who is the adjacent landowner if we want to alter the existing easement to remove the option for him to farm the spillway.

Staff is proposing we make an offer of compensation based on land rates presented in the Nebraska Farm Real Estate Market Highlights, 2020-2021. The average rate for dryland cropland (Irrigation potential) is listed at $6,820 per acre. The spillway area is 0.61 acres so at that rate the compensation would be $4,160.20.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD offer Tony Beckler, the adjacent landowner, compensation of $4,250.00 for stopping the farming operations in the emergency spillway and for removing the statement that allows farming of the emergency spillway from the easement filed in Seward County, as recommended by staff, and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: Miller, Yates
NOT PRESENT: Grotz, Houdersheldt, Weiss

ITEM 25. SKID STEER RENTAL AGREEMENT.

Staff presented an agreement for a one-year rental of a skid steer.

It was moved by Rich and seconded by Stahly that the Upper Big Blue NRD accept the one-year rental agreement from York Equipment, Inc. for use of a Bobcat model T770 skid steer for one year with a limit of 300 hours at a cost of $6,000.00 with an hourly rate for use over 300 hours of $25.00 per hour, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Weiss

ITEM 26. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.
Kuehner reported that the Executive Committee met on October 14, 2021 and presented the committee’s recommendations.

**ITEM 27. THIRD QUARTER PER DIEM & EXPENSES.**

The Executive Committee reviewed the directors’ per diem and expenses for this past quarter. Totals for the third quarter directors’ per diem are $11,060.00 and expenses are $4,479.50 for a total expenditure of $15,539.50.

It was moved by Kuehner and seconded by Luebbe to approve payment of third quarter 2021 directors’ per diem of $11,060.00 and expenses of $4,479.50 for a total of $15,539.50, and to publish these approved expenditures in the September 2021 Financial Report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. Motion carried.

**AYE:** Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates

**NAY:** None

**NOT PRESENT:** Grotz, Houdersheldt, Weiss

**ITEM 28. PROCUREMENT PROCESS FOR FORESTRY DEPARTMENT PICKUP TRUCK.**

A bid from Gene Steffy Ford of Columbus, NE for a half-ton truck was received. Specifications for this purchase were provided at the Executive Committee meeting. Bid price was $44,184 for a 2022 Ford F-150 V-8 XLT Crew Cab Truck. Expected delivery date would be 90-120 days after order. The dealer is allowing $4,000 trade-in for the 2008 Chevrolet Equinox.

It was moved by Kuehner and seconded by Dickinson to purchase a 2022 Ford F-150 V-8 XLT Crew Cab Truck from Gene Steffy Ford, Columbus, NE and to accept trade-in of $4,000 for the 2008 Chevrolet Equinox. Total expenditure will be $40,184.00. Motion carried.

**AYE:** Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Yates

**NAY:** None

**NOT PRESENT:** Grotz, Houdersheldt, Moore, Weiss

**ITEM 29. PROCUREMENT PROCESS FOR UTILITY TASKED VEHICLE (UTV).**

Eight quotes were received from local UTV vendors. Bids ranged from $12,500 to $18,610. Specifications and a summary sheet for this purchase were provided at the Executive Committee meeting.

It was moved by Kuehner and seconded by Miller to reject all submitted bids and to readvertise with more detail specifications. Motion carried.

**AYE:** Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Yates
ITEM 30. PROCUREMENT PROCESS FOR SNOW PUSHER TRACTOR ATTACHMENT.

Four bids were received for snow pushers that would attach to the Case International tractor loader. Bids ranged from $3,825 – $7,100. Specifications and a summary sheet for this purchase were provided at the Executive Committee meeting. Staff’s preference is the option from Grosshans International for $3,825.00 which is the lowest bid. All pushers are similar equipment. Grosshans’ anticipate delivery in early December.

It was moved by Kuehner and seconded by Rich to purchase one 8 1/2-foot snow pusher from Grosshans International Aurora, Nebraska, for a total of $3,825.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Moore, Weiss

ITEM 31. CONSIDERATION OF FY22 NEBRASKA WATER LEADERS ACADEMY APPLICATION.

Director John Miller put forth the name of Amy Jones, Executive Director of the Prairie Plains Resources Institute to be considered for the Upper Big Blue NRD Water Leaders Academy Sponsorship. The FY22 budget has funds to support sponsorship.

It was moved by Kuehner and seconded by Miller to present the name of Amy Jones, Executive Director of the Prairie Plains Resources Institute to be considered for the Upper Big Blue Water Leaders Academy Sponsorship. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT VOTING: Nuss
NOT PRESENT: Grotz, Houdersheldt, Moore, Weiss

ITEM 32. MASTER AND LONG-RANGE IMPLEMENTATION PLANS.

The Executive Committee was asked to review digital copies of the Master and Long-Range Implementation Plans during their September meeting and to provide feedback and edits by the October board meeting. Staff recommended that the Committee forward the edited documents to the full Board for approval. Copies of approved plans will be provided to partnering agencies in late October.

It was moved by Kuehner and seconded by Rich to present the FY22 Master and Long-Range Implementation Plans to the full board for their approval. Motion carried.
ITEM 33. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR SEPTEMBER 2021.

Eigenberg reviewed the financial report for the period September 1, 2021, to September 30, 2021, that was distributed. It was moved by Stahly and seconded by Bethune to approve the financial report for September 2021 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Moore, Weiss

ITEM 34. MOTION TO ADJOURN.

It was moved by Bethune and seconded by Jeff Bohaty to adjourn the meeting at 9:48 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Houdersheldt, Moore, Weiss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held October 21, 2021, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
    Bill Stahly, Secretary
MINUTES
BOARD OF DIRECTORS MEETING
November 18, 2021

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 18, 2021, at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Rodney Verhoeff, Nancy Brisk, Marie Krausnick, Chrystal Houston, Jack Wergin, Josh Bowers of York County NRCS, and Glenn Huebert.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on November 10, 2021, in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call. Moore arrived at 1:37 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Kendal Siebert requested an excused absence from the November 18, 2021 board of directors meeting.

It was moved by Miller and seconded by Kuehner to excuse the absence of Siebert from the November 18, 2021 board of directors meeting as requested. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Moore, Siebert, Weiss

ITEM 5. ADOPTION OF AGENDA.
It was moved by Rich and seconded by Dickinson to approve the agenda for the November 18, 2021, board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Moore, Siebert, Weiss

ITEM 6. APPROVAL OF MINUTES OF THE OCTOBER 21, 2021 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Bethune to approve the minutes of the October 21, 2021 board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Moore, Siebert, Weiss

ITEM 7. STAFF RECOGNITION.

Miranda Coffey, NRD water data specialist, and April English, NRD field office secretary in the York NRCS office, were honored for five years of dedicated service to the District.

ITEM 8. GLENN HUEBERT REQUEST TO ADDRESS THE BOARD.

Glenn Huebert of Hampton, Nebraska made a request to be placed on the November 18, 2021 board agenda. Mr. Huebert was present and spoke to the board regarding his concerns about contamination of the water and food supply due to chemicals such as anhydrous ammonia and Roundup.

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

Miller reported that the Water & Regulations Committee met November 9, 2021 and presented the committee’s recommendations.

ITEM 10. CONSIDERATION OF NEW FLOWMETER – McMAG2000, McCROMETER.

McCrometer has requested that the board consider adding the McMag2000 Flow Meter to the District’s agricultural approved flow meter list. Representatives from McCrometer were present at the committee meeting to answer questions. The McMag2000 fits the minimum requirements for inclusion on the District’s approved flow meter list. Kuehner requested that in the future, to streamline the approval process, staff prepare a form that provides answers to the questions routinely asked by the board when considering whether to approve a manufacturer’s request to be added to the approved list.

It was moved by Miller and seconded by Moore to add the McMag2000 Flow Meter to the list of agricultural approved flow meters. Motion carried.
ITEM 11. ONLINE REPORTING PORTAL ANNUAL HOSTING PAYMENT – BEEHIVE INDUSTRIES.

An invoice totaling $7,600.00 was received from Beehive Industries for the annual hosting and maintenance of the online reporting portal.

It was moved by Miller and seconded by Houdersheldt to pay Beehive Industries for the annual hosting and maintenance of the online reporting portal totaling $7,600.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Siebert, Weiss

ITEM 12. FLOW METER REPAIR COST-SHARE PAYMENT.

One flow meter repair cost-share application has been approved for final payment totaling $239.70.

It was moved by Miller and seconded by Luebbe to make cost-share payment for one flow meter repair cost-share, as reviewed by the Committee, at a cost of $239.70. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Siebert, Weiss

ITEM 13. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Three Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling $2,250.00.

It was moved by Miller and seconded by Luebbe to make cost-share payments for three well abandonments, as reviewed by the Committee, at a cost of $2,250.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Siebert, Weiss

ITEM 14. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN AND CALDWELL.

Brown and Caldwell are continuing to work on calibration of the regional groundwater model. They submitted an invoice for work completed during the month of September totaling $1,991.00. As the
project lead the District will cover 100% of the invoice from Brown and Caldwell and request reimbursement from the other three basin districts and the Nebraska Department of Natural Resources.

It was moved by Miller and seconded by Houdersheldt to pay Brown and Caldwell for work completed for the month of September totaling $1,991.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Siebert, Weiss

ITEM 15. REGIONAL GROUNDWATER MODELING CONTRACT EXTENSION – NEBRASKA DEPARTMENT OF NATURAL RESOURCES.

Krausnick reviewed the contract amendment between the Upper Big Blue Natural Resources District and the Nebraska Department of Natural Resources (NeDNR) for work on the regional Blue River Basin model. The NeDNR is committed to continue covering fifty percent of the project cost and extend the project completion date to June 30, 2022.

It was moved by Miller and seconded by Rich to authorize David Eigenberg to sign contract amendment three with the NeDNR, to continue work on the regional Blue River Basin modeling. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Siebert, Weiss

ITEM 16. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the irrigated acres’ certification for thirty-nine parcels totaling 2,794.85 acres, yielding a decrease in irrigated acres of 87.45.

It was moved by Miller and seconded by Luebbe to certify the acres’ changes as presented to the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Siebert, Weiss

ITEM 17. CLOSED SESSION – PENDING LITIGATION REGARDING VIOLATION OF DISTRICT RULES.

It was moved by Miller and seconded by Moore to go into closed session at 2:22 p.m. for the purpose of discussing pending litigation regarding violation of the District rules and regulations for nitrogen management reporting. Motion carried.
AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Siebert, Weiss

It was moved by Houdersheldt and seconded by Dickinson to return to open session at 2:47 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Richard Bohaty, Siebert, Weiss

ITEM 18. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Projects and Programs Committee met on November 9, 2021 and presented the committee’s recommendations.

ITEM 19. STORM DAMAGED TREE PROGRAM PAYMENT.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $131.74 to Kristi Brazda for a storm damaged tree, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Moore, Siebert, Weiss

ITEM 20. PAYMENT TO CITY OF GILTNER FOR DRAINAGE STUDY.

The City of Giltner submitted an invoice for $11,420.00 from Miller and Associates for the Giltner Drainage Study. The NRD agreed to pay 50% of study costs, not to exceed $4,500.00.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD approve payment of $4,500.00 to the Village of Giltner for the Giltner Drainage Study costs, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT VOTING: Moore
NOT PRESENT: Siebert, Weiss

ITEM 21. SMITH CREEK RECREATION AREA IMPROVEMENTS – PAYMENT TO DAWSON ELECTRIC.
It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $5,688.60 to Dawson Electric for work completed at Smith Creek Recreation Area, as recommended by staff, and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Siebert, Weiss

ITEM 22. SMITH CREEK RECREATION AREA IMPROVEMENTS – EARTHWORK AND CONCRETE.

Staff requested quotes from three contractors for proposed improvements at Smith Creek Recreation Area. The improvements would include new ADA parking stalls, sidewalks, and enlargement of the parking area to be completed by May 15, 2022. Only two of the three contractors submitted quotes. WY-AD Construction submitted a quote of $29,875.00 and Pankoke Construction submitted a quote of $27,585.00.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD accept the quote of $27,585.00 from Pankoke Construction for stripping rock, clearing and grubbing, providing offsite borrow material, placing sidewalks and ADA parking stalls at Smith Creek Recreation Area, as recommended by staff, and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Siebert, Weiss

ITEM 23. OXBOW TRAIL RECREATION AREA ELECTRICAL IMPROVEMENTS.

Klement Electric submitted a revised quote in the amount of $5,358.81 for the electrical work at Oxbow Trail Recreation Area. Installing electricity to the restroom was not requested as part of the initial quote from Klement Electric, and material prices have increased since the original quote was submitted in August of 2020.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD accept the quote of $5,358.81 from Klement Electric for wiring the well, security light, picnic shelter, and restroom at Oxbow Trail Recreation Area, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Moore, Nuss, Rich, Robotham, Stahly
NAY: Kuehner, Miller, Yates
NOT PRESENT: Siebert, Weiss

ITEM 24. OXBOW TRAIL RECREATION AREA IMPROVEMENTS.

Staff presented a drawing showing the proposed ADA parking stalls and sidewalks at Oxbow Trail Recreation Area and requested authorization to solicit quotes to complete the work.
It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD staff solicit quotes for adding ADA parking stalls and sidewalks to Oxbow Trail Recreation Area, as recommended by staff, and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Siebert, Weiss

ITEM 25. OVERLAND TRAIL RECREATION AREA IMPROVEMENTS.

Staff presented a plan to add facilities at the Overland Trail Recreation Area. Currently there is only a small parking area. Staff would like to remove the hill along the county road to enlarge the parking area, add a vault restroom, picnic shelter, well, security light, and bring power to the site. Staff requested approval to begin discussions with the adjacent landowner to acquire an additional easement to better incorporate a trail around the lake. The Projects and Programs Committee discussed the improvements, and the consensus was to hold off construction of larger items such as a restroom and picnic shelter until the NRD can evaluate the use of the area.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD staff solicit quotes for the earthwork, enlarging the parking area, adding a domestic well with a hydrant, adding a security light at Overland Trail, and staff can begin discussions with the adjacent landowner for expansion of the NRD easement for an improved trail, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: Luebbe
NOT PRESENT: Siebert, Weiss

ITEM 26. PIONEER TRAILS PLAYGROUND IMPROVEMENTS.

Staff has been in contact with the State of Nebraska about getting a recycled tire grant to assist with the cost of placing rubber mulch on the playground area at Pioneer Trails. While there are no guarantees that we will be awarded a grant, the Upper Big Blue NRD was encouraged to apply. Wergin advised the board that the work could be completed prior to the grant being awarded.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD accept the quote of $5,457.00 from Sterling West for Nuplay rubber mulch and 12” black plastic border timbers for a 32-foot by 32-foot playground at Pioneer Trails Recreation Area, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates
NAY: Robotham
NOT PRESENT: Siebert, Weiss
ITEM 27. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Executive Committee met on November 9, 2021 and presented the committee’s recommendations.

ITEM 28. PAYMENT TO YORK PRINTING COMPANY FOR THE BLUEPRINT NEWSLETTER.

York Printing Company submitted an invoice in the amount of $7,869.31 for printing the Fall 2021 issue of the Blueprint newsletter.

It was moved by Kuehner and seconded by Luebbe to approve payment of $7,869.31 to York Printing Company for printing the Fall 2021 edition of the Blueprint newsletter. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Richard Bohaty, Siebert, Weiss

ITEM 29. PROCUREMENT PROCESS FOR UTILITY TASKED VEHICLE (UTV).

Quotes from three vendors were reviewed for a utility tasked vehicle (UTV). Specifications for this purchase were provided to the board. Quoted prices ranged from $14,728 to $15,800 for UTVs that met minimum specifications. Expected delivery would be 90-120 days after the order is placed.

It was moved by Kuehner and seconded by Dickinson to purchase a 2022 John Deere XUV590M equipped with an auto tilt feature from AKRS Equipment, York, NE for $15,800. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Richard Bohaty, Siebert, Weiss

ITEM 30. NRD REDISTRICTING UPDATE.

Staff presented a draft map of the redistricting plan which was developed with the use of ESRI software. Staff has been in contact with Andrew Buller, Assistant Deputy for elections at the Secretary of State’s Office. When asked if there are precedents to follow when deciding to include census blocks that are not neatly matched up with district boundaries, he said there are not. The only state statute for NRD subdistricts says that they should have “substantially equal population.” Management requested that the map illustrating eight subdistricts of the district be adopted.

It was moved by Kuehner and seconded by Rich to adopt boundaries as illustrated on the draft map, dividing the district into eight subdistricts, and to follow these boundaries for election processes for the next ten years. Motion carried.
ITEM 31. OUT-OF-STATE TRAVEL.

The Executive Committee approved out-of-state travel for any director, and up to seven staff members of the water department that wish to attend the 2022 GMDA Annual Meeting. The conference will be held at the Marriott Riverwalk January 18-20, 2022 in San Antonio, Texas. Kuehner expressed concern regarding the number of staff that are allowed to attend the conference.

ITEM 32. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR OCTOBER 2021.

Eigenberg reviewed the financial report for the period October 1, 2021, to October 31, 2021, that was distributed. It was moved by Houdersheldt and seconded by Rich to approve the financial report for October 2021 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

ITEM 33. ASSISTANT MANAGER’S RESIGNATION.

Eigenberg informed the Executive Committee at their November 9, 2021 meeting that assistant manager Rodney Verhoeff had submitted his resignation effective November 30, 2021. Chairperson Yates and the board thanked Rodney for his service.

ITEM 34. MOTION TO ADJOURN.

It was moved by Houdersheldt and seconded by Nuss to adjourn the meeting at 3:55 p.m. Motion carried.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held November 18, 2021, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least
one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________

Bill Stahly, Secretary
MINUTES
BOARD OF DIRECTORS MEETING
December 16, 2021

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, December 16, 2021, at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Nancy Brisk, Marie Krausnick, Chrystal Houston, Jack Wergin, Josh Bowers of York County NRCS, and Kelly Stron-Heath and Kyle Svec with City of Geneva.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on December 9, 2021, in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence from the November 18, 2021 board of directors meeting.

ITEM 5. ADOPTION OF AGENDA.

It was moved by Houdersheldt and seconded by Dickinson to approve the agenda for the December 16, 2021, board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Weiss

ITEM 6. APPROVAL OF MINUTES OF THE NOVEMBER 18, 2021 BOARD OF DIRECTORS MEETING.
It was moved by Rich and seconded by Kuehner to approve the minutes of the November 18, 2021 board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates

NAY: None

NOT PRESENT: Grotz, Weiss

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met December 9, 2021 and presented the committee’s recommendations.

ITEM 8. GROUNDWATER TRANSFER REQUEST - FOLTS/RUFFERTY.

Scott Folts owns 75.49 acres in the W1/2 NW1/4 of Section 32-T12N-R03W. The property is watered by well G-023995. An existing groundwater transfer waters 35.97 acres in the SW1/4 SW1/4 29-T12N-R03W from well G-023995. Folts made application to transfer water to an additional 38.73 acres in the SE1/4 SW1/4 of Section 29-T12N-R03W owned by Kevin Senff. The Water & Regulations Committee had recommended approval of the transfer because it was believed the application complied with existing transfer rules. Following their meeting it was discovered that the application does not conform to the groundwater transfer rules.

It was moved by Miller and seconded by Luebbe to refer the matter back to the Water and Regulations Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Yates

NAY: Moore

NOT PRESENT: Grotz, Weiss

ITEM 9. BEEHIVE DATA CONNECTIONS SCOPE OF WORK.

Beehive Industries submitted a scope of work to generate, deploy, and maintain a network of data tables that staff can connect to outside of the Beehive interface to perform data queries, analysis, and build reports. The total cost of the project is $14,000.00 and it would be completed before the end of the fiscal year. Money is budgeted in fiscal year 2022 for this project. Staff discussed a language change to the scope document that would allow existing views to remain in the data system and provide time for staff to integrate the new view data into reports and queries. A final draft, including the added language, was provided to the board for review.

It was moved by Miller and seconded by Rich to approve the Open Data Scope of Work from Beehive Industries, including the staff recommendation to include language under Task 1.2 Project Deliverable, not to exceed $14,000.00. Motion carried.
ITEM 10. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Six Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payment, totaling $4,500.00.

*It was moved by Miller and seconded by Luebbe to make cost-share payments for six well abandonments, as reviewed by the Committee, at a cost of $4,500.00. Motion carried.*

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Weiss

ITEM 11. MONITORING WELL REPAIRS & REPLACEMENT.

Staff reviewed two dedicated monitoring well projects with the committee. The first was the replacement of the deep monitoring well at the Beaver Crossing monitoring site. Krausnick presented two cost estimates from Sargent Drilling of Geneva and Downey Drilling, Incorporated of Lexington. Both firms have experience constructing monitoring wells. The second project would repair the Harvard monitoring well that was damaged. The total cost of the project is $2,417.00. Krausnick spoke with the landowner concerning costs to repair the damage. The landowner said that he did not carry insurance to pay for the repairs but would split the cost to repair. Each party would be responsible for $1,208.50.

*It was moved by Miller and seconded by Nuss to authorize Sargent Drilling in Geneva to complete the necessary repairs to the damaged Harvard monitoring well, not to exceed $2,417.00. Motion carried.*

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Weiss

*It was moved by Miller and seconded by Luebbe to authorize Sargent Drilling in Geneva to complete the replacement of the deep well at the Beaver Crossing monitoring site, not to exceed $16,731.00. Motion carried.*

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Weiss

*It was moved by Miller and seconded by Luebbe to authorize Sargent Drilling in Geneva to decommission the existing deep well at the Beaver Crossing monitoring site. Motion carried.*
AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Weiss

ITEM 12. PENDING LITIGATION.

Eigenberg informed the committee of the status of pending litigation. One producer has signed the consent decree which has been accepted by the court. Settlement is to be paid to the district within 30 days of the executed consent decree. The second producer has made a counteroffer to the settlement in the initial consent decree. The third producer has not responded to any correspondence. Eigenberg advised the board that details concerning litigation need to be discussed in closed session.

It was moved by Miller and seconded by Houdersheldt that the board go into closed session at 1:49 p.m. for the purpose of discussing pending litigation regarding violations of the District rules and regulations for nitrogen management reporting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Weiss

It was moved by Houdersheldt and seconded by Kuehner to return to open session at 2:25 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Weiss

It was moved by Jeff Bohaty and seconded by Kuehner to accept the current counteroffer to our original settlement offer. Motion failed.

AYE: Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Siebert
NAY: Bethune, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NOT PRESENT: Grotz, Weiss

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

Rich reported that the Projects and Programs Committee met on December 9, 2021 and presented the committee’s recommendations.

ITEM 14. GENEVA TRAIL – REQUEST FOR ASSISTANCE.
Geneva City Administrator Kyle Svec and Jenni Hoarty, Geneva in Motion, presented background information on the planned Geneva Trail during the Projects and Programs Committee meeting. The trail will be split into three phases and Geneva has applied for assistance from the Nebraska Game and Parks Commission Recreational Trails Program for phase 1. Geneva will be notified if their application has been selected in January or February of 2022. The phase 1 trail cost estimate, including design and construction, is $342,346.00. The NGPC Recreational Trails program provides 80% cost share up to $250,000. That would leave a local cost share estimate of $92,346.00. In the past the NRD has provided 25% of the local cost share amount for trail projects. Twenty-five percent of $92,346.00 would be $23,086.50. Geneva currently has funding commitments of $62,900.00 for phase 1 of the trail.

It was moved by Rich and seconded by Moore that the Upper Big Blue NRD provide 25% of the local cost share commitment not to exceed $25,000.00 for phase 1 of the Geneva Trail Project, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Weiss

ITEM 15. NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD approve payment of $2,978.24 for four second quarter Nebraska Buffer Strip contracts, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Weiss

ITEM 16. PRIVATE DAMS PROGRAM PAYMENT.

The Suzanne Johnson private dam has been completed and a request for payment has been received.

It was moved by Rich and seconded by Stahly that the Upper Big Blue NRD approve payment of $46,784.08 (75% of total costs of $62,378.77) for the Suzanne Johnson private dam, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Moore, Weiss

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

Kuehner reported that the Executive Committee met on December 9, 2021 and presented the
committee’s recommendations.

ITEM 18. OUT-OF-STATE TRAVEL.

The 2022 NARD Washington D.C. Conference is tentatively scheduled to be held on March 19-23, 2022. Dean Edson, Executive Director of NARD, has asked the NRDs to indicate their intent to participate in the upcoming trip. The Executive Committee approved out-of-state travel for any director and up to two staff members to attend the 2022 NARD Washington D.C. Conference.

ITEM 19. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR NOVEMBER 2021.

Eigenberg reviewed the financial report for the period November 1, 2021, to November 30, 2021, that was distributed. It was moved by Houdersheldt and seconded by Miller to approve the financial report for November 2021 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Weiss

ITEM 20. MOTION TO ADJOURN.

It was moved by Bethune and seconded by Jeff Bohaty to adjourn the meeting at 3:15 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Grotz, Weiss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held December 16, 2021, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Bill Stahly, Secretary

:ndb
MINUTES
BOARD OF DIRECTORS MEETING
January 20, 2022

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 20, 2022, at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Bill Kuehner, Mike Nuss, Ronda Rich, Kendall Siebert, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Nancy Brisk, Marie Krausnick, Jack Wergin, and Angie Johnson.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on January 13, 2022 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Eleven directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Houdersheldt, Luebbe, Miller, Moore, and Robotham requested excused absences from the January 20, 2022 board of directors meeting.

It was moved by Rich and seconded by Dickinson to excuse the absence of Houdersheldt, Luebbe, Miller, Moore, and Robotham from the January 20, 2022 board of directors meeting as requested. Motion carried.

NAY: None
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

ITEM 5. ADOPTION OF AGENDA.
It was moved by Dickinson and seconded by Rich to approve the agenda for the January 20, 2022, board of directors meeting. Motion carried.

NAY: None
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

ITEM 6. APPROVAL OF MINUTES OF THE DECEMBER 16, 2021 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Kuehner to approve the minutes of the December 16, 2021 board of directors meeting. Motion carried.

NAY: None
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

ITEM 7. EMPLOYEE RECOGNITION.

Sylvia Jividen, field office secretary in the Geneva NRCS office, was recognized for 20 years of service to the District. She was presented with an engraved crystal vase.

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

Jeff Bohaty reported that the Water & Regulations Committee met January 13, 2022 and presented the committee’s recommendations.

ITEM 9. MUNICIPAL WATER SYSTEM ASSISTANCE APPLICATION EXTENSION – MCCOOL JUNCTION.

The Village of McCool Junction is experiencing supply chain delays in the construction of their new municipal well. The existing Municipal Water System Assistance Application Agreement expired on December 31, 2021. They are requesting an extension until May 9, 2022 to complete their project.

It was moved by Jeff Bohaty and seconded by Dickinson to extend the Municipal Water System Assistance Application Agreement with the Village of McCool Junction to May 9, 2022. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Nuss, Rich, Siebert, Stahly, Yates
NAY: None
NOT VOTING: Weiss
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

ITEM 10. FLOW METER REPAIR COST-SHARE PAYMENTS.
Three flow meter repair cost-share applications have been approved for final payments totaling $830.97.

It was moved by Jeff Bohaty and seconded by Siebert to pay three flow meter repair cost-share claims totaling $830.97. Motion carried.

NAY: None
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

**ITEM 11. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.**

Four Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payment, totaling $1,961.24.

It was moved by Jeff Bohaty and seconded by Nuss to make cost-share payments for four well abandonments, as reviewed by the Committee, at a cost of $1,961.24. Motion carried.

NAY: None
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

**ITEM 12. VADOSE ZONE STUDY PAYMENT – UNIVERSITY OF NEBRASKA-LINCOLN.**

The University of Nebraska-Lincoln has completed coring at one site. Maslonka is working with the University to schedule the remaining core tests for year one of the project. Two invoices totaling $7,288.03 were received for work completed through December 31, 2021.

It was moved by Jeff Bohaty and seconded by Dickinson to make payment to the University of Nebraska-Lincoln for work completed on the vadose zone study, at a cost of $7,288.03. Motion carried.

NAY: None
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

**ITEM 13. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.**

Brown and Caldwell are continuing their work on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed between September and November totaling $11,203.25. As the project lead, the District will cover 100% of the bill to Brown & Caldwell, and request reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources.

It was moved by Jeff Bohaty and seconded by Bethune to pay Brown & Caldwell for work completed from September 24, 2021 to November 25, 2021 totaling $11,203.25. Motion carried.
ITEM 14. PAYMENT TO WISH NEBRASKA - BATTERIES FOR RESALE.

Staff purchased 125 Seametric batteries for resale from WISH Nebraska, Incorporated at a cost of $13,387.50.

It was moved by Jeff Bohaty and seconded by Dickinson to pay WISH Nebraska Incorporated for the purchase of 125 Seametrics batteries totaling $13,387.50. Motion carried.

NAY: None
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

ITEM 15. PAYMENT TO NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY – ANNUAL CHEMIGATION PERMIT FEES.

The District processed 231 new and 1,566 renewal chemigation permits in 2021. The portion of the permit fees that are due the Nebraska Department of Environment and Energy totals $4,287.00.

It was moved by Jeff Bohaty and seconded by Nuss to pay the NDEE their share of the chemigation fees for 2021 totaling $4,287.00. Motion carried.

NAY: None
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

ITEM 16. LIFTING OF ORDER TO CEASE AND DESIST – NICHOLAS JOHNSON.

Nicholas Johnson has submitted the 2020-2021 Phase II/III Management Area report and has come into compliance. Since the board of directors issues the Order of Cease and Desist, the board would need to lift the Order.

It was moved by Jeff Bohaty and seconded by Nuss to lift the Order of Cease and Desist for Nicholas Johnson for Phase II/III Management Area reporting. Motion carried.

NAY: None
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham
ITEM 17. LITIGATION UPDATE.

Eigenberg updated the committee on the status of litigation. All three producers have signed their consent decree. One has made payment to the District in accordance with the decree. The District is awaiting payment from the two remaining producers. Specific details concerning litigation need to be discussed in closed session.

It was moved by Kuehner and seconded by Siebert that the board go into closed session at 1:53 p.m. for the purpose of discussing pending litigation regarding violations of the District rules and regulations for nitrogen management reporting. Motion carried.

NAY: None
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

It was moved by Dickinson and seconded by Kuehner to return to open session at 2:23 p.m. Motion carried.

NAY: None
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

ITEM 18. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Projects and Programs Committee met on January 13, 2022 and presented the committee’s recommendations.

ITEM 19. LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Rich and seconded by Bethune that the Upper Big Blue NRD approve payment of $23,118.58 for five completed NSWCP Land Treatment Projects, as recommended by staff and reviewed by the Committee. Motion carried.

NAY: None
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

ITEM 20. WATER QUALITY MANAGEMENT PLAN – COVER CROP PROGRAM PAYMENT.

It was moved by Rich and seconded by Siebert that the Upper Big Blue NRD approve payment of $3,875.00 for one completed WQMP Cover Crop Program, as recommended by staff and reviewed by the Committee. Motion carried.
ITEM 21. PRIVATE DAMS PROGRAM.

The Committee reviewed a private dams program application from C & A Complex Management LLC (Alyssa Hendrix). There was discussion about whether this application fits the Private Dams Program.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD approve the Private Dams Program Application from C & A Complex Management LLC (Alyssa Hendrix) with an estimated cost share of $50,000 contingent on design approval from the Nebraska Department of Natural Resources and any required Corp of Engineers permitting, as recommended by staff, and reviewed by the Committee. Motion carried.

ITEM 22. COOPERATIVE AGREEMENTS FOR NEBRASKA EDUCATIONAL LAND LEASES.

It was moved by Rich and seconded by Stahly that the Upper Big Blue NRD approve four Nebraska Board of Educational Land Leases, as recommended by the Board of Educational Lands Lease Administrator and staff, and as reviewed by the Committee. Motion carried.

ITEM 23. HAZARD MITIGATION PLAN GRANT APPLICATION.

Staff is incorporating Nebraska Emergency Management Agency comments into the grant application. The application requires funding commitment letters for local contributors.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD approve the Grant Program Application Funding Certification that states the Upper Big Blue NRD will provide its share of funds to cover the 25% local match with the proposed Hazard Mitigation Plan Update, and approve the Interlocal Agreement for the Cooperative Hazard Mitigation Planning Effort in which the NRD, Seward County, York County, and Hamilton County each agree to provide cash and/or in-kind services of approximately six and one-quarter percent (6.25%), not to exceed $6,250, to cover the 25% local cost share requirement (estimated $25,000) for the update of the Upper Big Blue NRD Multi-Jurisdictional Hazard Mitigation Plan, as recommended by staff and reviewed by the Committee. Motion carried.
ITEM 24. SMITH CREEK EMERGENCY SPILLWAY RESTORATION – UPDATE AND PAYMENTS.

Staff gave a presentation on the Smith Creek Emergency Spillway Restoration project showing the earthwork, fine grading, seeding, and hydro-mulching.

It was moved by Rich and seconded by Kuehner that the Upper Big Blue NRD approve payment of $7,688.63 to Pankoke Construction for earthwork on the Smith Creek Emergency Spillway Restoration Project, as recommended by staff and reviewed by the Committee. Motion carried.

NAY: None  
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

It was moved by Rich and seconded by Stahly that the Upper Big Blue NRD approve payment of $10,500.00 to Miller Seed & Supply for grading, seeding, and hydro mulching on the Smith Creek Emergency Spillway Restoration Project, as recommended by staff and reviewed by the Committee. Motion carried.

NAY: None  
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

ITEM 25. OXBOW TRAIL RECREATION AREA UPDATE AND PAYMENT.

The NRD did not receive any quotes for the Oxbow Trail Recreation Area Day Use Renovation Project. Design specifications were sent to six contractors. Staff will resend request for quotes with a February due date.

The electrical work has been completed, except for the wiring to the domestic well. We are waiting for the well driller to complete the work. Klement Electric submitted an invoice for $4,558.81 for the electrical work that has been completed and will invoice $800 separately for hooking up the electrical service to the well.

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD approve payment of $4,558.81 to Klement Electric for electrical work completed at Oxbow Trail Recreation Area, as recommended by staff, and reviewed by the Committee. Motion carried.

NAY: None  
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham
ITEM 26. OVERLAND TRAIL – QUOTES FOR RECREATION AREA IMPROVEMENTS.

The NRD received four quotes on the Overland Trail Recreation Area – Day Use Renovation Project 2022. Quotes were from Pankoke Construction ($7,550.00), Mid-Nebraska Land Developers ($8,655.20), Greckel Construction ($9,850.00), and Van Kirk Brothers Construction ($12,392.00).

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD accept the quote of $7,550.00 from Pankoke Construction for the Overland Trail Recreation Area – Day use Renovation Project, as recommended by staff and reviewed by the Committee. Motion carried.

NAY: None
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

ITEM 27. PIONEER TRAILS PLAYGROUND – UPDATE AND PAYMENT.

Mulch and border materials for the playground have been delivered to the site. Staff is working with Kelsey Mersch on the playground equipment.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD approve payment of $5,568.38 to The American Fence Company of South Dakota for the re-cycled tire mulch and the borders for the Pioneer Trails Playground, as recommended by staff and reviewed by the Committee. Motion carried.

NAY: None
NOT PRESENT: Grotz, Houdersheldt, Luebbe, Miller, Moore, Robotham

ITEM 28. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Executive Committee met on January 13, 2022 and presented the committee’s recommendations.

ITEM 29. DIRECTORS’ 4TH QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors’ per diem and expenses for this past quarter. Totals for the fourth quarter 2021 directors’ per diem are $6,720.00 and expenses are $2,643.84 for a total expenditure of $9,363.84.

It was moved by Kuehner and seconded by Siebert to approve payment of 4th quarter 2021 directors’ per diem of $6,720.00 and expenses of $2,643.84 for a total of $9,363.84, and to publish these approved expenditures in the December 2021 financial report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. Motion carried.
ITEM 30. CAPITAL PURCHASES IN FY22 BUDGET.

Staff asked that the Board consider the purchase of two sets of playground equipment for children 5 to 12 years of age. One set would be installed at Bruce Anderson Recreational Area and the other at Smith Creek Recreational area.

It was moved by Kuehner and seconded by Rich to instruct staff to investigate options for two sets of playground equipment for children 5 to 12 years of age. Options are to include purchase price, delivery, and installation. Motion carried.

ITEM 31. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR DECEMBER 2021.

Eigenberg reviewed the financial report for the period December 1, 2021, to December 3, 2021, that was distributed. It was moved by Kuehner and seconded by Dickinson to approve the financial report for December 2021 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

ITEM 32. MOTION TO ADJOURN.

It was moved by Rich and seconded by Dickinson to adjourn the meeting at 3:27 p.m. Motion carried.
later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Bill Stahly, Secretary

:ndb
The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 20, 2022, at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Nancy Brisk, Chrystal Houston, Marie Krausnick, Jack Wergin

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on February 10, 2022 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during roll call.

ITEM 4. ADOPTION OF AGENDA.

It was moved by Rich and seconded by Luebbe to approve the agenda for the February 17, 2022, board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

ITEM 5. APPROVAL OF MINUTES OF THE JANUARY 20, 2022 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Rich to approve the minutes of the January 20, 2022 board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None
ITEM 6. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met February 10, 2022 and presented the committee’s recommendations.

ITEM 7. FLOW METER REPAIR COST-SHARE PAYMENT.

One flow meter repair cost-share application has been recommended for final payment totaling $300.00.

It was moved by Miller and seconded by Luebbe to pay one flow meter repair cost-share claim totaling $300.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 8. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Six Aquifer Quality Well Abandonment Cost-Share Assistance Program applications were recommended for final payments totaling $3,904.76.

It was moved by Miller and seconded by Luebbe to make cost-share payments for six well abandonments, as reviewed by the Committee, at a cost of $3,904.76. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 9. PAYMENT TO BEEHIVE INDUSTRIES FOR DATA CONNECTIONS PROJECT.

Beehive Industries will begin work on the open data connections project approved by the board of directors in December. The agreement requires half of the project cost at the beginning of the project with the remaining half provided upon delivery of the finished product. An invoice totaling $7,000.00 was received to cover the first half of the project cost.

It was moved by Miller and seconded by Siebert to make payment to Beehive Industries for the first half of the open data connections project totaling $7,000.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 10. TRI-CITY METERS CONTRACT AMENDMENT REQUEST.
Tri-City Meters is under contract to the district to provide routine flowmeter maintenance to mechanical flowmeters in the district. Under the existing agreement Tri-City Meters bills the district $20.00 to replace the Victaulic gasket on certain McCrometer flowmeter installations. Tri-City Meters has seen an increase in the cost of Victaulic gaskets. They are requesting an amendment to the remaining term of their contract to increase the billable cost of Victaulic gaskets from $20.00 to $25.00.

It was moved by Miller and seconded by Moore to approve the contract amendment with Tri-City Meters to increase the billable cost of Victaulic gaskets to $25.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

ITEM 11. 2021 WATER USE VIOLATIONS – ISSUANCE OF CEASE-AND-DESIST ORDERS.

At the time of the Water & Regulations Committee meeting five agricultural producers were in violation of Rule 5, Chapter 13, Paragraph 01 for not submitting their 2021 Water Use Report – Irrigation Wells. Each of the five producers received the complaint of violation, investigation report, and notice of intent to issue cease and desist order alternative action options documents. Since that time, Matt Snoberger of M. Snoberger Farms has submitted the required water use reports. The remaining four have failed to respond. The next course of action outlined in District Rule 4 is to issue an Order of Cease and Desist. The four producers in violation are Jason Preissler, Chase Kumpf, Cody Engle, and Clint Ratkovec.

It was moved by Miller and seconded by Moore to issue Orders of Cease and Desist to Jason Preissler, Chase Kumpf, Cody Engle, and Clint Ratkovec for failure to submit the 2021 Water Use Report – Irrigation Wells. The Order states that if the required reports are not submitted by March 4, 2022 the individuals will be turned over to the District Court. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

ITEM 12. LIFTING CEASE AND DESIST ORDER AGAINST KEVIN MACK.

Kevin Mack has submitted the 2020-2021 Phase II/III Management Area report and has come into compliance. Since the board of directors issues the Order of Cease and Desist, the board needs to lift the Order.

It was moved by Miller and seconded by Kuehner to lift the Order of Cease and Desist for Kevin Mack for Phase II/III Management Area reporting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

ITEM 13. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.
Rich reported that the Projects and Programs Committee met on February 10, 2022 and presented the committee’s recommendations.

**ITEM 14. NSWCP LAND TREATMENT PROGRAM PAYMENTS.**

*It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $23,966.18 for four completed NSWCP Land Treatment Projects, as recommended by staff and reviewed by the Committee. Motion carried.*

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

**ITEM 15. OXBOW TRAIL RECREATION AREA IMPROVEMENTS.**

The NRD received three quotes for the Oxbow Trail Recreation Area renovation project. The quote from Schaefer Concrete of Garland ($8,683.02) was incomplete and after discussion with Travis Schaefer was rejected. The quote from Pankoke Construction of Beaver Crossing was $16,864.00 but included a completion date of June 25, 2022, which did not meet the specified completion date of May 20, 2022. Dankers Concrete of Pleasant Dale submitted a quote of $16,977.00. The engineer’s estimate was $15,915.00.

*It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD accept the quote from Dankers Concrete of $16,977.00 for the Oxbow Tail Recreation Area park renovation project, as recommended by staff and reviewed by the Committee. Motion carried.*

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates

NAY: Weiss

**ITEM 16. LANGWORTHY-REINMILLER DAM – ENCROACHMENT.**

The General Manager sent a letter to the Seward County Commissioners asking for their input on the Langworthy-Reinmiller Dam and violation of the Agreement between the NRD, Seward County, and the Langworthy Trust. A copy of the Trust letter and previous correspondence with the Trust were included. The Trust stated they have not violated the agreement and have no intention of planting crops in the conservation pool. The pool below the drawdown inlet has been filled. Discussion included closing the drain valve and restoring the portion of the reservoir filled in with the pivot bridge fill.

*It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD, with concurrence of the Seward County Commissioners, return the dam to the original operation by closing the drawdown valve, instructing the Trust to remove the material placed in the lake bottom below the drawdown inlet, and instructing the Trust to plant the minimum of 20 feet of grass on the outside edge of the conservation pool, as specified by the Agreement and as recommended by staff and reviewed by the Committee. Motion carried.*
ITEM 17. PROJECT PRIORITY LIST.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD adopt the project priority list as presented from totaling the individual board member rankings, as recommended by staff, and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

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

Kuehner reported that the Executive Committee met on February 10, 2022 and presented the committee’s recommendations.

ITEM 19. PAYMENT TO LEE ENTERPRISES FOR PUBLIC RELATION ADVERTISING.

An invoice for $7,267.87 has been received from Lee Enterprises for service during the month of January. The invoice includes public relations items as well as job search advertisements and legal notices. Management created purchase orders for job search advertisements and legal notices. However, the total for the public relations items exceeds the spending authority of the general manager. Management requests that the board approve an expenditure of $6,339.93 for public relations items.

It was moved by Kuehner and seconded by Houdersheldt to approve payment of $6,339.93 to Lee Enterprises for public relations items provided during the month of January. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 20. PAYMENT TO CAPITAL BUSINESS SYSTEMS FOR RICOH C6000 COPIER.

An invoice for $10,096.54 was received from Capital Business Systems for the purchase of a Ricoh C6000 copier. The machine has been installed and is operational.

It was moved by Kuehner and seconded by Dickinson to approve payment of $10,096.54 to Capital Business Systems for the Ricoh C6000 copier. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 21. PURCHASE OF CHAIRS FOR BOARD AND LARGE CONFERENCE ROOMS.
The FY22 budget contains funding to purchase thirty-two chairs for the board room and large conference room. Staff requested quotes for thirty-two high-quality, USA built, upholstered chairs. Two vendors have provided demo chairs for the board to try. Staff requested approval to purchase thirty-two chairs. Prices were quoted using contract pricing available to a state/county government entity.

It was moved by Kuehner and seconded by Dickinson to approve purchase of ten executive chairs to be used in the large conference room. Selection of style of chair will be at the staff’s discretion.

It was moved by Grotz and seconded by Miller to amend the motion to purchase thirty-two chairs for the board room and large conference room. Amendment failed.

AYE: Bethune, Dickinson, Grotz, Houdersheldt, Miller, Moore, Rich, Yates
NAY: Jeff Bohaty, Richard Bohaty, Kuehner, Luebbe, Nuss, Robotham, Siebert, Stahly, Weiss

Question was called on the original motion. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Nuss, Rich, Robotham, Siebert, Stahly
NAY: Miller, Moore, Weiss, Yates

**ITEM 22. PLAYGROUND EQUIPMENT PURCHASE.**

Staff recommended that the Board utilize funds in the FY22 budget to purchase two sets of playground equipment for children 5 to 12 years of age. The Executive Committee was provided four price options for the playground equipment. The committee’s consensus was to purchase one Nucleus NU-2975 set of playground equipment for children 5 to 12 years of age to be installed at Bruce Anderson Recreation Area for a cost of $64,984. This price includes delivery, installation, and groundcover.

It was moved by Kuehner and seconded by Rich to approve purchase of one Nucleus NU-2975 set of playground equipment for children 5 to 12 years of age to be installed at Bruce Anderson Recreation Area with a price not to exceed $64,984. Price is to include delivery, installation, and groundcover. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

**ITEM 23. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR JANUARY 2022.**

Eigenberg reviewed the financial report for the period January 1, 2022 to January 31, 2022, that was distributed. It was moved by Kuehner and seconded by Rich to approve the financial report for January 2022 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
ITEM 24. MOTION TO ADJOURN.

It was moved by Houdersheldt and seconded by Kuehner to adjourn the meeting at 3:34 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held February 17, 2022, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

______________________________
Bill Stahly, Secretary

:ndb
MINUTES
BOARD OF DIRECTORS MEETING
March 17, 2022

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, March 17, 2022, at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Nancy Brisk, Chrystal Houston, Marie Krausnick, Jack Wergin, Josh Bowers of York NRCS, and Seward County Commissioner Bob Vrbka.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on March 10, 2022 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUEST FOR EXCUSED ABSENCE.

Richard Bohaty requested an excused absence from the March 17, 2022 board of directors meeting.

It was moved by Rich and seconded by Stahly to excuse the absence of Richard Bohaty from the March 17, 2022 board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

NOT PRESENT: Richard Bohaty

ITEM 5. ADOPTION OF AGENDA.
It was moved by Rich and seconded by Luebbe to approve the agenda for the March 17, 2022, board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

ITEM 6. APPROVAL OF MINUTES OF THE FEBRUARY 17, 2022 BOARD OF DIRECTORS MEETING.

It was moved by Luebbe and seconded by Dickinson to approve the minutes of the February 17, 2022 board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met March 10, 2022 and presented the committee’s recommendations.

ITEM 8. GROUNDWATER TRANSFER AUTHORIZATION – TODD DANHAUER.

Todd Danhauer owns 80 acres in the E1/2 SW1/4 of Section 28-T12N-R06W. The property will be watered by well permit UBB-1-5877. Mr. Danhauer would like to transfer water to an additional 80 acres in the E1/2 NW1/4 of Section 33-T12N-R06W. This transfer fits within our groundwater transfer rules.

It was moved by Miller and seconded by Nuss to approve groundwater transfer T-111. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

ITEM 9. FLOW METER REPAIR COST-SHARE PAYMENTS.

Seven flow meter repair cost-share applications were recommended for final payments totaling $1,530.83.

It was moved by Miller and seconded by Luebbe to pay seven flow meter repair cost-share claims totaling $1,530.83. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
ITEM 10. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Six Aquifer Quality Well Abandonment Cost-Share Assistance Program applications were recommended for final payments totaling $4,500.00.

It was moved by Miller and seconded by Houdersheldt to make cost-share payments for six well abandonments, as reviewed by the Committee, at a cost of $4,500.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

ITEM 11. PAYMENT TO UNIVERSITY OF NEBRASKA LINCOLN FOR VADOSE ZONE STUDY.

The University of Nebraska Lincoln has submitted two invoices totaling $5,005.00 for work completed January 1, 2022 through February 28, 2022 on the Vadose Zone Study. Coring is underway to complete year one of the study and should be finished prior to planting season.

It was moved by Miller and seconded by Rich to make payment to the University of Nebraska Lincoln for the work completed on the Vadose Zone Study totaling $5,005.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

ITEM 12. PAYMENT TO BROWN & CALDWELL FOR REGIONAL GROUNDWATER MODELING.

Brown and Caldwell are continuing their work on Phase 2 of the Regional Groundwater Model. An invoice in the amount of $12,514.00 was received for work completed from November 2021 to January 2022. As the project lead, the District will pay the invoice from Brown & Caldwell and request reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources.

It was moved by Miller and seconded by Houdersheldt to pay Brown & Caldwell for work completed through January 2022 totaling $12,514.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

ITEM 13. IRRIGATION SCHEDULING EQUIPMENT FOR RESALE – CLEMENTS ASSOCIATES, INC.
Staff purchased soil probes to be added to the districts inventory of irrigation scheduling equipment. An invoice totaling $2,576.79 was received from Clements Associates Inc.

It was moved by Miller and seconded by Luebbe to pay Clements Associates Inc. for the purchase of soil probes totaling $2,576.79. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

ITEM 14. IRRIGATION SCHEDULING EQUIPMENT FOR RESALE – IRROMETER COMPANY, INC.

Staff purchased 10 dataloggers and 6 cables to add to the districts inventory of irrigation scheduling equipment. An invoice totaling $4,974.00 was received from Irrometer Company, Inc.

It was moved by Miller and seconded by Siebert to pay Irrometer Company, Inc. for 10 dataloggers and 6 cables totaling $4,974.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

ITEM 15. ROUTINE FLOW METER MAINTENANCE PAYMENT – TRI-CITY METERS, INC.

Tri-City Meters has completed mechanical flow meter maintenance on 1,255 flow meters. Three invoices totaling $58,735.00 have been received.

It was moved by Miller and seconded by Robotham to pay Tri-City Meters, Inc. for the routine maintenance of mechanical flow meters totaling $58,735.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

ITEM 16. LIFTING OF ORDERS TO CEASE AND DESIST – KEVIN ELGE & CHASE KUMPF.

Kevin Elge has submitted his 2020-2021 Phase II/III Management Area report and has come into compliance.
Chase Kumpf was out of compliance for the reporting of irrigation water use for the 2021 growing season. Staff contacted the landowner for the property once operated by Chase Kumpf and they were able to report the ending flow meter reading. As a result, Chase Kumpf is now in compliance. Since the board of directors issues the Orders of Cease and Desist the board needs to lift the Orders.
It was moved by Miller and seconded by Siebert to lift the Order of Cease and Desist for Kevin Elge for Phase II/III Management Area reporting. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

It was moved by Miller and seconded by Nuss to lift the Order of Cease and Desist for Chase Kumpf for reporting irrigation water use for the 2021 growing season. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

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

Rich reported that the Projects and Programs Committee met on March 10, 2022 and presented the committee’s recommendations.

ITEM 18. LAND TREATMENT PROGRAM NSWCP PAYMENT.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD approve payment of $7,500.00 for one completed NSWCP Land Treatment Project, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

ITEM 19. NEBRASKA BUFFER STRIP PROGRAM THIRD QUARTER PAYMENTS.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD approve payment of $7,443.30 for six Nebraska buffer strip contracts, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

ITEM 20. PRIVATE DAMS PROGRAM NEW APPLICATION.

Terry Chrisman has applied for cost-share assistance through the Private Dams Program for a failed dam
located northeast of McCool Junction. Dustin Chrisman (Terry’s son) is the point of contact and will be utilizing a private engineer for the design and construction oversight. The preliminary cost estimate ranges from $90,000 to $120,000.

It was moved by Rich and seconded by Jeff Bohaty that the Upper Big Blue NRD approve the Terry Chrisman private dams application with an estimated cost share of $50,000.00, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

ITEM 21. PRIVATE DAMS PROGRAM APPLICATION FEE.

Staff presented a draft Agreement for Technical Assistance for Private Dams Program Survey & Design that outlines the details of having landowners submit a deposit fee of 2% of the preliminary cost estimate with their private dams application. If the landowner decides not to proceed with construction, they may forfeit the fee. This fee structure does not apply to landowners utilizing a private engineer.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD approve the “Agreement for Technical Assistance for Private Dams Program Survey & Design” with a correction replacing “farm pond” with “dam” under paragraph 4, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

ITEM 22. LANGWORTHY-REINMILLER DAM.

In February 2022 the board approved the following motion. “That the Upper Big Blue NRD, with concurrence of the Seward County Commissioners, return the dam to the original operation by closing the drawdown valve, instructing the Trust to remove the material placed in the lake bottom below the drawdown inlet, and instructing the Trust to plant the minimum of 20 feet of grass on the outside edge of the conservation pool, as specified by the Agreement and as recommended by staff and reviewed by the Committee.”

At their March meeting the Projects & Programs Committee continued the discussion concerning the removal of the pivot bridge and changes made to the reservoir at Langworthy-Reinmiller Dam, because the Seward County Commissioners have yet to take a stance on the matter. Bob Vrbka, Seward County Commissioner attended the February Projects and Programs Committee meeting and during the discussion told the committee that this matter would be added to the Seward County Commissioners Tuesday, March 15, 2022 meeting agenda. Staff had planned to attend the meeting and report back to the board, but they were later informed by commissioner Vrbka that the matter would not be placed on
the agenda. Since the NRD holds the easement the NRD can act on their own to return this dam to its original operation.

It was moved by Rich and seconded by Dickinson that the Upper Big Blue NRD board reconsider the motion passed at the February 17, 2022 board meeting that the Upper Big Blue NRD, with concurrence of the Seward County Commissioners, return the dam to the original operation by closing the drawdown valve, instructing the Trust to remove the material placed in the lake bottom below the drawdown inlet, and instructing the Trust to plant the minimum of 20 feet of grass on the outside edge of the conservation pool, as specified by the Agreement.

It was moved by Houdersheldt and seconded by Miller to amend the motion to strike “with concurrence of the Seward County Commissioners.” Amendment carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

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

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

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

Kuehner reported that the Executive Committee met on March 10, 2022 and presented the committee’s recommendations.

**ITEM 24. PAYMENT TO NORTH PRINTING & OFFICE SUPPLY FOR THE BLUEPRINT NEWSLETTER.**

The Committee reviewed the invoice from North Printing & Office Supply in the amount of $8,008.28 for printing the Spring 2022 issue of the BLUEPRINT newsletter.

It was moved by Kuehner and seconded by Dickinson to approve payment to North Printing & Office Supply in the amount of $8,008.28 for printing the Spring 2022 issue of the BLUEPRINT newsletter. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT VOTING: Moore
NOT PRESENT: Richard Bohaty

**ITEM 25. DIRECTOR’S EXPENSES FOR ATTENDING THE 2022 GMDA WINTER CONFERENCE.**
The 2022 Groundwater Management District Association (GMDA) Winter Conference was held in San Antonio, Texas. Linda Luebbe submitted a request for reimbursement of expenses incurred to attend the conference.

It was moved by Kuehner and seconded by Rich to approve payment of $1,573.70 to Linda Luebbe for expenses for the 2022 GMDA Winter Conference. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT VOTING: Luebbe, Moore
NOT PRESENT: Richard Bohaty

ITEM 26. BOARD ROOM AUDIO-VISUAL EQUIPMENT UPDATES.

Staff met with two audio-visual vendors. We requested quotes to update the A/V system in our board room by adding 12 additional wireless tabletop mics and the technology to support them, two fixed cameras (one facing the front, one facing the back with the ability to remotely pan, tilt and zoom), two large monitors on each side of the room, and hard-wired connections from the back of the room to the existing rack in the front of the room.

A quote in the amount of $64,998 for proposed work from Yandas Pro Audio & Video was received. This quote utilizes our current wireless mics, amps, speakers, projector, and screen. Yandas will extend the 2-year service contract to a 3-year service contract upon installation.

A quote was received from CCS Presentation Systems – Midwest. Their quote in the amount of $50,753.46 included a rolling table to control A/V functions from the rear of the room. Two cameras would be added to allow for hybrid and virtual meetings. A new audio processor would replace the existing processors, which would allow for seamless integration of the cameras and audio. A new air media unit would be installed. Existing microphones (ceiling and wireless) would be reused. Twelve additional wireless mics would be added to the system.

It was moved by Kuehner and seconded by Rich to accept the quote from Yandas Pro Audio & Video in the amount of $64,998.00 for the purchase, and installation of a turnkey board room A/V system, adding 12 additional wireless tabletop mics, two fixed cameras, two large monitors, hard wired connections from the back of the room to the existing rack and all technology to support the system. Motion carried.

AYE: Bethune, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT VOTING: Jeff Bohaty
NOT PRESENT: Richard Bohaty

ITEM 27. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR FEBRUARY 2022.
Eigenberg reviewed the financial report for the period February 1, 2022 to February 28, 2022, that was distributed. It was moved by Houdersheldt and seconded by Rich to approve the financial report for February 2022 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

ITEM 28. MOTION TO ADJOURN.

It was moved by Kuehner and seconded by Jeff Bohaty to adjourn the meeting at 3:17 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Richard Bohaty

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held March 17, 2022, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Bill Stahly, Secretary

:ndb
The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, April 21, 2022, at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Richard Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Bill Kuehner, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Nancy Brisk, Chrystal Houston, Marie Krausnick, Jack Wergin, and Josh Bowers of York NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on April 14, 2022 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Thirteen directors were present during roll call. Robotham arrived at 7:04 p.m.

ITEM 4. REQUEST FOR EXCUSED ABSENCE.

Jeff Bohaty, Luebbe, and Weiss requested an excused absence from the April 21, 2022 board of directors meeting.

It was moved by Kuehner and seconded by Stahly to excuse the absence of Jeff Bohaty, Luebbe and Weiss from the April 21, 2022 board of directors meeting. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Siebert, Stahly, Yates
NAY: None
NOT VOTING: Robotham
NOT PRESENT: Jeff Bohaty, Luebbe, Weiss

ITEM 5. ADOPTION OF AGENDA.
It was moved by Houdersheldt and seconded by Rich to approve the agenda for the April 21, 2022, board of directors meeting. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Luebbe, Weiss

ITEM 6. APPROVAL OF MINUTES OF THE MARCH 17, 2022 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Bethune to approve the minutes of the March 17, 2022 board of directors meeting. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Luebbe, Weiss

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met April 12, 2022 and presented the committee’s recommendations.

ITEM 8. FLOW METER REPAIR COST-SHARE PAYMENTS.

Twenty-nine flow meter repair cost-share applications were recommended for final payments totaling $7,835.63.

It was moved by Miller and seconded by Siebert to pay twenty-nine flow meter repair cost-share claims totaling $7,835.63. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Luebbe, Weiss

ITEM 9. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Eight Aquifer Quality Well Abandonment Cost-Share Assistance Program applications were recommended for final payments totaling $5,454.35.

It was moved by Miller and seconded by Nuss to make cost-share payments for eight well abandonments, as reviewed by the Committee, at a cost of $5,454.35. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
ITEM 10. VADOSE ZONE STUDY PAYMENT – UNIVERSITY OF NEBRASKA LINCOLN.

The University of Nebraska Lincoln has submitted an invoice for work completed on the Vadose Zone Study during the month of March 2022 totaling $2,435.44. Coring for year 1 has ended. Four deep core samples remain to be taken in the first year of the study. Those sites will be collected after harvest 2022 along with the second-year samples.

It was moved by Miller and seconded by Dickinson to make payment to the University of Nebraska Lincoln for the work completed on the Vadose Zone Study totaling $2,435.44. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Luebbe, Weiss

ITEM 11. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Brown and Caldwell are continuing their work on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed from January 28, 2022 to February 24, 2022 totaling $6,171.25. As the project lead, the District will remit payment to Brown & Caldwell and request reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources.

The Nebraska Department of Natural Resources is beginning to make preliminary model runs using the model. With each calibration adjustment and model run, the areas of interconnection change. Once maps are available to share staff will provide that information to the committee.

It was moved by Miller and seconded by Houdersheldt to pay Brown and Caldwell for work completed through February 2022 totaling $6,171.25. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Luebbe, Weiss

ITEM 12. ROUTINE FLOW METER MAINTENANCE PAYMENT – TRI-CITY METERS, INC.

Tri-City Meters has completed mechanical flow meter maintenance on 483 meters. The final invoice totaling $22,885.00 was received.

It was moved by Miller and seconded by Rich to pay Tri-City Meters, Inc. for the routine maintenance of mechanical flow meters totaling $22,885.00. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
ITEM 13. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the irrigated acres’ certification for 218 parcels totaling 20,076.53 acres which yielded an increase in irrigated acres of 683.22. The total irrigated acres for the District are 1,243,631.41 acres.

It was moved by Miller and seconded by Grotz to certify the acres’ changes as presented to the committee. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Luebbe, Weiss

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

Rich reported that the Projects and Programs Committee met on April 14, 2022 and presented the committee’s recommendations.

ITEM 15. NEBRASKA SOIL & WATER CONSERVATION PROGRAM (NSWCP) LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD approve payment of $11,339.94 for 2 completed NSWCP Land Treatment applications as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Luebbe, Weiss

ITEM 16. NEW PRIVATE DAMS PROGRAM APPLICATION.

Dalen Hall has decided to re-apply for cost-share assistance through the Private Dams Program for a failed dam located southwest of McCool Junction. The design for this dam was completed back in 2020 and at that time, Dalen decided not to proceed. The initial cost estimate ranges from $40,000 to $60,000.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD approve the Dalen Hall Private Dams Application with an estimated cost-share of $45,000.00, as recommended by staff and reviewed by the Committee. Motion carried.
ITEM 17. UPPER BIG BLUE NRD AND LOWER PLATTE SOUTH NRD INTERLOCAL AGREEMENT.

The Lower Platte South NRD has drafted an Interlocal Agreement with the Upper Big Blue NRD to cooperate and effectively implement programs and projects along the shared NRD boundary. This Interlocal Agreement will be amended for specific projects. These amendments will specify the identity, location, and terms of each specific project to be implemented in the neighboring NRD.

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD enter into an Interlocal Agreement with the Lower Platte South NRD in order to assist and cooperate on projects and programs along the shared NRD boundary, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Luebbe, Weiss

ITEM 18. UPPER BIG BLUE NRD – LOWER PLATTE SOUTH NRD INTERLOCAL AGREEMENT – AMENDMENT NO. 1

Amendment No. 1 to the Interlocal Agreement between the Upper Big Blue NRD and the Lower Platte South NRD outlines details of cost-share opportunities within the Branched Oak Watershed, which is mostly in the Lower Platte South NRD, but extends into the Upper Big Blue NRD.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD approve Amendment No. 1 of the Interlocal Agreement with the Lower Platte South NRD, which identifies cost-share opportunities for projects within the Branched Oak Watershed, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Luebbe, Weiss

ITEM 19. VARIABLE RATE IRRIGATION PILOT PROGRAM.

The committee discussed the recent history of the NRD’s Variable Rate Irrigation Program. Over the six years of the program there have been 20 VRI applications approved.

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD eliminate the Variable Rate Irrigation Pilot Program at the end of FY 2022 (June 30, 2022). Motion carried.
ITEM 20. FILLMORE COUNTY AG SOCIETY TREE PLANTING AGREEMENT.

Fillmore County Ag Society lost a row of pine trees to disease and have requested assistance for replacement through the Community Tree Resources Program. The total cost for planting the trees is $2,142.27.

It was moved by Rich and seconded by Miller that the Upper Big Blue NRD agrees to provide 50% cost-share, not to exceed $1,000, to the Fillmore County Ag Society for the planting of trees through the Community Tree Resources Program, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates

NAY: None

NOT PRESENT: Jeff Bohaty, Luebbe, Weiss

ITEM 21. PIONEER TRAILS SPILLWAY – ROCK REMOVAL.

The downstream chute floor of the Pioneer Trails spillway has filled with rocks over time. This area is usually under water but is currently dry. The Projects and Programs Committee instructed staff to obtain quotes for presentation at the April 21, 2022 board meeting to remove rock from the spillway and place near the upstream face of the dam. One quote in the amount of $4,000 was received from Wy-Ad Enterprises of York. Work is expected to be completed in May.

It was moved by Rich and seconded by Stahly to accept the quote of $4,000 from Wy-Ad Enterprises of York for the removal and placement of rock from the downstream chute of the Pioneer Trails spillway. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates

NAY: None

NOT PRESENT: Jeff Bohaty, Luebbe, Weiss

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

Kuehner reported that the Executive Committee met on April 14, 2022 and presented the committee’s recommendations.

ITEM 23. DIRECTORS’ FIRST QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors’ per diem and expenses for this past quarter. The first quarter directors’ per diem is $8,750.00 and expenses are $4,513.08 for a total expenditure of
$13,263.08. Individual expense vouchers were available for review.

It was moved by Kuehner and seconded by Siebert to approve payment of first quarter 2022 directors’ per diem of $8,750.00 and expenses of $4,513.08 for a total of $13,263.08, and to publish these approved expenditures in the March Financial Report, except that each director who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Luebbe, Moore, Weiss

ITEM 24. FIFTY PERCENT DOWN PAYMENT – YANDAS PRO AUDIO & VIDEO.

The Committee was advised that an invoice in the amount of $32,000 from Yandas Pro Audio & Video for 50% of the total cost of the board room audio and video improvement was received. This down payment request is customary with Yandas for large equipment orders.

It was moved by Kuehner and seconded by Houdersheldt to approve payment to Yandas Pro Audio and Video in the amount of $32,000 for 50% of the total cost of board room audio and video improvements. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Luebbe, Moore, Weiss

ITEM 25. BURKE SCHOLARSHIP SELECTION.

The scholarship selection committee reviewed nine applications for the 2022 Burke Scholarship. An interim committee was appointed to review and rank all applications. The interim committee is recommending that scholarships be award to two applicants and that one alternate be named.

$2,000 Scholarship: Keeley Conrad, York, Nebraska, attending University of Nebraska-Lincoln.

$2,000 Scholarship: Matt Mittmann, York, Nebraska, attending University of Nebraska-Lincoln.

Alternate: Remi Christensen, Seward, Nebraska plans to attend University of Nebraska-Lincoln.

It was moved by Kuehner and seconded by Robotham to award 2022 Burke Scholarships of $2,000 to Keeley Conrad, York, Nebraska; Matt Mittmann, York, Nebraska; and to further name Remi Christensen of Seward, Nebraska, the alternate. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
ITEM 26. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR MARCH 2022.

Eigenberg reviewed the financial report for the period March 1, 2022 to March 31, 2022, that was distributed. It was moved by Houdersheldt and seconded by Nuss to approve the financial report for March 2022 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Luebbe, Weiss

ITEM 27. MOTION TO ADJOURN.

It was moved by Bethune and seconded by Rich to adjourn the meeting at 8:30 p.m. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Luebbe, Weiss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held April 21, 2022, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Bill Stahly, Secretary

:ndb
MINUTES
BOARD OF DIRECTORS MEETING
May 19, 2022

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, May 19, 2022, at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Linda Luebbe, John Miller, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Marie Krausnick, Nancy Brisk, Chrystal Houston, Jack Wergin, Joseph Sisco, and Josh Bowers of York NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on May 12, 2022 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call.

ITEM 4. REQUEST FOR EXCUSED ABSENCE.

Bill Kuehner and Larry Moore requested an excused absence from the May 19, 2022 board of directors meeting.

It was moved by Rich and seconded by Robotham to excuse the absence of Kuehner, and Moore from the May 19, 2022 board of directors meeting. Motion carried.


NAY: None

NOT PRESENT: Kuehner, Moore

ITEM 5. ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Siebert to approve the agenda for the May 19, 2022, board of directors meeting. Motion carried.
ITEM 6. APPROVAL OF MINUTES OF THE APRIL 21, 2022 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Siebert to approve the minutes of the April 21, 2022 board of directors meeting. Motion carried.

NAY: None
NOT PRESENT: Kuehner, Moore

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met May 12, 2022 and presented the committee’s recommendations.

ITEM 8. UNITED STATES GEOLOGICAL SURVEY GWMA#2 MONITORING NETWORK REVIEW PROPOSAL.

The United States Geological Survey (USGS) presented a project proposal to review the current Groundwater Management Area #2 (GWMA#2) well network to ensure the wells being sampled fit the original criteria of the 1995 study that established the network. This study could be the first phase of a larger study to look at the monitoring network and the parameters and contaminant data collected.

It was moved by Miller and seconded by Nuss to partner with the USGS to review the existing GWMA#2 monitoring well network, not to exceed $86,680.00. Motion carried.

AYE: Bethune, Richard Bohaty, Grotz, Luebbe, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: Jeff Bohaty, Dickinson
NOT VOTING: Houdersheldt
NOT PRESENT: Kuehner, Moore

ITEM 9. RAINWATER BASIN WETLAND GROUNDWATER RECHARGE ANALYSIS PROJECT.

Krausnick reviewed the project proposal and the five-year budget for the project at Teal View Wetland. The total project cost is $22,750.00 over five years. The project would install above and below ground monitoring equipment to quantify the recharge benefits of wetlands.

It was moved by Miller and seconded by Rich to partner with the Rainwater Basin Joint Venture on the Rainwater Basin Wetland Groundwater Recharge Analysis Project for five years not to exceed, $15,750.00. Motion carried.
ITEM 10. NEBRASKA NATURAL RESOURCES DISTRICTS AND THE EMERGENT THEORY OF NON-PARTICIPATION – JOSEPH SISCO.

Joseph Sisco, a University of Nebraska graduate student, would like to interview producers in the Lower Elkhorn and Upper Big Blue Natural Resources Districts, to find out why producers are hesitant to participate in conservation programs offered by NRDs. He is seeking a partnership with the District to assist in identifying producers for his research.

It was moved by Miller and seconded by Luebbe to instruct district staff to work with Joseph Sisco on his Nebraska Natural Resources Districts and the Emergent Theory of Non-Participation research project involving the Upper Big Blue NRD and authorize Dave Eigenberg to sign the site permission form. Motion carried.

NAY: None
NOT PRESENT: Kuehner, Moore

ITEM 11. GROUNDWATER TRANSFER AUTHORIZATION – J BAR K LLC.

J Bar K LLC – Kelvin Jorgensen owns 79.05 acres in the N1/2 SE1/4 of Section 15-T09N-R01W. The property will be watered by well permit UBB-1-5897. Jorgensen would like to transfer water to 70.02 acres in the W1/2 SW1/4 of Section 14-T09N-R01W owned by J Bar K LLC. This transfer fits within the groundwater transfer rules.

It was moved by Miller and seconded by Grotz to approve groundwater transfer T-112. Motion carried.

NAY: Luebbe
NOT PRESENT: Kuehner, Moore

ITEM 12. GROUNDWATER TRANSFER AUTHORIZATION – RAEANN ANDERSON WEMYOUTH AND ROB AND LAUREL C. MARLATT.

RaeAnn Anderson Weymouth and Rob and Laurel C. Marlatt own 39.77 acres in the SW1/4 SW1/4 Section 21-T10N-R06W. The property is watered by well G-059193. Marlatt would like to transfer water to 39.77 acres in the E1/2 SE1/4 of Section 20-T10N-R06W owned by RaeAnn Anderson Weymouth Trustee. This transfer fits within the groundwater transfer rules.
It was moved by Miller and seconded by Grotz to approved groundwater transfer T-113. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: Luebbe
NOT PRESENT: Kuehner, Moore

ITEM 13. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Three Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payment, totaling $2,183.18.

It was moved by Miller and seconded by Nuss to make cost-share payments for three well abandonments, as reviewed by the Committee, at a cost of $2,183.18. Motion carried.

NAY: None
NOT PRESENT: Kuehner, Moore

ITEM 14. VADOSE ZONE STUDY PAYMENT – UNIVERSITY OF NEBRASKA LINCOLN.

The University of Nebraska Lincoln has submitted an invoice for work completed on the Vadose Zone Study from April 1–30, 2022 totaling $2,460.87.

It was moved by Miller and seconded by Richard Bohaty to make payment to the University of Nebraska Lincoln for the work completed on the Vadose Study totaling $2,460.87. Motion carried.

NAY: None
NOT PRESENT: Kuehner, Moore

ITEM 15. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Brown and Caldwell are continuing their work on Phase 2 of the Regional Groundwater Model. An invoice was received for work completed from February 2022 to March 2022 totaling $5,596.25. As the project lead, the District will pay the invoice from Brown and Caldwell and request reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources. A map of model runs from December 16, 2021 and February 25, 2022 showed the impacts calibration is having on the areas of connection between surface and groundwater. Further calibration is being conducted. Staff will update the board as future model runs are completed.

It was moved by Miller and seconded by Houdersheldt to pay Brown and Caldwell for work completed through March 2022 totaling $5,596.25. Motion carried.
ITEM 16. PAYMENT TO OLSSON FOR WATER USE SUMMARY REPORT.

Olsson has delivered the water use summary report and invoiced the District $10,000 for the completed report.

It was moved by Miller and seconded by Nuss to pay Olsson for the delivery of the water use summary report totaling $10,000.00. Motion carried.

NAY: None
NOT PRESENT: Kuehner, Moore

ITEM 17. CHEMIGATION COST-SHARE PROGRAM DISCUSSION.

Staff presented a draft chemigation cost-share incentive program incorporating feedback from the April committee meeting. The draft program incorporates incentives for site setup, equipment, and the initial chemigation permit. Language was added to the proposed program document based on committee discussion.

It was moved by Miller and seconded by Siebert to approve the creation of the Upper Big Blue NRD Chemigation Incentive Program beginning in the 2023 growing season. Motion carried.

AYE: Bethune, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: Jeff Bohaty, Richard Bohaty, Weiss
NOT PRESENT: Kuehner, Moore

ITEM 18. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the irrigated acres’ certification for 243 parcels totaling 21,590.90 acres, which yielded a decrease in irrigated acres of 13.98. The total irrigated acres for the District are 1,243,617.43 acres.

It was moved by Miller and seconded by Luebbe to certify the acres’ changes as presented to the committee. Motion carried.

NAY: None
NOT PRESENT: Kuehner, Moore
ITEM 19. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Projects and Programs Committee met on May 12, 2022 and presented the committee’s recommendations.

ITEM 20. NEBRASKA SOIL & WATER CONSERVATION PROGRAM COST SHARE PAYMENT.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $2,490.24 for one completed NSWCP Land Treatment Project, as recommended by staff and reviewed by the Committee. Motion carried.

NAY: None
NOT PRESENT: Kuehner, Moore

ITEM 21. PAYMENT FOR TEAL VIEW EDUCATIONAL WETLAND PARKING LOT.

The NRD entered an interlocal agreement with the Rainwater Basin Joint Venture for the installation of a parking lot at Teal View Educational Wetland. Through this Agreement, the RWBJV agreed to provide $11,500 of cost-share assistance for the parking lot. Total costs were $11,848.00, with $1,425.00 to ASP Enterprises for woven fabric and $10,423.00 for rock, and installation from WyAd Enterprises. The invoice from ASP Enterprises was paid last month. The NRD will be reimbursed $11,500 by the RWBJV.

It was moved by Rich and seconded by Siebert that the Upper Big Blue NRD approve payment of $10,423 to WyAd Enterprises for the installation of fabric and rock at the Teal View Educational Wetland, as recommended by staff and reviewed by the Committee. Motion carried.

NAY: None
NOT PRESENT: Kuehner, Moore

ITEM 22. WATER QUALITY MANAGEMENT PLAN COVER CROP PROGRAM.

It was moved by Rich and seconded by Stahly that the Upper Big Blue NRD approve payment of $7,500.00 for one completed WQMP Cover Crop Program project, as recommended by staff and reviewed by the Committee. Motion carried.

NAY: None
NOT PRESENT: Kuehner, Moore

ITEM 23. RECHARGE LAKE PLAYGROUND EQUIPMENT.
The playground equipment has been delivered and is being stored in the NRD yard. Installation is currently scheduled for late May or June. The NRD will be invoiced for the installation cost upon completion.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD approve payment of $37,444.00 to Creative Sites for the playground equipment to be installed at Recharge Lake, as recommended by staff, and reviewed by the Committee. Motion carried.

NAY:  None
NOT PRESENT:  Kuehner, Moore

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

Siebert reported that the Executive Committee met on May 12, 2022 and presented the committee’s recommendations.

ITEM 25. REQUEST FOR PROPOSALS TO CONDUCT ANNUAL AUDITS.

Brisk sent letters to seventeen accounting firms requesting proposals to conduct the annual audit for the next three years. Only two firms submitted proposals which are listed below.

<table>
<thead>
<tr>
<th>Firm</th>
<th>FY22 Audit</th>
<th>FY23 Audit</th>
<th>FY24 Audit</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMGL CPA’s &amp; Advisors</td>
<td>$ 8,650</td>
<td>$ 8,850</td>
<td>$ 9,050</td>
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<tr>
<td>Single audit if necessary</td>
<td>$ 2,800</td>
<td>$ 2,900</td>
<td>$ 3,000</td>
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<td>Dana F. Cole &amp; Company</td>
<td>$11,500</td>
<td>$12,650</td>
<td>$13,900</td>
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<tr>
<td>Single audit if necessary</td>
<td>$ 4,500</td>
<td>$ 4,950</td>
<td>$ 5,400</td>
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</table>

Staff recommended accepting the proposal from AMGL CPA’s & Advisors to conduct the annual audit for the next three fiscal years.

It was moved by Siebert and seconded by Luebbe to approve AMGL CPA’s & Advisors proposal to perform FY22 Audit - $8,650, FY23 Audit - $8,850, and FY24 Audit - $9,050. Motion carried.

NAY:  None
NOT PRESENT:  Kuehner, Moore

ITEM 26. FISCAL YEAR 23 SALARY SCHEDULE.

Eigenberg recommended changes for the FY23 Salary Schedule. He explained the logic and starting point behind his recommendation and answered questions. The schedule was developed to provide guidance on the FY23 salary structure. Midpoints were calculated by taking the average of 5 NRDs with similar
property valuations, annual payrolls, and staffing numbers. Midpoints were then used to develop minimum (80%) and maximum (120%) wage limits. The Salary Schedule will be used in accordance with the District’s Operating Policy.

It was moved by Siebert and seconded by Rich to approve the FY23 Salary Schedule as presented. Motion carried.

NAY: None
NOT PRESENT: Kuehner, Moore

ITEM 27. FISCAL YEAR 23 WAGE INCREASE.

Eigenberg discussed the wages of current staff positions with the Executive Committee. As part of this discussion, he informed the committee that prior to preparing his proposal to increase wages he removed one of the Engineering Technician positions from the spreadsheet because he has no plans to fill this position. However, he does plan to fill the recently vacated positions for Water Department Manager, Water Resources Technician, and Water Data Assistant.

Eigenberg requested that the board authorize a 6.0% increase in the FY22 payroll (less the vacant engineering technician position) for a total of $82,216 for FY23 salary increases for staff.

It was moved by Siebert and seconded by Rich to adjust the annual FY23 salaries of the district staff, except for the General Manager, by 6.0% of the FY 22 payroll, not to exceed $82,216, and to authorize the General Manager to determine and make the salary and wage adjustments, in accordance with the Operating Policy. Motion carried.

NAY: None
NOT PRESENT: Kuehner, Moore

ITEM 28. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR APRIL 2022.

Eigenberg reviewed the financial report for the period April 1, 2022 to April 30, 2022, that was distributed. It was moved by Houdersheldt and seconded by Jeff Bohaty to approve the financial report for April 2022 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

NAY: None
NOT PRESENT: Kuehner, Moore

ITEM 29. MOTION TO ADJOURN.
It was moved by Miller and seconded by Houdersheldt to adjourn the meeting at 9:13 p.m. Motion carried.


NAY: None

NOT PRESENT: Kuehner, Moore

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held May 19, 2022, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Bill Stahly, Secretary

:ndb
MINUTES
BOARD OF DIRECTORS MEETING
June 16, 2022

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 16, 2022, at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Marie Krausnick, Nancy Brisk, Chrystal Houston, Jack Wergin, and Josh Bowers of York NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on June 9, 2022 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Thirteen directors were present during roll call. Moore arrived at 7:23 p.m.

ITEM 4. REQUEST FOR EXCUSED ABSENCE.

Robotham, Siebert, and Weiss requested an excused absence from the June 16, 2022 board of directors meeting.

It was moved by Kuehner and seconded by Rich to excuse the absence of Robotham, Siebert, and Weiss from the June 16, 2022 board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Moore, Robotham, Siebert, Weiss

ITEM 5. ADOPTION OF AGENDA.
It was moved by Rich and seconded by Dickinson to approve the agenda for the June 16, 2022, board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Moore, Robotham, Siebert, Weiss

ITEM 6. APPROVAL OF MINUTES OF THE MAY 19, 2022 BOARD OF DIRECTORS MEETING.

It was moved by Bethune and seconded by Miller to approve the minutes of the May 19, 2022 board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Nuss, Rich, Stahly, Yates
NAY: None
NOT VOTING: Kuehner
NOT PRESENT: Moore, Robotham, Siebert, Weiss

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met June 7, 2022 and presented the committee’s recommendations.

ITEM 8. BEAVER CROSSING MONITORING WELL REPLACEMENT - PAYMENTS TO SARGENT DRILLING.

Sargent Drilling, of Geneva, Nebraska submitted an invoice in the amount of $17,091.50 for the construction of the replacement monitoring well at the Beaver Crossing site.

It was moved by Miller and seconded by Luebbe to pay Sargent Drilling, of Geneva, Nebraska $17,091.50 for the construction of the replacement monitoring well at Beaver Crossing. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Moore, Robotham, Siebert, Weiss

Sargent Drilling, of Geneva, Nebraska submitted an invoice in the amount of $3,000 for the decommissioning of the original monitoring well at the Beaver Crossing site.

It was moved by Miller and seconded by Luebbe to pay Sargent Drilling, of Geneva, Nebraska $3,000.00 for the decommissioning of the original monitoring well at Beaver Crossing. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Stahly, Yates
ITEM 9. FLOW METER REPAIR COST SHARE PROGRAM PAYMENTS.

Eighteen flow meter repair cost-share applications have been approved for final payments totaling $4,567.03.

It was moved by Miller and seconded by Rich to pay eighteen flow meter repair cost-share claims totaling $4,567.03. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Moore, Robotham, Siebert, Weiss

ITEM 10. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENT.

One Aquifer Quality Well Abandonment Cost-Share Assistance Program application was approved for final payment totaling $667.14.

It was moved by Miller and seconded by Stahly to make cost-share payment for one well abandonment, as reviewed by the Committee, at a cost of $667.14. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Moore, Robotham, Siebert, Weiss

ITEM 11. REGIONAL GROUNDWATER MODELING CONTRACT EXTENSION.

Brown and Caldwell are continuing their work to calibrate the regional groundwater model. The current contract will expire June 30, 2022. Brown & Caldwell has requested an extension until December 31, 2022 to complete the project.

It was moved by Miller and seconded by Houdersheldt to instruct David Eigenberg to sign the regional groundwater model contract extension with Brown & Caldwell, extending the project until December 31, 2022. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Stahly, Yates
NAY: Grotz
NOT PRESENT: Moore, Robotham, Siebert, Weiss

The Department of Natural Resources has submitted a contract amendment to the Upper Big Blue Natural Resources District for the regional modeling effort. The amendment extends the project until December 31, 2022.
It was moved by Miller and seconded by Rich to instruct David Eigenberg to sign the regional groundwater model contract extension with Nebraska Department of Natural Resources, extending the project until December 31, 2022. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Moore, Robotham, Siebert, Weiss

ITEM 12. BEEHIVE DATA CONNECTIONS PROJECT FINAL PAYMENT.

Beehive has completed the data connections to our database which allows our staff to connect to data in real time to generate reports and perform data analysis. The total project cost was $14,000. In February of this year, we made a payment of $7,000 for the first half of the project. Beehive submitted an invoice in the amount of $7,000 for the remaining balance.

It was moved by Miller and seconded by Nuss to pay Beehive Industries for the delivery of the open data connections project in the amount of $7,000.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Moore, Robotham, Siebert, Weiss

ITEM 13. RULES ENFORCEMENT UPDATE.

Krausnick provided the Water and Regulations Committee with a list of producers who are in violation of district rules and regulations for Phase II/III management area reporting, and those who have not completed nitrogen certification training. Staff advised the committee that the appropriate steps outlined in the District’s Rules and Regulations had been taken to begin the process of issuing cease and desist orders.

It was moved by Miller and seconded by Rich to issue orders of cease and desist for all producers out of compliance with Phase II/III & Hastings Management Area.

Prior to the board meeting it was discovered that the letter of intent to issue an order of cease and desist/schedule of compliance did not get mailed. For that reason, it was moved by Miller and seconded by Grotz to table the motion. The motion to table carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Moore, Robotham, Siebert, Weiss
Jason Preissler has come into compliance with 2021 Annual Water Use Reporting, his 2020-2021 Phase II/III & Hastings Management Area reporting and 2021-2022 Phase II/III & Hastings Management Area reporting. The active Order of Cease and Desist filed against him by the District can be lifted.

It was moved by Miller and seconded by Nuss to lift the Order of Cease and Desist filed against Jason Preissler. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Moore, Robotham, Siebert, Weiss

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

Rich reported that the Projects and Programs Committee met on June 9, 2022 and presented the committee’s recommendations.

ITEM 15. LAND TREATMENT PROGRAM NSWCP & NRD PAYMENTS.

It was moved by Rich and seconded by Stahly that the Upper Big Blue NRD approve payment of $7,500.00 for one completed NSWCP land treatment program application, and $31,059.20 for fifteen completed NRD land treatment program applications as reviewed. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Robotham, Siebert, Weiss

ITEM 16. NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD approve payments totaling $16,059.20 for nine Nebraska buffer strip program contracts as reviewed. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Robotham, Siebert, Weiss

ITEM 17. PAYMENT TO NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS FOR TREES.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $15,613.22 to the Nebraska Association of Resources Districts for the purchase of trees for resale. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates
NAY: None
ITEM 18. CITY OF YORK REQUEST FOR ASSISTANCE – LETTER OF MAP REVISION.

Dr. Sue Crawford, York City Administrator presented a request for assistance to proceed with a Letter of Map Revision (LOMR) for the City of York, which if approved, would lessen the flood plain in Tributary A which begins by the York High School. Several homes could potentially be removed from the flood plain, resulting in an estimated flood insurance savings of $30,000 per year. The estimated cost for the LOMR is $42,000.

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD provide 50% of the local share, not to exceed $21,000, through an amendment to the Interlocal Agreement with the City of York for work involved in filing a Letter of Map Revision request to reduce the flood plain in Tributary A located on the east edge of York. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates

NAY: None

ITEM 19. PAYMENT TO PANKOKE CONSTRUCTION - OVERLAND TRAIL RECREATION AREA IMPROVEMENTS.

Pankoke Construction has completed the earthwork on the parking lot at Overland Trail Recreation Area. NRD staff were unable to remove all the bollards, so Pankoke removed and disposed of them for an additional charge.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $9,187.50 to Pankoke Construction for earthwork completed on the parking area at Overland Trail Recreation Area. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates

NAY: None

ITEM 20. WATER QUALITY MANAGEMENT PLAN – TARGET AREA MAPPING PROPOSAL.

Staff requested a proposal from JEO Consulting for running the Agricultural Conservation Planning Framework (ACPF) program on the entire WQMP Target area of the Beaver Creek Watershed. This program will identify the very high-risk areas, the high-risk areas, and the critical source areas of the watershed, which will expand the areas eligible for increased incentive programs offered by the NRD.

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD enter a contract with JEO Consulting Group to run the Agricultural Conservation Planning Framework on the remainder of the NRD’s WQMP target area (Beaver Creek Watershed), for a fee of $9,500.00 to expand the area available for the NRD’s WQMP incentive programs. Motion carried.
AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Robotham, Siebert, Weiss

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

Kuehner reported that the Executive Committee met on June 9, 2022 and presented the committee’s recommendations.

ITEM 22. FISCAL YEAR 23 INSURANCE RENEWAL QUOTE -THE HARRY A. KOCH COMPANY.

Staff worked with Cornerstone Insurance to obtain a quote for the FY23 insurance renewal package. Due to the liability for the district owned dams, it is difficult to get insurers to quote the complete package. We have 1 high-hazard dam (Hastings Northwest) and 5 significant-hazard dams (Recharge Lake, Oxbow Trails, Struebing, Dorchester 1A and Dorchester 2A), and 39 low-hazard dams that the district owns and maintains.

The renewal quote for the district’s insurance package has been received from Cornerstone Insurance and The Harry A. Koch Company of Omaha. The quote for FY23 is $84,553. Last year’s premium was $77,589. Our workers compensation carrier is BITCO. The workers compensation premium is based on actual payroll, so a payroll audit is conducted at the end of each fiscal year to determine if any additional premium or refund is due.

<table>
<thead>
<tr>
<th></th>
<th>FISCAL YEAR 22</th>
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<td>Totals</td>
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<td>$84,553</td>
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</table>

It was moved by Kuehner and seconded by Rich to make payment of $84,553 to The Harry A. Koch Company for liability, auto, workers’ compensation, fire, and casualty insurance for FY23. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Stahly, Yates
NAY: None
NOT VOTING: Miller
NOT PRESENT: Robotham, Siebert, Weiss

ITEM 23. PAYMENT TO NORTH PRINTING & OFFICE SUPPLY FOR THE BLUEPRINT NEWSLETTER.

An invoice in the amount of $13,874.37 was received from North Printing & Office Supply for the Spring 2022 edition of the Blueprint newsletter.
It was moved by Kuehner and seconded by Dickinson to approve payment of $13,874.37 to North Printing & Office Supply for the Spring 2022 edition of the Blueprint newsletter. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Robotham, Siebert, Weiss

ITEM 24. NARD 414(H) RETIREMENT PLAN AND 457 DEFERRED COMPENSATION PLAN RESTATEMENT RESOLUTIONS AND PARTICIPATION AGREEMENTS.

The Manager was advised that to maintain compliance with our retirement plans, the District must pass a restatement resolution for the NARD 414(h) and 457 deferred compensation retirement plans. This is an amendment and restatement to bring the plans into compliance with the legislative and regulatory changes set forth in IRS Notice 2017-37 (i.e., the 6-year pre-approved plan restatement cycle). Initial effective date of Plan was January 1, 1998, the effective date for amendment and restatement is January 1, 2022.

It was moved by Kuehner and seconded by Houdersheldt to adopt the NARD 457 Retirement Plan Restatement Resolution and sign the participation agreement. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Robotham, Siebert, Weiss

It was moved by Kuehner and seconded by Miller to adopt the NARD 414(h) Retirement Plan Restatement Resolution and sign the participation agreement. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Robotham, Siebert, Weiss

ITEM 25. EVALUATION OF GENERAL MANAGER JOB PERFORMANCE AND FY23 COMPENSATION.

The Executive Committee recommended that the full board consider the General Manager’s job performance and any salary adjustment at the June 16th Board Meeting.

It was moved by Kuehner and seconded by Miller that the board go into closed session at 8:07 p.m. to prevent needless injury and to protect the reputation of the General Manager while conducting an evaluation of his job performance. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates
NAY: None
NOT PRESENT: Robotham, Siebert, Weiss

It was moved by Moore and seconded by Rich to return to open session at 8:53 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates

NAY: None

NOT PRESENT: Robotham, Siebert, Weiss

It was moved by Houdersheldt and seconded by Moore to increase the salary of the General Manager by 5 percent. Motion carried.

AYE: Dickinson, Grotz, Houdersheldt, Miller, Moore, Nuss, Rich, Stahly, Yates

NAY: Bethune, Jeff Bohaty, Richard Bohaty, Kuehner, Luebbe

NOT PRESENT: Robotham, Siebert, Weiss

ITEM 26. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR MAY 2022.

Eigenberg reviewed the financial report for the period May 1, 2022 to May 31, 2022, that was distributed. It was moved by Houdersheldt and seconded by Jeff Bohaty to approve the financial report for May 2022 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates

NAY: None

NOT PRESENT: Robotham, Siebert, Weiss

ITEM 27. MOTION TO ADJOURN.

It was moved by Kuehner and seconded by Bethune to adjourn the meeting at 9:30 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates

NAY: None

NOT PRESENT: Robotham, Siebert, Weiss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held June 16, 2022, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available
for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Bill Stahly, Secretary

:ndb
Attachments (4)
MINUTES
BOARD OF DIRECTORS MEETING
July 28, 2022

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 28, 2022, at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Richard Bohaty, Doug Dickinson, Rodney Grotz, Bill Kuehner, Linda Luebbe, John Miller, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Marie Krausnick, Nancy Brisk, Jack Wergin, and Josh Bowers of York NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on July 21, 2022 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Eleven directors were present during roll call. Luebbe arrived at 7:03 p.m., and Robotham arrived at 7:08 p.m.

ITEM 4. REQUEST FOR EXCUSED ABSENCE.

Jeff Bohaty, Houdersheldt, Moore and Siebert requested an excused absence from the July 28, 2022 board of directors meeting. Kuehner asked that Houdersheldt’s request be voted on separately.

It was moved by Kuehner and seconded by Dickinson to excuse the absence of Jeff Bohaty, Moore, and Siebert from the July 28, 2022 board of directors meeting. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Grotz, Kuehner, Miller, Nuss, Rich, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Luebbe, Moore, Robotham, Siebert

It was moved by Rich and seconded by Miller to excuse the absence of Houdersheldt from the July 28, 2022 board of directors meeting. Motion carried.

AYE: Bethune, Luebbe, Miller, Nuss, Rich, Stahly, Yates
NAY: Richard Bohaty, Dickinson, Grotz, Kuehner, Weiss
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Robotham, Siebert
ITEM 5. ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Rich to approve the agenda for the July 28, 2022, board of directors meeting. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Robotham, Siebert

ITEM 6. APPROVAL OF MINUTES OF THE JUNE 16, 2022 BOARD OF DIRECTORS MEETING.

It was moved by Luebbe and seconded by Bethune to approve the minutes of the June 16, 2022 board of directors meeting. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Robotham, Siebert

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met July 14, 2022 and presented the committee’s recommendations.

ITEM 8. GROUNDWATER TRANSFER AUTHORIZATION - GROTZ/MAZURE.

Duane, Brenda, Darren, and Cara Grotz own 129.21 acres in the NE1/4 of Section 05-T10N-R03W. The property is watered by well G-006929. An existing transfer (GT-1406) provides water to the SW1/4 NW1/4 of Section 04-T10N-R03W to irrigate 37.88 acres. The Grotzes would like to transfer water to an additional 39.86 acres in the NW1/4 NW1/4 of Section 04-T10N-R03W owned by the Fay Mazure Family Trust. This transfer fits within the groundwater transfer rules.

It was moved by Miller and seconded by Nuss to approve groundwater transfer T-114. Motion carried.

NAY: None
NOT VOTING: Grotz
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 9. GROUNDWATER TRANSFER AUTHORIZATION - FOLTS/SENFF.

Scott Folts owns 75.49 acres in the W1/2 NW1/4 of Section 32-T12N-R03W. The property is watered by well G-023995. An existing transfer (GT-14536) provides water to the SW1/4 NW1/4 of Section 29-T12N-
R03W to irrigate 35.97 acres. Mr. Folts would like to transfer water to an additional 38.73 acres in the SE1/4 SW1/4 of Section 29-T12N-R03W owned by Keven Senff. This transfer fits within the groundwater transfer rules.

It was moved by Miller and seconded by Rich to approve groundwater transfer T-110. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 10. MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM EXTENSION – MCCOOL JUNCTION.

The new municipal well that the Village of McCool Junction is constructing is nearly completed. The interlocal agreement between the Upper Big Blue Natural Resources District and the Village has expired. The Village is requesting an agreement extension until September 30, 2022 to allow time to complete their project.

It was moved by Miller and seconded by Robotham to extend the interlocal agreement between the Upper Big Blue NRD and the Village of McCool Junction for the construction of a new municipal well to September 30, 2022. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 11. FLOW METER REPAIR COST SHARE PROGRAM.

Nine flow meter repair cost-share applications were reviewed and recommended for final payments totaling $2,026.72.

It was moved by Miller and seconded by Luebbe to pay nine flow meter repair cost-share claims totaling $2,026.72. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

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

Two Aquifer Quality Well Abandonment Cost-Share Assistance Program applications were reviewed and recommended for final payments totaling $1,250.00.
It was moved by Miller and seconded by Nuss to make cost-share payments for two well abandonments, as reviewed by the Committee, at a cost of $1,250.00. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 13. PAYMENT TO UNIVERSITY OF NEBRASKA LINCOLN FOR VADOSE ZONE STUDY.

The University of Nebraska Lincoln submitted an invoice in the amount of $10,080.20 for work completed on the Vadose Zone Study during the month of May.

It was moved by Miller and seconded by Luebbe to make payment to the University of Nebraska Lincoln for the work completed on the Vadose Study totaling $10,080.20. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 14. REGIONAL GROUNDWATER MODELING UPDATE.

Brown and Caldwell are continuing their work on Phase 2 of the Regional Groundwater Model. They submitted an invoice in the amount of $3,768 for work completed from April 1, 2022 to May 26, 2022. As the project lead, the District will make payment to Brown & Caldwell and request reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources.

It was moved by Miller and seconded by Rich to pay Brown & Caldwell for work completed on Phase 2 of the Regional Groundwater Model totaling $3,768.00. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 15. RULES ENFORCEMENT UPDATE.

Krausnick provided a list of producers who are in violation of district rules and regulations for Phase II/III management area reporting. Staff followed the steps outlined in the District’s Rules and Regulations and issued a complaint, violation, and intent to issue an order of cease and desist/schedule of compliance.


This matter came before the board at the June 16, 2022 board meeting. A motion to issue orders of cease and desist was made, however the motion was tabled.
It was moved by Miller and seconded by Stahly to take the motion from the table. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

It was moved by Miller and seconded by Richard Bohaty to issue orders of cease and desist for all producers out of compliance with Phase II/III & Hastings Management Area. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

Cody Engle has come into compliance with the 2021 Annual Water Use Reporting. As a result, the active Order of Cease and Desist filed against him by the District can be lifted.

It was moved by Miller and seconded by Kuehner to lift the Order of Cease and Desist filed against Cody Engle. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 16. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Projects and Programs Committee met on July 14, 2022 and presented the committee’s recommendations.

ITEM 17. NRD LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $41,576.22 for fifteen completed NRD Land Treatment Program projects, as recommended by staff and reviewed by the committee. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 18. COMMUNITY TREE RESOURCES PROGRAM – PAYMENT TO FILLMORE COUNTY AG SOCIETY.

The Fillmore County Ag Society submitted an invoice in the amount of $2,076.50 for trees that were planted. Under the terms of our interlocal agreement the NRD agreed to fund 50% of the cost, not to
It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD approve payment of $1,000.00 to the Fillmore County Ag Society for trees planted through the Community Resources Tree Program, as recommended by staff and reviewed by the committee. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 19. SMITH CREEK RECREATION AREA IMPROVEMENTS – PAYMENT TO PIEPER’S INC.

Pieper’s Inc. submitted and invoice in the amount of $8,672.56 for installing the waterline, water hydrant and drain line at Smith Creek Recreation Area.

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD approve payment of $8,672.56 to Pieper’s Inc. for the installation of the waterline, hydrant, and drain line at Smith Creek Recreation Area, as recommended by staff and reviewed by the committee. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 20. SMITH CREEK RECREATION AREA QUOTES FOR PARKING LOT ROCK.

Staff contacted four contractors for quotes to provide, install, and roll 291 tons of 1” diameter crusher run rock over the Smith Creek parking area. Pankoke Construction submitted a quote of $16,150.50 and Greckel Construction submitted a quote of $15,132.00. The other two contractors did not submit quotes.

It was moved by Rich and seconded by Stahly that the Upper Big Blue NRD accept the quote of $15,132.00 from Greckel Construction to supply, install, and roll rock on the parking area at Smith Creek Recreation Area. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 21. PAYMENT TO DANKERS CONCRETE FOR OXBOW TRAIL RECREATION AREA IMPROVEMENTS.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD approve payment of $16,977.00 to Dankers Concrete for completing the sidewalk and ADA parking stalls at Oxbow Trail Recreation Area, as recommended by staff and reviewed by the committee. Motion carried.
ITEM 22. OVERLAND TRAIL RECREATION AREA – QUOTES FOR PARKING LOT ROCK.

Staff contacted four contractors for quotes to provide, install, and roll 139 tons of 1” diameter crusher run rock at the Overland Trail parking area. Pankoke Construction submitted a quote of $8,861.25 and Greckel Construction submitted a quote of $7,367.00. No other contractors submitted quotes.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD accept the quote of $7,367.00 from Greckel Construction to supply, install, and roll rock on the parking area at Overland Trail Recreation Area. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 23. PAYMENT TO JEO CONSULTING FOR WQMP TARGET AREA MAPPING.

JEO Consulting is running the Agricultural Conservation Planning Framework (ACPF) Program on the upper portion of the WQMP Target area of the Beaver Creek Watershed. This program will identify the very high-risk areas, the high-risk areas, and the critical source areas of the watershed, which will expand the areas eligible for increased incentive programs offered by the NRD.

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD approve payment of $4,900.00 to JEO Consulting Group for work completed through July 1, 2022 on the ACPF mapping of the upper portions of the NRD’s WQMP target area (Beaver Creek Watershed), as recommended by staff and reviewed by the committee. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

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

Kuehner reported that the Executive Committee met on July 14, 2022 and presented the committee’s recommendations.

ITEM 25. DIRECTORS’ SECOND QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors’ per diem and expenses for this past quarter and recommended payment. Totals for the second quarter directors’ per diem are $8,890.00 and expenses
are $6,332.87 for a total expenditure of $15,222.87. Individual expense vouchers were available for review.

It was moved by Kuehner and seconded by Miller to approve payment of second quarter 2022 directors’ per diem of $8,890.00 and expenses of $6,332.87 for a total of $15,222.87, and to publish these approved expenditures in the June 2022 Financial Report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 26. NRD SHARED SERVICES SALARIES REIMBURSEMENT – LITTLE BLUE NRD.

The Little Blue NRD submitted an invoice totaling $18,105.88 for the Clay County NRCS secretary’s salary and benefits for fiscal year 2022. The Adams County NRCS secretary position was vacant during all of fiscal year 2022.

It was moved by Kuehner and seconded by Nuss to approve payment of $18,105.88 to the Little Blue NRD for the NRCS secretary’s FY22 salary in Clay County. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 27. NRD SHARED SERVICES SALARIES REIMBURSEMENT – LOWER BIG BLUE NRD.

The Lower Big Blue NRD submitted an invoice in the amount of $6,731.08 for the Saline County NRCS secretary’s salary and benefits for FY 2022.

It was moved by Kuehner and seconded by Rich to approve payment of $6,731.08 to the Lower Big Blue NRD for the NRCS secretary’s FY22 salary in Saline County. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 28. QUOTE FOR CONCRETE WORK - HEADQUARTERS DRIVEWAY.

Tom’s Concrete Construction submitted a quote of $7,287.00 for repair and expansion of the south driveway at the office. The bid includes widening the driveway by a total of four feet, two feet for incoming and two feet for outgoing traffic. The existing island in the driveway will remain. Work would include improvements to the radius on the south and north approaches. The committee requested that
staff obtain an alternate quote prior to the July board meeting to remove the existing island and replace the cleared area with concrete. The committee did recommend forwarding the existing quote to the full board for consideration.

It was moved by Kuehner and seconded by Rich to send the quote from Tom’s Concrete Construction for $7,287 to widen and improve the existing south driveway to office to the board for consideration.

Krausnick informed the board that she had not yet received the alternate quote from Tom’s Concrete Construction.

It was moved by Miller and seconded by Luebbe to refer the matter back to the Executive Committee. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 29. 2022 PRIMARY ELECTION COSTS.

The following invoices were received for the 2022 primary elections: Butler County Clerk $1,324.93; Fillmore County Clerk $3,289.72; Seward County Clerk $3,865.99 and York County Clerk $3,413.45.

It was moved by Kuehner and seconded by Luebbe to approve payment of $1,324.93 to the Butler County Clerk for 2022 primary election costs. Motion carried.

NAY: Dickinson
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

It was moved by Kuehner and seconded by Rich to approve payment of $3,289.72 to the Fillmore County Clerk for 2022 primary election costs. Motion carried.

NAY: Miller
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

It was moved by Kuehner and seconded by Rich to approve payment of $3,865.99 to the Seward County Clerk for 2022 primary election costs. Motion carried.

NAY: Dickinson
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert
It was moved by Kuehner and seconded by Rich to approve payment of $3,413.45 to the York County Clerk for 2022 primary election costs. Motion carried.

NAY: Robotham
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 30. FISCAL YEAR 2023 CONSOLIDATED BUDGET.

Eigenberg recommended that the Board approve the additional 1% restricted funds authority. Approval requires an affirmative vote of three-fourths majority of the Board present and voting.

It was moved by Kuehner and seconded by Dickinson to approve an increase in the total budgeted restricted funds authority by an additional 1%. Motion carried.

NAY: Grotz, Kuehner
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

A draft of the FY23 Consolidated Budget was presented to the Executive Committee. Total tax asking for FY23 is down 1.70% as compared to the FY22 budget in this draft. Eigenberg provided the board a brief presentation outlining the budgeting process and rationale behind the proposed budget. Discussion focused on the total dollars needed to purchase a new 3/4-ton four-wheel drive crew cab pick-up for the maintenance department. An additional $12,000 was placed in the Forestry Budget auto & truck line item, bringing the total for the line to $64,000. This addition to the Forestry Budget line item of $12,000 will result in a 1.36% decrease in the FY23 as compared to the FY22 budget.

It was moved by Kuehner and seconded by Dickinson to adopt the FY23 Consolidated Budget for the purpose of Public Hearing. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

The dates for two public hearings need to be set so that the proper public notices can be published. In the past, public hearings have coincided with August and September Board meetings. Eigenberg requested that the board schedule the FY23 Budget Hearing for 7:00 p.m., Thursday, August 18, 2022, and the Special Public Hearing for the FY23 Tax Request for 7:00 p.m., Thursday, September 15, 2022.

It was moved by Kuehner and seconded by Miller to schedule the FY23 Budget Hearing for 7:00 p.m., Thursday, August 18, 2022, and the FY23 Tax Request Hearing for 7:00 p.m., Thursday, September 15, 2022. Motion carried.

ITEM 31. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR JUNE 2022.

Eigenberg reviewed the financial report for the period June 1, 2022 to June 30, 2022, that was distributed. It was moved by Miller and seconded by Dickinson to approve the financial report for June 2022 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

ITEM 32. MOTION TO ADJOURN.

It was moved by Kuehner and seconded by Dickinson to adjourn the meeting at 8:44 p.m. Motion carried.

NAY: None
NOT PRESENT: Jeff Bohaty, Houdersheldt, Moore, Siebert

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held July 28, 2022, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

________________________________________
Bill Stahly, Secretary
:ndb
The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 18, 2022 at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska for the purpose of hearing support, opposition, criticism, suggestions, or observations of taxpayers relating to the proposed fiscal year 2023 budget. The budget detail was available at the office of the Upper Big Blue NRD during regular business hours.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, and Paul Weiss.

Staff and others in attendance were David Eigenberg, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, and Josh Bowers of York County NRCS.

ITEM 1. OPEN MEETINGS ACT.

Kuehner advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 2. PUBLIC NOTICE OF BUDGET HEARING AND BUDGET SUMMARY.

Kuehner stated for the record that the Notice of Budget Hearing and Budget Summary was published in the York News-Times on August 6, 2022.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during the roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Rodney Grotz and Lynn Yates requested an excused absence from the Fiscal Year 2023 Budget Hearing.

It was moved by Luebbe and seconded by Rich to excuse the absence of Grotz and Yates from the FY2023 Budget Hearing as requested. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 5. PROPOSED FISCAL YEAR 2023 BUDGET DISCUSSION.

Kuehner asked general manager, David Eigenberg, to review the proposed budget. Last year’s property tax request was $3,469,900.61. The proposed property tax request for fiscal year 2023 is $3,422,876.66, which is a decrease of 1.36%, or $47,023.95 from the prior year.
Eigenberg also reminded the board that the working document still shows the prior year’s valuations because the county clerks have until August 20 to certify the valuations. The tax request hearing to set the levy will take place September 15, 2022.

Under the current lid the Upper Big Blue NRD could increase the prior year’s restricted funds authority by 2.5% or $57,572.17. The board approved an additional 1% increase in restricted funds authority of $23,028.87. The unused restricted funds authority for fiscal year 2023 is $981,978.87.

Eigenberg reviewed a comparison of the three prior fiscal year budgets and the current proposed budget figures. He asked if any of the board members had questions regarding the budget. There were no questions from the board.

**ITEM 6. PUBLIC COMMENTS.**

Kuehner asked the members of the public who were present if they had any questions or comments regarding the proposed fiscal year 2023 budget. No comments on the budget were received from any member of the public.

**ITEM 7. CLOSE OF HEARING.**

Kuehner officially closed the hearing at 7:08 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the fiscal year 2023 budget hearing held August 18, 2022, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_____________________________________
Bill Stahly, Secretary

:ndb
The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 18, 2022, at 7:09 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, and Paul Weiss.

Staff and others in attendance were David Eigenberg, Marie Krausnick, Nancy Brisk, Jack Wergin, Chrystal Houston, and Josh Bowers of York NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Kuehner reported that we published the legal notice of the board of directors’ meeting on August 11, 2022 in the York News-Times.

ITEM 2.  OPEN MEETINGS ACT.

Kuehner advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3.  ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call.

ITEM 4.  REQUEST FOR EXCUSED ABSENCE.

Rodney Grotz and Lynn Yates requested an excused absence from the August 18, 2022 board of directors meeting.

It was moved by Rich and seconded by Dickinson to excuse the absence of Grotz and Yates from the August 18, 2022 board of directors meeting. Motion carried.

AYE:  Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss

NAY:  None

NOT PRESENT:  Grotz, Yates

ITEM 5.  ADOPTION OF AGENDA.
It was moved by Dickinson and seconded by Rich to approve the agenda for the August 18, 2022, board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss

NAY: None

NOT PRESENT: Grotz, Yates

ITEM 6. APPROVAL OF MINUTES OF THE JULY 28, 2022 BOARD OF DIRECTORS MEETING.

It was moved by Luebbe and seconded by Rich to approve the minutes of the July 28, 2022 board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss

NAY: None

NOT PRESENT: Grotz, Yates

ITEM 7. ADOPTION OF FISCAL YEAR 2023 BUDGET.

Eigenberg reviewed the proposed fiscal year 2023 budget during the hearing held prior to the board meeting. There were no comments from the public regarding the budget.

It was moved by Houdersheldt and seconded by Bethune to adopt the FY 2023 Budget as presented. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss

NAY: None

NOT PRESENT: Grotz, Yates

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

Miller reported that the Water & Regulations Committee met August 9, 2022 and presented the committee’s recommendations.

ITEM 9. PAYMENT TO UNIVERSITY OF NEBRASKA LINCOLN - VADOSE ZONE STUDY.

The University of Nebraska-Lincoln submitted an invoice in the amount of $4,090.47 for work completed during the month of June on the Vadose Zone Study.

It was moved by Miller and seconded by Luebbe to make payment to the University of Nebraska-Lincoln for the work completed on the Vadose Zone Study totaling $4,090.47. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
ITEM 10. STAFF PORTAL ANNUAL LICENSE AND MAINTENANCE PAYMENT – BEEHVIE INDUSTRIES.

Beehive Industries submitted an invoice in the amount of $27,156.00 for the annual maintenance and support for the office’s database platform. The annual fee allows staff unlimited licensed use of the database platform along with platform updates.

It was moved by Miller and seconded by Rich to pay Beehive Industries for the annual license and maintenance of the office’s database platform totaling $27,156.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 11. FLOW METER REPAIR COST SHARE PROGRAM.

Three flow meter repair cost-share applications were recommended for final payments totaling $900.00.

It was moved by Miller and seconded by Luebbe to pay three flow meter repair cost-share claims totaling $900.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT VOTING: Moore
NOT PRESENT: Grotz, Yates

ITEM 12. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres’ certification for 643 parcels totaling 58,733.32 acres, yielding an increase in irrigated acres of 510.03. The District has a total of 1,244,127.46 irrigated acres. The committee also reviewed the acre changes to two wetland parcels, yielding a decrease of wetland acres of 0.03 acres.

It was moved by Miller and seconded by Dickinson to certify the acres’ changes as presented to the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 13. BID REQUEST HALF-TON WATER DEPARTMENT PICKUP.
Krausnick presented the bid specifications for the replacement of the 2010 Ford F-150 for the Water Department. Money was allocated in the FY23 budget for the purchase. Staff is requesting permission to release the specification sheet for the purpose of soliciting bids for review by the committee in September.

It was moved by Miller and seconded by Nuss to instruct staff to solicit bids for the replacement of the Water Department 2010 Ford F-150. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 14. RULES ENFORCEMENT UPDATE – LIFT ORDERS OF CEASE AND DESIST.

Amy D. Leonard Etal & Daniel J. Leonard IV & Levi T. Gorusch have come into compliance for their Phase II & III Reporting. Staff is requesting the lifting of the Order of Cease and Desist filed against them. At the time of the committee meeting four producers remained out of compliance.

It was moved by Miller and seconded by Nuss to lift the Order of Cease and Desist filed against Amy D. Leonard Etal & Daniel J. Leonard IV & Levi T. Gorusch.

Miller advised the board that Brian Harrenstein submitted his phase II and III reports and has come into compliance. It was moved by Miller and seconded by Dickinson to amend the motion to lift the Order of Cease and Desist filed against Brian Harrenstein. Amendment carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

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

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 15. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Projects and Programs Committee met on August 11, 2022 and presented the committee’s recommendations.

ITEM 16. NRD LAND TREATMENT PROGRAM PAYMENTS.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD approve payment of $8,859.56
for 2 completed NRD land treatment program projects, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 17. STORM DAMAGED TREE REPLACEMENT PROGRAM.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD approve changes to the Storm Damaged Tree Program to allow for multiple new trees to replace a storm damaged tree with a total 50% reimbursement per landowner, not to exceed $300.00, with a minimum of $100.00, as reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 18. SMITH CREEK RECREATION AREA PARK IMPROVEMENTS.

Pankoke Construction has completed the sidewalks and ADA parking stalls. Greckel Construction is scheduled to begin placing 1” diameter crusher run rock at Smith Creek starting Monday.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $30,077.50 to Pankoke Construction for the installation of sidewalks and ADA parking stalls at Smith Creek Recreation Area, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 19. TEAL VIEW WETLAND EDUCATION AREA SIGNS.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD approve payment of $6,218.00 to Wallingford Signs for the two new signs at Teal View Wetland Education Area, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 20. CITY OF GENEVA TRAIL PAYMENT REQUEST.
The Projects and Programs Committee was updated on the Geneva trail, and a recommendation was made to approve the partial payment request from the City of Geneva for work completed through July 26, 2022 in the amount of $2,670.75 (25% of $10,683) as recommended by staff and reviewed by the committee.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD approve payment of $2,670.75 (25% of $10,683) to the City of Geneva for work completed on the Geneva Trail through July 26, 2022, as recommended by staff, and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 21. PIONEER TRAILS RECREATION AREA – SURVEY OF EAST SHORELINE.

Staff is requesting authorization to hire JEO to perform a survey at Pioneer Trails based on their estimate of $4,200.00 for field work and drafting.

It was moved by Rich and seconded by Bethune that the Upper Big Blue NRD authorize a survey performed by JEO staff, serving as the Hamilton County surveyor, at Pioneer Trails at a cost not to exceed $4,200.00.

It was moved by Miller and seconded by Houdersheldt to amend the motion to strike the words “serving as the Hamilton County surveyor.” Amendment carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

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

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 22. REQUEST FOR BIDS - NEW MAINTENANCE DEPARTMENT PICKUP.

The Projects and Programs Committee was provided specifications for a new ¾ ton pickup for the maintenance department, and staff is requesting authorization to solicit bids.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD approve the staff to solicit bids for a new ¾ ton replacement pickup. Motion carried.
ITEM 23. REQUEST FOR BIDS FOR NEW MOWER.

Staff presented the committee with specifications for a new lawn mower and requested authorization to advertise for bids to replace the 2016 Grasshopper mower.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD board approve the staff to solicit bids for the new replacement mower. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 24. WATER QUALITY MANAGEMENT PLAN.

Staff presented information on the Upper Big Blue NRD Water Quality Management Plan for Hastings (WQMP). Work would begin August 2022 and be completed by August 2023. If all partners agree to participate in the proposed project the estimated cost of $67,000 would be split as follows. The Nebraska Department of Environment and Energy would pay $40,000 and the Upper Big Blue NRD, Little Blue NRD, and City of Hastings would each pay $9,000 of the project cost.

Staff is recommending entering an Interlocal Agreement with the City of Hastings, and Little Blue NRD to partner on the Lake Hastings additional target area for the Upper Big Blue NRD WQMP and to provide funding in an amount not to exceed $9,000 for the project.

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD enter an Interlocal Agreement with the City of Hastings, and Little Blue NRD to partner on the Lake Hastings additional target area for the Upper Big Blue NRD WQMP and provide funding not to exceed $9,000. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 25. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Executive Committee met on August 11, 2022 and presented the committee’s recommendations.

ITEM 26. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS FY23 DUES.

An invoice for $38,383.72 was received from NARD for FY23 dues.
It was moved by Dickinson and seconded by Houdersheldt to approve payment of $38,383.72 to the NARD for the FY23 dues. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 27. 2022 PRIMARY ELECTION COSTS.

The Hamilton County Clerk invoiced the District $1,345.76 for the 2022 primary election costs.

It was moved by Dickinson and seconded by Siebert to approve payment of $1,345.76 to the Hamilton County Clerk for 2022 primary election costs. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 28. NRD SHARED SERVICES SALARY REIMBURSEMENT - LOWER PLATTE NORTH NRD.

The Lower Platte North NRD submitted an invoice in the amount of $16,781.40 for the Upper Big Blue NRD’s portion of the Butler County NRCS secretary’s FY22 salary.

It was moved by Dickinson and seconded by Miller to approve payment of $16,781.40 to the Lower Platte North NRD for the NRCS secretary’s FY22 salary in Butler County. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 29. ADMINISTRATION VEHICLE BID AUTHORIZATION.

Funds were allocated in the FY23 budget to replace the vehicle used by the Administration Department. Staff provided specifications and requested authorization to solicit bids for one full size sports utility vehicle. The bids will be presented to the Committee for consideration in September.

It was moved by Dickinson and seconded by Nuss to authorize staff to solicit bids for one full size sports utility vehicle and to present bids to the Committee for consideration in September. Motion carried.

AYE: Bethune, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly
NAY: Jeff Bohaty, Richard Bohaty, Kuehner, Weiss
NOT PRESENT: Grotz, Yates
ITEM 30. REQUEST FOR BIDS TO CONSTRUCT A MAINTENANCE STORAGE SHED.

The FY23 budget contains funds to build a 42ft X 120ft X 14ft building with (2) 30-foot sliding doors and 1 walk-in door. Staff is requesting authorization to solicit bids for this building.

It was moved by Dickinson and seconded by Rich to authorize staff to solicit bids for the construction of a 42ft X 120ft X 14ft building with (2) 30-foot sliding doors and 1 walk-in door. Bids will be presented to the Committee for consideration in September.

There was discussion regarding the specifications for the building, specifically the height of the doors, the need for another walk-in door, and the possibility of a concrete floor instead of white rock.

It was moved by Houdersheldt and seconded by Miller to amend the motion to change the height of the building to 16 feet, add another walk-in door, and get a price for an optional concrete floor.

After further discussion regarding the various options for the proposed building it was moved by Luebbe and seconded by Siebert to refer the matter back to the Executive Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Kuehner, Luebbe, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: Houdersheldt, Miller, Moore
NOT PRESENT: Grotz, Yates

ITEM 31. QUOTE FOR CONCRETE WORK – HEADQUARTERS MAIN DRIVEWAY.

Tom’s Concrete Construction submitted a quote totaling $7,287.00 for repair and expansion of the south driveway at the office on July 6, 2022. The quote included widening the driveway by a total of 4 feet; two feet for incoming and two feet for outgoing traffic. The existing island in the driveway would remain intact under this bid.

The Executive Committee instructed staff to obtain a quote from Tom’s Concrete Construction to remove the existing island and replace the cleared area with concrete. The quote submitted August 3, 2022 to remove the island and replace with concrete was $17,996.00.

It was moved by Dickinson and seconded by Robotham to approve the quote from Tom’s Concrete Construction dated August 3, 2022 for $17,996.00 to remove existing island and replace cleared area with concrete, improve radius curves to existing drives and repair broken/cracked sections on south driveway to office.

Eigenberg advised the board that due to the dollar amount of the revised quote he felt that while it is not required under our Operating Policy, it would be appropriate to solicit quotes from other area contractors.

It was moved by Moore and seconded by Rich to refer the matter back to the Executive Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss,
ITEM 32. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR JUNE 2022.

Eigenberg reviewed the financial report for the period July 1, 2022 to July 31, 2022, that was distributed. It was moved by Rich and seconded by Bethune to approve the financial report for July 2022 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

ITEM 33. MOTION TO ADJOURN.

It was moved by Houdersheldt and seconded by Siebert to adjourn the meeting at 8:37 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss
NAY: None
NOT PRESENT: Grotz, Yates

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held August 18, 2022, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Bill Stahly, Secretary
MINUTES
FISCAL YEAR 2023 TAX REQUEST HEARING
September 15, 2022

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 15, 2022, at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska for the purpose of hearing support, opposition, criticism, suggestions, or observations of taxpayers relating to setting the final tax request.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, and Josh Bowers of York County NRCS.

ITEM 1. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 2. PUBLIC NOTICE OF TAX REQUEST HEARING.

Yates stated for the record that the Notice of Special Hearing to Set Final Tax Request was published in the York News-Times on September 3, 2022.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during the roll call. Nuss arrived at 7:05 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Roger Houdersheldt and Paul Weiss requested excused absences from the September 15, 2022 tax request hearing.

It was moved by Stahly and seconded by Kuehner to excuse the absence of Houdersheldt and Weiss from the September 15, 2022 tax request hearing. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Nuss, Weiss

ITEM 5. FISCAL YEAR 2023 TAX REQUEST.
Yates asked general manager David Eigenberg to review the property tax request and proposed tax rate for fiscal year 2023. Eigenberg reviewed the valuations for the portions of nine counties within the Upper Big Blue NRD. The total valuation was $15,547,839,908 which was an increase of $568,792,705 from the prior fiscal year, or 4.0 percent. The property tax needed to fund the FY 23 budgeted expenditures is $3,422,876.66 which will require a property tax rate of 0.022015 to fund the budget. Eigenberg advised the board that they would need to adopt a resolution following this hearing to set the levy.

**ITEM 6. PUBLIC COMMENTS.**

Yates asked those who were present if they had any questions or comments regarding the proposed tax request for fiscal year 2023. No comments were received.

**ITEM 7. CLOSE OF HEARING.**

Yates officially closed the hearing at 7:06 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 September 15, 2022, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_____________________________________
Bill Stahly, Secretary
MINUTES
BOARD OF DIRECTORS MEETING
SEPTEMBER 15, 2022

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 15, 2022, at 7:06 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, and Lynn Yates.

Staff and others in attendance were David Eigenberg, Marie Krausnick, Nancy Brisk, Jack Wergin, Chrystal Houston, and Josh Bowers of York NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on September 8, 2022 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call.

ITEM 4. REQUEST FOR EXCUSED ABSENCE.

Roger Houdersheldt and Paul Weiss requested an excused absence from the September 15, 2022 board of directors meeting.

It was moved by Miller and seconded by Siebert to excuse the absence of Houdersheldt and Weiss from the September 15, 2022 board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

ITEM 5. ADOPTION OF AGENDA.
It was moved by Rich and seconded by Dickinson to approve the agenda for the September 15, 2022, board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Weiss

ITEM 6. APPROVAL OF MINUTES OF THE FY 23 BUDGET HEARING.

It was moved by Rich and seconded by Nuss to approve the minutes of the August 18, 2022 FY23 Budget Hearing. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Weiss

ITEM 7. APPROVAL OF MINUTES OF THE AUGUST 18, 2022 BOARD OF DIRECTORS MEETING.

It was moved by Luebbe and seconded by Siebert to approve the minutes of the August 18, 2022 Board of Directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Weiss

ITEM 8. ADOPTION OF FISCAL YEAR 2023 TAX REQUEST RESOLUTION.

It was moved by Moore and seconded by Bethune to adopt the FY 2023 Tax Request Resolution as presented. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Weiss

RESOLUTION SETTING THE FISCAL YEAR 2023 PROPERTY TAX REQUEST

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the governing body of the Upper Big Blue Natural Resources District passes by a majority vote a resolution setting the tax request; and

WHEREAS, a special public hearing was held on September 15, 2022 as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the governing body of the Upper Big Blue Natural Resource District resolves that:
1. The Fiscal Year 2023 property tax request be set at $3,422,876.66.

2. The total assessed value of property differs from last year’s total assessed value by 4.0 percent.

3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be $0.022318 per $100 of assessed value.

4. The Upper Big Blue Natural Resources District proposes to adopt a property tax request that will cause its tax rate to be $0.022015 per $100 of assessed value.

5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the Upper Big Blue Natural Resources District will increase from last year’s proposed operating budget by 5.0 percent.

6. A copy of this resolution shall be certified and forwarded to the County Clerk on or before October 15, 2022.

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

Miller reported that the Water & Regulations Committee met September 6, 2022 and presented the committee’s recommendations.

ITEM 10. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

It was moved by Miller and seconded by Luebbe to make cost-share payments for two well abandonments, as reviewed by the Committee, at a cost of $985.60. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

ITEM 11. FLOW METER REPAIR COST-SHARE PAYMENTS.

It was moved by Miller and seconded by Luebbe to pay two flow meter repair cost-share claims, as reviewed by the Committee, at a cost of $489.90. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

ITEM 12. VADOSE ZONE STUDY PAYMENT – UNIVERSITY OF NEBRASKA LINCOLN.

The University of Nebraska Lincoln submitted an invoice in the amount of $3,439.51 for work completed
during the month of July on the Vadose Study.

*It was moved by Miller and seconded by Stahly to make payment to the University of Nebraska Lincoln for the work completed on the Vadose Study totaling $3,439.51. Motion carried.*

**AYE:** Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates  
**NAY:** None  
**NOT PRESENT:** Houdersheldt, Weiss

**ITEM 13. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.**

Brown and Caldwell are continuing their work on Phase 2 of the Regional Groundwater Model. They submitted an invoice in the amount of $32,534.25 for work completed from May 2022 to July 2022. As the project lead, the District will pay Brown & Caldwell and request reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources.

Kurt Zeiler, principal modeler will be on hand in person or virtually for the Blue River Basin meeting at the September NARD conference. Kurt will provide a brief update on the modeling efforts.

*It was moved by Miller and seconded by Rich to pay Brown & Caldwell for work completed through July 2022 totaling $32,534.25. Motion carried.*

**AYE:** Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates  
**NAY:** None  
**NOT PRESENT:** Houdersheldt, Weiss

**ITEM 14. CERTIFICATION OF IRRIGATED ACRES.**

The committee reviewed the irrigated acres certification for 75 parcels totaling 5,003.54 acres, which yielded a decrease in irrigated acres of 58.27. The total irrigated acres for the District is 1,244,069.19 acres.

*It was moved by Miller and seconded by Siebert to certify the acres changes as presented to the committee. Motion carried.*

**AYE:** Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates  
**NAY:** None  
**NOT PRESENT:** Houdersheldt, Weiss

**ITEM 15. BID ACCEPTANCE HALF-TON WATER DEPARTMENT PICKUP.**

Krausnick presented three bids for the replacement of the 2010 Ford F-150 within the water department. Bids were reviewed from Baxter Chrysler Dodge Jeep for a 2023 Dodge RAM 1500, Gene Steffy Ford for a 2023 Ford F150 XLT, and Zoellner Ford Lincoln for a 2023 Ford F150 XLT. All three were
crew cab 4-wheel drives. A late bid was submitted by Sid Dillon of Crete, but not reviewed by the committee.

It was moved by Miller and seconded by Nuss to authorize the purchase of a 2023 Dodge RAM 1500 SLT from Baxter Chrysler Dodge Jeep, not to exceed $41,240.00, allowing $5,000.00 for trade in of the 2010 Ford F150 XLT. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

ITEM 16. RULES ENFORCEMENT UPDATE – LIFT ORDER OF CEASE AND DESIST.

Perfect Circle Irrigation and Nicholas Johnson have come into compliance for their Phase II & III Reporting. Staff is requesting the lifting of the Order of Cease and Desist filed against them. Two producer remains out of compliance.

It was moved by Miller and seconded by Nuss to lift the Order of Cease and Desist filed against Perfect Circle Irrigation and Nicholas Johnson. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

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

Rich reported that the Projects and Programs Committee met on September 8, 2022 and presented the committee’s recommendations.

ITEM 18. NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD approve payment of $1,597.50 for two Nebraska Buffer Strip contracts, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

ITEM 19. STORM DAMAGED TREE PROGRAM PAYMENTS.

The District has received three completed storm damaged tree claims and eleven new applications.
It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $819.57 for three completed storm damaged tree projects, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

ITEM 20. SMITH CREEK RECREATION AREA PARKING LOT IMPROVEMENTS.

It was moved by Rich and seconded by Stahly that the Upper Big Blue NRD approve payment of $15,132.00 to Greckel Construction for supplying, installing, and rolling the rock in the Smith Creek parking area, as recommended by staff, and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

ITEM 21. OVERLAND TRAIL RECREATION AREA PARKING LOT IMPROVEMENTS.

It was moved by Rich and seconded by Grotz that the Upper Big Blue NRD approve payment of $6,963.67 to Greckel Construction for supplying, installing, and rolling the rock at Overland Trail parking area, as recommended by staff, and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

ITEM 22. CITY OF GENEVA TRAIL - PAYMENT REQUEST.

The City of Geneva has completed the concrete work on the trial, and final grading and seeding still need to be completed.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD approve payment of $2,489.30 (25% of $9,957.20) to the City of Geneva for work completed on the Geneva Trail from 7/27/22 to 8/24/22, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

ITEM 23. DORCHESTER 2A – EROSION CONTROL ON UPSTREAM FACE OF DAM.
Dorchester 2A dam is experiencing some erosion on the west end of the dam. The shoreline has eroded back to the dam embankment and has extended beyond the upstream fence. Staff requested authorization to obtain quotes from contractors to add rock and rebuild the fence.

**ITEM 24. REQUEST FOR BIDS - PARKS DEPARTMENT TRAILER.**

Staff presented specifications for a new trailer. It was suggested that a 24-foot trailer with composite flooring be considered.

It was moved by Rich and seconded by Siebert that the Upper Big Blue NRD advertise for bids for a new Parks Department trailer, as recommended by staff and reviewed by the committee. Motion carried.

**ITEM 25. BID ACCEPTANCE - PARKS DEPARTMENT PICKUP.**

Four bids were received for a new Grasshopper mower.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD accept the bid from Klein’s Outdoor Power of Stromsburg for a Grasshopper Model 72SDT with 3572RPF Mower for a total cost of $8,411.00 (bid of $15,411.00 and trade-in of $7,000 for the 2016 mower) with an estimated delivery of 3 weeks, as recommended by staff and reviewed by the committee. Motion carried.
ITEM 27. ADDITIONAL MOWER REPLACEMENT - PARKS DEPARTMENT.

After reviewing the bids to replace the 2016 Grasshopper mower, the Committee discussed replacing the 2019 Grasshopper mower. Staff will consult with the Parks Department about replacing this mower and determine the width of the mowing deck and other specifications.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD advertise for bids for a new Grasshopper mower to replace the existing 2019 Grasshopper mower. Motion carried.

ITEM 28. WATER QUALITY MANAGEMENT PLAN TARGET AREA MAPPING.

JEO Consulting has completed the Agricultural Conservation Planning Framework (ACPF) Program on the upper portion of the WQMP Target area of the Beaver Creek Watershed. This program identifies the very high-risk areas, the high-risk areas, and the critical source areas of the watershed, which will expand the areas eligible for increased incentive programs offered by the NRD.

It was moved by Rich and seconded by Richard Bohaty that the Upper Big Blue NRD approve payment of $3,650.00 to JEO Consulting Group for work completed through July 29, 2022 on the ACPF mapping of the upper portions of the NRD’s WQMP target area (Beaver Creek Watershed), as recommended by staff and reviewed by the committee. Motion carried.

ITEM 29. LAKE HASTINGS – ADDITIONAL TARGET AREA FOR UBBNRD WQMP.

The Upper Big Blue NRD approved entering an Interlocal Agreement with the Little Blue NRD and the City of Hastings for each agency to provide funding, not to exceed $9,000.00 for the Lake Hastings WQMP at the August board meeting. The Nebraska Department of Environment and Energy is estimating that the 319 Grant funding for the Lake Hastings Watershed WQMP will be approved within a week. If approved, this grant will provide $40,000.00 for the Plan (60% 319 funding and 40% local funding). JEO Consulting has provided a contract for completing this plan for a total cost of $64,815.00. The Upper Big Blue NRD must have confirmation of the 319 Grant funding before signing the JEO Consulting Contract. Staff believes the confirmation of the 319 Grant funding will be received prior to
the September 15, 2022 Board Meeting. Discussions included future funding requests for implementation projects following completion of the WQMP.

It was moved by Rich and seconded by Nuss that the Upper Big Blue NRD board of directors authorize staff to sign/approve Section 319 Grant funding from the Nebraska Department of Environment and Energy for the Lake Hastings WQMP, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT VOTING: Miller
NOT PRESENT: Houdersheldt, Weiss

It was moved by Rich and seconded by Bethune that upon approval of the Section 319 Grant funding from the Nebraska Department of Environment and Energy, the Board authorizes staff to sign/approve the contract with JEO Consulting to complete the Lake Hastings WQMP for a total cost of $64,815.00, as recommended by staff and reviewed by the Committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT VOTING: Miller
NOT PRESENT: Houdersheldt, Weiss

ITEM 30. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Executive Committee met on September 8, 2022 and presented the committee’s recommendations.

ITEM 31. NARD LEGISLATIVE CONFERENCE RESOLUTIONS.

The board was provided NARD Resolution 2022-1 – Sustainable Farming Practices - Submitted by the Tri-Basin Natural Resources District.

This resolution would reinforce that Nebraska’s natural resources districts will work with all interested parties to inform and educate businesses, industry and the public about the wide variety and extensive scope of sustainable farming and ranching practices utilized by our constituents, as well as the role that natural resources districts play in sustaining the productivity of our farmland and rangeland while producing food and fiber needed by our nation and the world.

It was moved by Kuehner and seconded by Dickinson to support NARD Resolution 2022-1 – Sustainable Farming Practices Submitted by the Tri-Basin with 5 yes and 0 no votes at the upcoming NARD business meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
ITEM 32. FRONT OFFICE COPIER REPLACEMENT.

The fiscal year budget contains funds to replace the front office copier. Staff is requesting authorization to solicit bids for a replacement copier for the committee to consider in October.

It was moved by Kuehner and seconded by Nuss to authorize staff to solicit bids for replacement copier and to present bids to the committee for consideration in October. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

ITEM 33. BID ACCEPTANCE - ADMINISTRATION VEHICLE.

Bids for a new Administration vehicle were reviewed. The 2011 Chevrolet Impala will need to either be traded in on the purchase or sold privately. Bids were requested for a full-size sport utility vehicle. Three area dealers, all out of District, submitted bids for either Chevrolet or Ford vehicles. Bid prices for the vehicles ranged from $58,159 to $64,780 with trade-in values for the 2011 Chevrolet Impala of $4,000 to $5,000. One dealer allowed an additional $5,000 customer discount.

It was moved by Kuehner and seconded by Nuss to purchase one 2023 Ford Expedition sport utility vehicle from Gene Steffy Ford of Columbus, Nebraska for a total of $58,159. To trade-in the 2011 Chevrolet Impala to Gene Steffy Ford of Columbus, Nebraska for $4,000. Total net cost of purchase is $54,159. Motion failed.

AYE: Bethune, Dickinson, Miller, Moore, Nuss, Rich, Stahly
NAY: Jeff Bohaty, Richard Bohaty, Grotz, Kuehner, Robotham, Siebert, Yates
NOT VOTING: Luebbe
NOT PRESENT: Houdersheldt, Weiss

ITEM 34. QUOTE FOR CONCRETE EXPANSION ON MAIN DRIVEWAY.

On May 5, 2022 Tom’s Concrete Construction submitted a quote of $1,914.40 for replacement, repair, and expansion of the radius on the south driveway, and leaving the existing island in the driveway intact.

It was moved by Kuehner and seconded by Siebert to approve the bid from Tom’s Concrete Construction dated May 5, 2022 for $1,914.40 for replacement, repair, and expansion of the radius on the south driveway at the office.

There was concern that with the changing economy a 5-month-old quote may not still be honored. Staff was instructed to contact Tom Manning to confirm the quote. Tom’s Concrete Construction submitted an updated quote of $2,314.00 prior to the board meeting.
It was moved by Kuehner and seconded by Moore to amend the motion to $2,314.00. Amendment carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Miller, Moore, Nuss, Rich, Siebert, Stahly, Yates
NAY: Luebbe, Robotham
NOT PRESENT: Houdersheldt, Weiss

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

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Miller, Moore, Rich, Siebert, Stahly, Yates
NAY: Luebbe, Nuss, Robotham
NOT PRESENT: Houdersheldt, Weiss

**ITEM 35. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR AUGUST 2022.**

Eigenberg reviewed the financial report for the period August 1, 2022 to August 31, 2022, that was distributed. It was moved by Miller and seconded by Dickinson to approve the financial report for August 2022 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

**ITEM 36. MOTION TO ADJOURN.**

It was moved by Kuehner and seconded by Jeff Bohaty to adjourn the meeting at 8:47 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Yates
NAY: None
NOT PRESENT: Houdersheldt, Weiss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held September 15, 2022, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available
for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

_______________________________________
Bill Stahly, Secretary

:ndb
The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 20, 2022, at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were Marie Krausnick, Nancy Brisk, Jack Wergin, Chrystal Houston, and Bill Gilg of Aurora NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on October 13, 2022 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call. Kuehner arrived at 7:15 p.m.

ITEM 4. REQUEST FOR EXCUSED ABSENCE.

Mike Nuss requested an excused absence from the October 20, 2022 board of directors meeting.

It was moved by Houdersheldt and seconded by Dickinson to excuse the absence of Nuss from the October 20, 2022 board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

NOT PRESENT: Kuehner, Nuss

ITEM 5. ADOPTION OF AGENDA.

It was moved by Rich and seconded by Dickinson to approve the agenda for the October 20, 2022, board of directors meeting. Motion carried.
ITEM 6. APPROVAL OF MINUTES OF THE SEPTEMBER 15, 2022 TAX REQUEST HEARING.

**It was moved by Moore and seconded by Bethune to approve the minutes of the September 15, 2022 tax request hearing.** Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates  
NAY: None  
NOT PRESENT: Kuehner, Nuss

ITEM 7. APPROVAL OF MINUTES OF THE SEPTEMBER 15, 2022 BOARD OF DIRECTORS MEETING.

**It was moved by Rich and seconded by Robotham to approve the minutes of the September 15, 2022 board of directors meeting.** Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates  
NAY: None  
NOT PRESENT: Kuehner, Nuss

ITEM 8. PRESENTATION OF FY 2022 AUDIT.

Kyle Overturf of AMGL CPA’s and Advisors presented the fiscal year 2022 audit. He advised the board that due to changes in auditing standards the format of this year’s audit is significantly different from last year. He drew the board’s attention to the letters to the board which stated that during the audit they did not identify any deficiencies in internal control that would be considered a material weakness. However, they did note a significant deficiency in internal control due to the size of the District’s accounting and administrative staff which limits the segregation of duties. He advised the board that four audit adjustments were made that increased the District’s governmental funds by $4,222. He recommended that the board adopt a formal capitalization policy of at least $2,500.

**It was moved by Dickinson and seconded by Rich to accept the FY 2022 audit as presented.** Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates  
NAY: None  
NOT PRESENT: Nuss

ITEM 9. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.
Miller reported that the Water and Regulations Committee met October 11, 2022 and presented the committee’s recommendations.

**ITEM 10. GROUNDWATER TRANSFER AUTHORIZATION – LUCILLE E SMITH.**

Lucille E. Smith NE Land Trust owns 119.12 acres in the NE ¼ of Section 15-T10N-R06W. The property is watered by well G-057622. Smith would like to transfer water to an additional 34 acres in the SW ¼ NW ¼ of Section 14-T10N-R06W. This transfer meets the groundwater transfer rules.

It was moved by Miller and seconded by Dickinson to approve groundwater transfer T-115. Motion carried.

**AYE:** Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates  
**NAY:** None  
**NOT PRESENT:** Nuss

**ITEM 11. PROJECT GROW AMENDED INTERLOCAL AGREEMENT WITH CITY OF YORK.**

Staff presented an interlocal agreement between the Upper Big Blue Natural Resources District (UBBNRD) and the City of York to continue partnering on the Project GROW soil health demonstration. The agreement extends the partnership to December 31, 2027. As stated in the initial agreement, the UBBNRD agrees to manage 160 acres of the City’s wellfield acres using soil health practices while the city agrees to pay the farming costs and retain revenues from those acres.

It was moved by Miller and seconded by Luebbe to authorize Lynn Yates, board chair, to sign the interlocal agreement between the Upper Big Blue Natural Resources District and the City of York to continue the Project GROW partnership. Motion carried.

**AYE:** Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates  
**NAY:** None  
**NOT PRESENT:** Nuss

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

One Aquifer Quality Well Abandonment Cost-Share Assistance Program application was recommended for final payment totaling $750.00.

It was moved by Miller and seconded by Luebbe to make cost-share payment for one well abandonment, as reviewed by the Committee, at a cost of $750.00. Motion carried.

**AYE:** Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates  
**NAY:** None  
**NOT PRESENT:** Nuss
ITEM 13. FLOW METER REPAIR COST-SHARE PROGRAM POLICY.

Krausnick presented a copy of the current flow meter repair cost-share program to the committee. It was brought to the staffs’ attention that because of supply chain issues, broken flow meters are being exchanged for refurbished flow meters from repair vendors when parts are not available. Discussion surrounding whether the flow meter repair cost-share approved for the broken flow meter can be transferred to a refurbished flow meter.

It was moved by Miller and seconded by Moore that the Board approve a temporary amendment to the flow meter repair cost-share program until September 1, 2023, if the following situation exists: 1. A producer/owner has a repairable flow meter that repair parts are not readily available for because of supply chain issues, 2. The producer/owner replaces the flow meter rather than wait for repair parts, or 3. The producer/owner submits a repair estimate from a recognized repair facility. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Nuss

ITEM 14. FLOW METER REPAIR COST SHARE PROGRAM PAYMENTS.

Six flow meter repair cost-share applications have been recommended for final payments totaling $1,800.00.

It was moved by Miller and seconded by Luebbe to pay six flow meter repair cost-share claims totaling $1,800.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Nuss

ITEM 15. GWMA#2 SAMPLING NETWORK PROJECT PAYMENT – US GEOLOGICAL SURVEY.

An invoice totaling $30,586.00 was received from the U.S. Geological Survey for work completed on the evaluation of the Upper Big Blue NRD groundwater-quality monitoring program.

It was moved by Miller and seconded by Stahly to pay the U.S. Geological Survey for work completed on the GWMA#2 sampling network project totaling $30,586.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Nuss

ITEM 16. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.
Brown and Caldwell are continuing to work on Phase 2 of the Regional Groundwater Model. An invoice was submitted for work completed from July 2022 to August 2022 totaling $4,502.50. As the project lead, the District covers 100% of the bill to Brown & Caldwell and requests reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources. Krausnick reviewed the presentation given by Kurt Zeiler, with GSI, at the fall NARD Conference.

It was moved by Miller and seconded by Houdersheldt to pay Brown and Caldwell for work completed through August 2022 totaling $4,502.50. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Nuss

ITEM 17. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres’ certification for 47 parcels totaling 3,694.45 acres, yielding an increase in irrigated acres of 156.64. The total irrigated acres for the District is 1,244,225.83 acres.

It was moved by Miller and seconded by Bethune to certify the acres changes as presented to the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Nuss

ITEM 18. WATER QUALITY SIMPLE TEST FOR DOMESTIC WELLS PILOT PROGRAM.

Due to the overwhelming response to the water quality simple test kits, Krausnick presented a draft pilot program for the committee’s consideration. In the draft, staff would allow up to five test kits be given per request.

It was moved by Miller and seconded by Dickinson to adopt the Water Quality Simple Test for Domestic Wells Pilot Program, as presented to the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Nuss

ITEM 19. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Projects and Programs Committee met on October 13, 2022 and presented the committee’s recommendations.
ITEM 20. PRIVATE DAMS PROGRAM APPLICATIONS.

It was moved by Rich and seconded by Bethune that the Upper Big Blue NRD approve the private dams program applications from James (Hank) McGowan for a dam located in the SE ¼ of Section 16, Township 9 North, Range 3 West, in York County with an estimated cost of $40,000 (NRD funding of $30,000), and from Richard Bohaty for a dam located in the SW ¼ of Section 36, Township 12 North, Range 3 East, in Seward County with an estimate cost of $43,000 (NRD funding of $32,250), as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT VOTING: Jeff Bohaty, Richard Bohaty
NOT PRESENT: Nuss

ITEM 21. STORM DAMAGED TREE PROGRAM PAYMENT.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $158.25 for one completed storm damaged tree project for Chelsea Enniga, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT VOTING: Jeff Bohaty, Richard Bohaty
NOT PRESENT: Nuss

ITEM 22. TREE PRICES FOR SPRING 2023.

Staff recommended keeping the 2023 tree prices and machine planting the same as 2022, raising the acreage packages from $55.00 to $60.00, and the mulch/fabric contractor will be raising the rate from $0.85 per linear foot to $0.88 per linear foot.

It was moved by Rich and seconded by Stahly that the Upper Big Blue NRD set the 2023 tree prices at $1.18 per tree, $60.00 for the acreage packages, $1.18 per tree for machine planting, and $0.88 per linear foot for the cost and installation of weed barrier, as recommended by staff, and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT VOTING: Jeff Bohaty, Richard Bohaty
NOT PRESENT: Nuss


York Equipment has submitted a proposal for a yearly rental of a Bobcat T770 skid steer for 2023 at the same rate as 2022 ($6000.00 up to 300 hours, $25/hour for use over 300 hours).
It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve the Bobcat T770 skid steer rental proposal for 2023 from York Equipment of $6,000.00 for one year up to 300 hours and $25.00/hour for use over 300 hours, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Nuss

ITEM 24. GENEVA TRAIL UPDATE AND PAYMENT REQUEST.

Geneva submitted a reimbursement claim for work completed on the Geneva Trail. The total claim for the period of 8/25/22 to 9/30/22 was $85,187.87. Twenty-five percent of $85,187.87 is $21,296.97, but this amount would exceed the funding commitment of the NRD (25% not to exceed $25,000.00). There are $19,839.95 of NRD funds remaining for this project.

It was moved by Rich and seconded by Robotham that the Upper Big Blue NRD approve payment of $19,839.95 to the City of Geneva for work completed on the Geneva Trail from 8/25/22 to 9/30/22, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Nuss

ITEM 25. OXBOW TRAIL RECREATION AREA SUPPLY WELL.

The committee reviewed last year’s bids for a supply well at Oxbow Trail Recreation Area that was not approved for construction. Funding for the supply well was re-budgeted in fiscal year 2023. The lake at Oxbow Trail is the NRD’s best fishery. If the lake level is not maintained there is a danger the fishery could be lost and take several years to reestablish. Five potential well sites have been located west of the parking area.

It was moved by Rich and seconded by Bethune that the Upper Big Blue NRD staff solicit bids to have a supply well installed at the northeast area of Oxbow Trail Recreation Area.

Because the well is in a high-risk groundwater area it was moved by Houdersheldt and seconded by Luebbe to amend the motion to state “and that the well not be pumped during May, June, July or August.” Amendment carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Nuss
The question was called on the original motion as amended. The motion carried.

AYE: Bethune, Houdersheldt, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Yates
NAY: Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Weiss
NOT PRESENT: Nuss

ITEM 26. PARKS DEPARTMENT MOWER BIDS.

Three bids were received for an additional Grasshopper mower. Bids were received from Klein’s Blue River of Stromsburg (bid of $16,258.84, trade in credit of $8,500, total $7,758.84), Superior Outdoor Power of Superior (bid of $17,282.34, trade in credit of $5,500, total $11,782.34), and Nick’s Farm Store of Geneva (bid of $19,485.00, trade in credit of $14,000, total $5,485.00).

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD accept the bid from Nick’s Farm Store of Geneva for a Grasshopper mower Model 725DT with 3572RPF, for a total cost of $5,485.00 (Bid of $19,485.00 and trade in of $14,000 for the 2019 mower) with an estimated delivery of 1 month, as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: Luebbe
NOT PRESENT: Nuss

ITEM 27. DORCHESTER 2A – ROCK ON UPSTREAM FACE OF DAM.

Staff sent specifications to six contractors for the Dorchester Dam 2A rock and fencing project with a completion date of December 23. Five of the contractors were too busy. Gana Trucking and Excavating of Martell submitted the lone quote which was 25% over the engineer’s estimate. The line item for fencing was significantly higher than the estimate. Staff was instructed to work with Gana to renegotiate the fencing bid.

Gana Trucking and Excavating did submit a revised bid for fencing, but staff felt it was still too high. Staff recommended awarding bid items 1 and 3, mobilization and supplying and placing 296 tons of rock at the Dorchester 2A Dam shoreline maintenance project.

It was moved by Rich and seconded by Miller that the Upper Big Blue NRD award Gana Trucking and Excavating of Martell, Nebraska bid items 1 and 3, mobilization and supplying and placing 296 tons of rock at a cost of $27,925.76 for the Dorchester 2A dam shoreline maintenance project. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Nuss

ITEM 28. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Executive Committee met on October 13, 2022 and presented the
ITEM 29. THIRD QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors’ per diem and expenses for this past quarter. Roger Houdersheldt did not submit his reimbursement request by the September cutoff date, so his per diem and expenses will be considered next month. Directors third quarter per diem was $9,590.00 and expenses were $3,859.39, for a total of $13,449.39. Individual expense vouchers are available for review.

It was moved by Kuehner and seconded by Robotham to approve payment of third quarter 2022 directors’ per diem, except for Roger Houdersheldt. Totals for the 16 director’s third quarter directors’ per diem are $9,590.00 and expenses are $3,859.39, for a total of $13,449.39, and to publish these approved expenditures in the September 2022 Financial Report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT VOTING: Houdersheldt
NOT PRESENT: Nuss

ITEM 30. RECOMMENDATION FOR THE PURCHASE OF REPLACEMENT COPIER.

Quotes from three dealers were reviewed for a front office copier replacement. The spreadsheet below provides vendor names and make and model of copiers from the three vendors. Staff recommended purchasing the Ricoh IM C6000-RS from Capital Business Systems without the optional internal folding unit at a cost of $9,907.50. Expected delivery date is in 4 weeks.

<table>
<thead>
<tr>
<th>COPIER REPLACEMENT QUOTES 10/6/2022</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Advanced Office Automation</strong></td>
</tr>
<tr>
<td>Ricoh IM C6000-#418228</td>
</tr>
<tr>
<td>$8,716.00</td>
</tr>
<tr>
<td>Ricoh IM C 6000-#418228</td>
</tr>
<tr>
<td>$10,656.51</td>
</tr>
<tr>
<td>Large Paper Deck 1,500 sheets #418360</td>
</tr>
<tr>
<td>891.00</td>
</tr>
<tr>
<td>Booklet Finisher-SR3270</td>
</tr>
<tr>
<td>1,624.00</td>
</tr>
<tr>
<td>Bridge Unit-BU3080</td>
</tr>
<tr>
<td>147.00</td>
</tr>
<tr>
<td>3-Hole Punch PU3080</td>
</tr>
<tr>
<td>353.00</td>
</tr>
<tr>
<td>Fax Unit Type37</td>
</tr>
<tr>
<td>794.00</td>
</tr>
<tr>
<td><strong>Total Unit Price</strong></td>
</tr>
<tr>
<td>$13,112.00</td>
</tr>
<tr>
<td><strong>Optional Internal Folding Unit</strong></td>
</tr>
<tr>
<td>1,571.00</td>
</tr>
<tr>
<td><strong>Total Purchase Price</strong></td>
</tr>
<tr>
<td>$14,683.00</td>
</tr>
</tbody>
</table>

| Trade-in of $400.00 included in price | Trade-in of $1,000 included in price | No Trade-in Allowance |
| Expected delivery 3-6 months | Expected delivery 2-3 weeks | Expected delivery 4 weeks |

<table>
<thead>
<tr>
<th><strong>MAINTENANCE AGREEMENT COSTS</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Advanced Office Automation</strong></td>
</tr>
<tr>
<td>Black &amp; White copies/prints</td>
</tr>
<tr>
<td>Color copies/prints</td>
</tr>
</tbody>
</table>
It was moved by Kuehner and seconded by Houdersheldt to purchase the Ricoh IM C6000-RS without the optional internal folding unit for the quoted price of $9,907.50 from Capital Business Systems. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

NOT PRESENT: Nuss

ITEM 31. FACILITY HAIL REPAIR ESTIMATES.

The initial insurance settlement was received from our insurance company for storm damage that occurred this summer. Staff developed contractor quote packets providing damaged items and measurements of damaged area. A direct mailing was sent to 13 commercial roofing contractors. An advertisement was placed in the York News-Times providing district contact information for any additional contractors wishing to provide quotes. Four quotes were returned for consideration. Two quotes were for all repairs: asphalt roofing on main office (319 East 25th Street, York, NE) and steel buildings repair (319 East 25th Street, York, NE and 1112 Recharge Road, York, NE). Two quotes were for main office asphalt roofing only at 319 East 25th Street York, NE.

<table>
<thead>
<tr>
<th>Contractor Details</th>
<th>Asphalt Roofing &amp; Gutter Material Cost</th>
<th>Asphalt Roofing &amp; Gutter Labor Cost</th>
<th>Steel Material Cost</th>
<th>Steel Labor Cost</th>
<th>Total Bid Cost</th>
<th>Estimated Project Time</th>
<th>Available Start Date</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shamrock Roofing 78999 Frontage RD Overland Park, KS 66204</td>
<td>$65,142.20</td>
<td>$28,125.00</td>
<td>NA</td>
<td>NA</td>
<td>$93,267.20</td>
<td>Within 7 days of award</td>
<td>Bid covers 30 yr asphalt shingles.</td>
<td></td>
</tr>
<tr>
<td>Conner Roofing Co 3702 N Division Ave York, NE 68467</td>
<td>$84,234.52</td>
<td>Included in material cost</td>
<td>$24,875.00</td>
<td>Included in material cost</td>
<td>$109,109.50</td>
<td>14 days</td>
<td>After shingle color is chosen, owner could determine start date.</td>
<td></td>
</tr>
<tr>
<td>CCR Roofing Services LLC 2220 NW 5 Outer RD. Blue Springs, MO 64015</td>
<td>$67,348.97</td>
<td>Included in material cost</td>
<td>NA</td>
<td>NA</td>
<td>$67,348.97</td>
<td>2-3 weeks from award date.</td>
<td>This bid does not include gutters or downspouts.</td>
<td></td>
</tr>
<tr>
<td>J-Tech Construction 6200 Havelock Ave Lincoln, NE 68507</td>
<td>$75,410.58</td>
<td>$23,465.44</td>
<td>$23,600.32</td>
<td>$4,396.29</td>
<td>$126,872.63</td>
<td>14 days</td>
<td>Bid covers 30 yr asphalt shingles.</td>
<td></td>
</tr>
</tbody>
</table>

It was moved by Kuehner and seconded by Dickinson to approve the low quote from Conner Roofing Company, York, NE, for $109,109.50 to make repairs from hail damage to all facilities at 319 East 25th Street, York NE and 1112 Recharge Road, York NE. This will include replacing and repairing asphalt shingles, roofing felt, ice and water barriers, valleys, flashing, rain troughs, downspouts, and furnace vent/rain caps at main office. (This list may not be inclusive to all damages), and to repair all damaged metal siding, trim, and doors to metal buildings at properties located at 319 East 25th Street, York NE and 1112 Recharge Road, York NE. This motion also grants authority for the contractor and staff to work directly with property insurance carrier to secure additional insurance funds if additional items not under the first estimate are discovered. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

NOT PRESENT: Nuss
ITEM 32. UPDATES TO WATER LEADERS ACADEMY SCHOLARSHIP.

The committee discussed the district’s Water Leaders Academy Scholarship. Our webpage provides an overview of the program’s guidelines and selection process. There was an increase in tuition this past year. Our scholarship program lays out specific costs to attend the academy and the amount for a scholarship. Consensus of the committee was to remove the reference to specific dollar amounts, as the tuition for WLA has increased and may do so again in the future. Direction was given to the staff to rewrite and to incorporate the first two bullets to read: Cost and Responsibilities: The total tuition for attendance of the Water Leaders Academy includes lodging and meals. The first $500 associated with tuition is the responsibility of the applicant. This is considered an application fee. Scholarship will cover full tuition cost minus $500. Additional costs (travel cost, incidentals, etc.) are not covered by scholarship and are the responsibility of the applicant.

It was moved by Kuehner and seconded by Bethune to approve revisions to the district’s Water Leaders Academy Scholarship guidelines incorporating the first two bullets on webpage to read: Cost and Responsibilities: The total cost of attendance of the Water Leaders Academy includes lodging and meals. The first $500 associated with tuition is the responsibility of the applicant. This is considered an application fee. Scholarship will cover full tuition cost minus $500. Additional costs (travel cost, incidentals, etc.) are not covered by scholarship and are the responsibility of the applicant. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT VOTING: Houdersheldt
NOT PRESENT: Nuss

ITEM 33. MASTER AND LONG-RANGE IMPLEMENTATION PLANS.

The committee and board were asked to review copies of the Master and Long-Range Implementation Plans during the September meeting and to provide feedback and edits by the October committee meeting. Staff’s recommendation was for the committee to forward to the full Board, the edited document for approval. Copies of approved plans will be provided to partnering agencies in late October.

It was moved by Kuehner and seconded by Rich to present the FY23 draft of the Master and Long-Range Implementation Plans to the full board for their approval. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Nuss

ITEM 34. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR SEPTEMBER 2022.

Yates reviewed the financial report for the period September 1, 2022 to September 30, 2022, that was distributed. It was moved by Houdersheldt and seconded by Bethune to approve the financial report for
September 2022 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Nuss

ITEM 35. MOTION TO ADJOURN.

It was moved by Miller and seconded by Kuehner to adjourn the meeting at 9:10 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None
NOT PRESENT: Nuss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held October 20, 2022, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Bill Stahly, Secretary
MINUTES
BOARD OF DIRECTORS MEETING
NOVEMBER 17, 2022

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 17, 2022, at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Richard Bohaty, Doug Dickinson, Rodney Grotz, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Kendall Siebert, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff and others in attendance were Dave Eigenberg, Marie Krausnick, Nancy Brisk, Jack Wergin, Chrystal Houston, Janet Yates, and Josh Bowers of York NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors’ meeting on November 10, 2022 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Yates advised those in attendance that the Open Meetings Act is posted in the back of the room by the entry doors.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during roll call.

ITEM 4. ADOPTION OF AGENDA.

It was moved by Luebbe and seconded by Miller to approve the agenda for the November 17, 2022, board of directors meeting. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates

NAY: None

ITEM 5. APPROVAL OF MINUTES OF THE OCTOBER 20, 2022 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Robotham to approve the minutes of the October 20, 2022 board of directors meeting. Motion carried.
ITEM 6. STAFF RECOGNITION.

Janet Yates was recognized for 5 years of service as the Upper Big Blue NRD secretary in the Seward NRCS field office.

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water and Regulations Committee met November 10, 2022 and presented the committee’s recommendations.

ITEM 8. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM PAYMENTS.

Twelve Aquifer Quality Well Abandonment Cost-share Assistance Program applications were recommended for final payments totaling $9,000.00.

It was moved by Miller and seconded by Moore to make cost-share payments for twelve well abandonments, as reviewed by the Committee, at a cost of $9,000.00. Motion carried.

ITEM 9. VADOSE ZONE STUDY PAYMENT – UNIVERSITY OF NEBRASKA LINCOLN.

Two invoices were received for work completed on the Vadose Zone Study from August 1 through September 30, 2022 totaling $5,583.67. Staff are working with the University to find sites for the 2022-2023 sampling.

It was moved by Miller and seconded by Moore to pay the University of Nebraska Lincoln for work completed on the Vadose Zone Study totaling $5,583.67. Motion carried.

ITEM 10. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Brown and Caldwell are continuing to work on Phase 2 of the Regional Groundwater Model. They submitted an invoice for work completed from August 2022 to September 2022 totaling $1,102.00. As the project lead, the District will make payment to Brown & Caldwell and request reimbursement from the other three basin districts, and the Nebraska Department of Natural Resources. A total of $170,070.60 remains in the project budget.
It was moved by Miller and seconded by Moore to pay Brown & Caldwell for work completed through September 2022 totaling $1,102.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 11. MATERIALS FOR RESALE SEAMETRICS BATTERY REPLACEMENT KITS – WISH NEBRASKA INC.

Staff purchased 50 Seametrics battery kits from WISH Nebraska for $5,175 to be used for the electronic meter maintenance program.

It was moved by Miller and seconded by Luebbe to pay WISH Nebraska Inc. for 50 Seametrics battery kits totaling $5,175.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 12. ONLINE PRODUCER INPUT ANNUAL PAYMENT – BEEHIVE INDUSTRIES.

An invoice was received for the annual hosting and maintenance of the online producer input site totaling $8,018.00.

It was moved by Miller and seconded by Moore to pay Beehive Industries for the annual hosting and maintenance of the online producer input totaling $8,018.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 13. 2023 DODGE RAM 1500 BID AWARD - SID DILLON.

Staff were notified by Sid Dillon, formerly Baxter, that the 2023 Dodge Ram 1500 pickup that they submitted a bid on is no longer being manufactured for sale through the government purchase program and as a result they are unable to honor that bid. They are offering instead a new 2022 Dodge Ram 1500 Big Horn at the same bid price of $41,240.00. This pickup is in stock and ready for delivery.

It was moved by Miller and seconded by Nuss to instruct staff to purchase the 2022 Ram 1500 Big Horn from Sid Dillon, formerly Baxter, in exchange for the 2023 RAM 1500, not to exceed $41,240.00. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Houdersheldt, Kuehner, Miller, Nuss, Robotham, Siebert, Stahly, Weiss, Yates
NAY: Grotz, Luebbe, Moore, Rich
ITEM 14. SCOPE OF WORK – PHASE II/III SUMMARY REPORT.

A scope of work was received from ESA, formerly Sitka Technologies, to expand the water accounting platform to include Phase II/III Management Area data. The project would deliver a hardcopy report and a future front facing producer interface. Currently the platform does not offer producer credentials for logging in to view data. This would be the beginning of a nitrogen dashboard. The total project cost is $44,000.00.

It was moved by Miller and seconded by Siebert to enter into a contract with ESA to incorporate Phase II/III Management Area data into the existing Water Accounting platform, not to exceed $44,000.00. Motion carried.

AYE: Bethune, Richard Bohaty, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Weiss, Yates
NAY: Jeff Bohaty, Grotz, Kuehner, Stahly

ITEM 15. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 104 parcels totaling 8,532.74 acres, yielding an increase in irrigated acres of 143.21, resulting in total irrigated acres of 1,244,369.04.

It was moved by Miller and seconded by Moore to certify the acres changes as presented to the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 16. DISTRICT RULE 5 REVIEW.

The Water and Regulations Committee had a lengthy discussion surrounding groundwater quality and possible changes to Rule 5.

It was moved by Miller and seconded by Moore to leave Rule 5 on the agenda for the purpose of discussion from December to March. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

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

Rich reported that the Projects and Programs Committee met on November 10, 2022 and presented the committee’s recommendations.
ITEM 18. STORM DAMAGED TREE REPLACEMENT PROGRAM PAYMENTS.

Claims were submitted for three completed storm damaged tree replacement projects.

It was moved by Rich and seconded by Luebbe that the Upper Big Blue NRD approve payment of $575.00 for three completed storm damaged tree projects, (Virginia Fay - $150.00, Deborah Brisk - $275.00, Monique Peetz - $150.00), as recommended by staff and reviewed by the committee. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 19. PARKS DEPARTMENT TRAILER BIDS.

Bids for a new parks department trailer were received from Klute Truck Equipment & Trailer Sales of Bradshaw for $13,250.00; from CTR Investment Auto Sales of Aurora for $15,495.00; and from United Trailer Sales of Alda for $15,144.00. The bid from United Trailer Sales did not meet the specifications.

It was moved by Rich and seconded by Houdersheldt that the Upper Big Blue NRD accept the bid from Klute Truck Equipment & Trailer Sales of Bradshaw of $13,250.00 for a 102” X 25’ deck over, low profile, dovetail, gooseneck trailer, as recommended by staff and reviewed by the committee.

A question arose regarding the design of the trailer floor. Wergin stepped out of the meeting to confirm the trailer specifications with our lead maintenance person. It was moved by Siebert and seconded by Jeff Bohaty to refer the motion back to the Projects & Programs Committee. Wergin returned to the room with the needed information. The motion to refer to committee was withdrawn by Siebert with the approval of the second. The original motion was approved.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

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

Kuehner reported that the Executive Committee met on November 10, 2022 and presented the committee’s recommendations.

ITEM 21. THIRD QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed director’s per diem and expenses for this past quarter for Roger Houdersheldt. His third quarter per diem was $280.00 and expenses were $145.00, for a total expenditure of $425.00.
It was moved by Kuehner and seconded by Robotham to approve payment of third quarter 2022 per
diem of $280.00 and expenses of $145.00 for Roger Houdersheldt for a total of $425.00, and to publish
this expenditure in the October 2022 Financial Report. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Kuehner, Luebbe, Miller, Moore, Nuss,
Rich, Robotham, Siebert, Stahly, Yates
NAY: Weiss
NOT VOTING: Houdersheldt

ITEM 22. PAYMENT TO AMGL CPAS & ADVISORS FOR FY2022 AUDIT.

An invoice for $8,650.00 was received from AMGL CPAs & Advisors for conducting the FY 2022 Audit.

It was moved by Kuehner and seconded by Dickinson to approve payment of $8,650.00 to AMGL CPAs &
Advisors for conducting the FY 2022 Audit. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller,
Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 23. BOARD ROOM MODIFICATION AND IMPROVEMENTS.

The modifications and improvements to the UBBNRD Board Room were approved in FY 22. Due to
supply chain shortages, not all the purchased equipment is currently available for installation. Yandas
has installed all equipment, except for the 12 additional mics and sound board. The current sound
system will be updated as soon as the new equipment is available. In the interim the existing sound
system will remain functional.

It was moved by Kuehner and seconded by Miller to approve the video recording of both committee and
board meetings from December 2022 through March 2023 and posting of the recordings on the
district’s website. And further, to re-evaluate the effectiveness of this practice during the month of April
2023. Motion carried.

AYE: Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Weiss, Yates
NAY: Bethune, Jeff Bohaty, Richard Bohaty, Grotz, Kuehner, Siebert, Stahly

ITEM 24. BID PROCESS STORAGE/MAINTENANCE SHED.

The FY23 budget contains funds for the construction of a storage building. Staff provided conceptual
drawings of a 42 ft x 120 ft x 14 ft building. Staff requested the committee’s assistance to develop
building specifications for the purpose of soliciting bids. Staff will incorporate their recommendations
and provide a summary bid packet for the purchase and erection of a storage building. The bid packet
should include options for a 120 ft X 42 ft mono sloped steel structure building, with a height of 17 feet
at the high point to 14 feet at the low point of the roof line. Building options should include a totally
open front building with four bays measuring 24 feet wide or, 2 – 24-foot bays with overhead doors and
one 30-foot bay with one rolling door. Enclosed building options should include one walk-in door.
Other options should include a concrete floor or perimeter concrete footing. Bid specs should include
electricity with overhead lights and outlets.

It was moved by Kuehner and seconded by Houdersheldt to direct staff to create a bid packet for the purchase and erection of a storage building and authorize staff to proceed with bids. Bid packet will include options for a 120 ft X 42 ft mono slope steel structure building, with a height of 17 feet at the high point to 14 feet at the low point of the roof line. Building options will include an open front building with four bays measuring 24 feet wide or, 2 – 24-foot bays with overhead doors and one 30-foot bay with one rolling door. Other options will include a full concrete floor or perimeter concrete footings. Bid specs will include electricity with overhead lights and outlets, enclosed building options will include one walk-in door. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Miller, Moore, Rich, Robotham, Siebert, Stahly, Yates
NAY: Luebbe, Nuss, Weiss

ITEM 25. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR SEPTEMBER 2022.

Yates reviewed the financial report for the period October 1, 2022 to October 31, 2022, that was distributed. It was moved by Houdersheldt and seconded by Miller to approve the financial report for October 2022 as presented, approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

ITEM 26. MOTION TO ADJOURN.

It was moved by Kuehner and seconded by Jeff Bohaty to adjourn the meeting at 3:00 p.m. Motion carried.

AYE: Bethune, Jeff Bohaty, Richard Bohaty, Dickinson, Grotz, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Siebert, Stahly, Weiss, Yates
NAY: None

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held November 17, 2022, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.