

**MINUTES  
BOARD OF DIRECTORS' MEETING  
January 16, 2025**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 16, 2025, at 1:30 p.m. in the NRD office, 319 East 25<sup>th</sup> Street, York, Nebraska.

The directors present were Paul Bethune, Anthony Bohaty, Richard Bohaty, Doug Dickinson, Andrew Eberspacher, Roger Houdersheldt, Bill Kuehner, John Miller, Mike Nuss, Teresa Otte, Matt Perry, Kevin Peterson, Kendall Siebert, Bill Stahly, Brian Stahr, Paul Weiss, and Lynn Yates.

The staff and others in attendance were David Eigenberg, Marie Krausnick, Nancy Brisk, Chrystal Houston, Terry Julesgard, Jack Wergin, Drew ten Bensel, and Josh Bowers of York County NRCS.

**ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.**

Yates stated that the legal notice of the board of directors' meeting was published on January 11, 2025, in the York News-Times.

**ITEM 2. OPEN MEETINGS ACT.**

Yates informed those in attendance that the Open Meetings Act is posted at the back of the room by the entry doors.

**ITEM 3. ROLL CALL.**

Seventeen directors were present during the roll call.

**ITEM 4. ADOPTION OF THE AGENDA.**

It was moved by Houdersheldt and seconded by Miller to adopt the agenda for the January 16, 2025, board of directors meeting. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates

NAY: None

**ITEM 5. APPROVAL OF MINUTES OF THE DECEMBER 19, 2024, BOARD MEETING.**

It was moved by Dickinson and seconded by Peterson to approve the minutes of the December 19, 2024, board meeting. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Stahly, Stahr, Weiss, Yates

NAY: None

NOT VOTING: Siebert

**ITEM 6. DIRECTOR RECOGNITION.**

Bill Kuehner and Paul Weiss were recognized for 10 years of service as Upper Big Blue NRD board members.

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

Siebert reported that the Water and Regulations Committee met January 9, 2025, and presented the committee's recommendations.

**ITEM 8. 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 Siebert and seconded by Houdersheldt to make cost-share payment for one well abandonment, as reviewed by the committee at a cost of \$750.00. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates

NAY: None

**ITEM 9. CERTIFICATION OF IRRIGATED ACRES.**

The Water and Regulations Committee reviewed the irrigated acres' certification for 9 parcels totaling 498.52 acres, which yielded an increase in irrigated acres of 14.63. This brings the total irrigated acres within the district to 1,249,681.08 acres. It was moved by Siebert and seconded by Eberspacher to certify the acres' changes as presented to the committee. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates

NAY: None

NOT VOTING: Houdersheldt

**ITEM 10. NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY (NDEE) - CHEMIGATION PERMIT PAYMENT.**

A total of 171 new and 1,535 renewal chemigation permits were received by the district. The NDEE receives \$5.00 for each new permit and \$2.00 for each renewal permit issued by the district. It was moved by Siebert and seconded by Miller to pay the Nebraska Department of Environment and Energy \$3,925.00 for chemigation permits issued. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates

NAY: None

**ITEM 11. WATER METER REPAIR COST-SHARE PAYMENTS.**

Eight water meter repair cost-share assistance applications were reviewed by staff and recommended for final payments totaling \$3,830.64. It was moved by Siebert and seconded by Peterson to make cost-share payments for eight water meter repair cost-share assistance applications in the amount of \$3,830.64. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Stahly, Stahr, Weiss, Yates

NAY: None

NOT VOTING: Siebert

**ITEM 12. PAYMENT TO SANDERSON IRRIGATION FOR WATER METER MAINTENANCE.**

An invoice was received from Sanderson Irrigation for the water meter maintenance work completed to-date. The invoice was for servicing 302 meters along with gaskets and canopy boots. Sanderson

Irrigation is expected to be finished by the end of February. It was moved by Siebert and seconded by Stahly to pay the invoice from Sanderson Irrigation in the amount \$28,117.00. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates

NAY: None

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

Richard Bohaty reported that the Projects and Programs Committee met on January 9, 2025, and presented the committee's recommendations.

#### **ITEM 14. VILLAGE OF GILTNER DRAINAGE ASSISTANCE REQUEST.**

Colin Cates, Utility Superintendent for the Village of Giltner addressed the committee regarding Giltner's plan for improving drainage in the northeast area of the Village. The Village of Giltner has been working with a local contractor to implement portions of the recommendations from the Miller & Associates 2021 Drainage Study, which the NRD helped fund. The proposed project includes alterations to the 3 blocks of the south side of the railroad, the 3 blocks north along H Street, and the 2 blocks west of H Street near the village park and bank. The initial cost estimate for this work is \$54,000. It was moved by R. Bohaty and seconded by Nuss that the Upper Big Blue NRD approve funding assistance for 25% of the costs, not to exceed \$13,500, to the Village of Giltner for the drainage improvement project in the northeast area of the Village. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates

NAY: None

#### **ITEM 15. HAMILTON COUNTY INCLUSIVE PLAYGROUND ASSISTANCE REQUEST.**

Kim Eberly gave the committee a presentation on the Hamilton County Inclusive Playground Project. This project began in January 2024 and volunteers have been raising funds for this inclusive playground to be installed in Aurora. The City of Aurora donated the land for the playground. The playground will be like the Peyton Parker Lane playground in York with parallel play for all children. The theme of the playground will be "Community Heroes." Kim applied for funding assistance through the NRD's parks program. It was moved by R. Bohaty and seconded by Miller that the Upper Big Blue NRD approve funding assistance of \$10,000 for the Hamilton County Inclusive Playground through the NRD's parks program. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates

NAY: None

#### **ITEM 16. LAND TREATMENT PROGRAM PAYMENT.**

It was moved by R. Bohaty and seconded by Eberspacher that the Upper Big Blue NRD approve payment of one completed NRD land treatment project with a cost-share of \$500.00. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Yates

NAY: Weiss

#### **ITEM 17. BRUCE L. ANDERSON RECREATION AREA RFP FOR GRANT/FUNDING OPPORTUNITIES.**

The Upper Big Blue NRD received quotes from three consultants, The Flatwater Group, JEO Consulting

Group, and EA Engineering. It was moved by R. Bohaty and seconded by Houdersheldt that the Upper Big Blue NRD approve the quote from EA Engineering of \$19,000 for the Bruce L. Anderson Recreation Area Grant/Funding Opportunity RFP. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates

NAY: None

**ITEM 18. BULGRIN DAM RFP FOR CURED IN PLACE PIPE.**

Staff sent specifications for cured in place pipe at Bulgrin Dam to four contractors and received interest from two additional contractors from the website posting of the RFP. Staff received a quote from Subsurface Inc. and a quote from Hydro-Klean LLC. It was moved by R. Bohaty and seconded by Nuss that the Upper Big Blue NRD approve the quote from Subsurface Inc of \$64,355.00 for the Bulgrin Dam cured in place project. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates

NAY: None

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

Kuehner reported that the Executive Committee met on January 9, 2025, and presented the committee's recommendations.

**ITEM 20. DIRECTORS' FOURTH QUARTER PER DIEM & EXPENSES.**

The Executive Committee reviewed the directors' per diem and expenses for this past quarter. Totals for the 4th quarter 2024 directors' per diem are \$6,230.00 and expenses are \$3,031.12, for a total expenditure of \$9,261.12. Individual expense vouchers were available for review. It was moved by Kuehner and seconded by Dickinson to approve payment of 4th quarter 2024 directors' per diem of \$6,230.00 and expenses of \$3,031.12, for a total of \$9,261.12, and to publish these approved expenditures in the December 2024 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, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates

NAY: None

**ITEM 21. 2024 GENERAL ELECTION COSTS.**

Two invoices were received for 2024 general election costs. The requests came from the Clerk of Fillmore County for \$535.65 and \$234.33 from the Clerk of Saline County. It was moved by Kuehner and seconded by Stahr to approve payments of \$535.65 to the Fillmore County Clerk and \$234.33 to the Saline County Clerk for the 2024 general election costs. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates

NAY: None

**ITEM 22. NRD OFFICE INSULATION AND ROOF REPAIR BIDS.**

Two bids were received for repair of the office building roof insulation and ventilation. A bid proposal from Midwest Spray Foam and Custom Insulation, LLC, was received for a total of \$514,500. A bid proposal from JLC Inc was received for a total of \$539,950. The bids were publicly opened on December

17, 2024. A summary of the bids was provided at the December 19, 2024, board meeting. The estimated consultant fee for Jackson – Jackson & Associates, Inc. will remain at or below \$40,000 unless the scope of service changes. Any changes would have to be agreed upon in writing by both parties. It was moved by Kuehner and seconded by Eberspacher to accept the bid from Midwest Spray Foam and Custom Insulation, LLC for a total of \$514,500 with construction oversight to be provided by Jackson – Jackson & Associates, Inc. Motion carried.

AYE: Bethune, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Miller, Nuss, Otte, Perry, Stahly, Stahr, Weiss, Yates

NAY: A. Bohaty, Kuehner, Peterson, Siebert

#### **ITEM 23. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR DECEMBER 2024.**

Eigenberg reviewed the financial report for the period December 1, 2024, to December 31, 2024, that was distributed. It was moved by Kuehner and seconded by Houdersheldt to approve the financial report for December 2024 and approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates

NAY: None

#### **ITEM 24. ELECTION OF OFFICERS.**

Roger Houdersheldt, Matt Perry, and Teresa Otte were appointed as the nominating committee for the 2025 election of officers and the NARD representative and alternate. They were tasked with forwarding at least two names for each of the positions to the board for consideration. They were unable to get more than one candidate for the offices of secretary, treasurer, and NARD representatives.

The candidates for the office of chair were Lynn Yates and John Miller. Paul Weiss nominated Bill Kuehner, but he declined the nomination. There were no other nominations from the floor. Since Yates was one of the two candidates he turned the chair over to Bill Kuehner during the voting. Marie Krausnick and Terry Julesgard were asked to count the ballots. Lynn Yates received 7 votes and John Miller received 10 votes. Miller will serve as chair for a 2-year term.

Candidates for the office of vice-chair were Bill Kuehner and Roger Houdersheldt. There were no nominations from the floor. Kuehner received 11 votes; Houdersheldt received 6 votes. Kuehner will continue to serve as vice-chair for a period of two years.

The only candidate for the office of secretary was Matt Perry. There were no nominations from the floor. It was moved by Peterson and seconded by Houdersheldt to unanimously elect Matt Perry for secretary for a 2-year term. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates

NAY: None

The only candidate for the office of treasurer was Doug Dickinson. There being no nominations from the floor, it was moved by R. Bohaty and seconded by Stahly to unanimously elect Dickinson as treasurer for a 2-year term. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates

NAY: None

NOT VOTING: Dickinson

Paul Bethune was the only candidate put forth for the position of NARD representative. Generally, we have at least two candidates and the one with the most votes becomes the NARD representative and the other candidate is named NARD alternate. Teresa Otte was nominated from the floor. Bethune received 12 votes and Otte received 5 votes. Bethune will continue serving as NARD representative and Otte will become the NARD alternate for a 2-year term.

**ITEM 25. MOTION TO ADJOURN.**

It was moved by Houdersheldt and seconded by Yates to adjourn the meeting at 2:46 p.m. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Miller, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, 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 January 16, 2025, 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.

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Bill Stahly, Secretary

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**MINUTES  
BOARD OF DIRECTORS' MEETING  
February 20, 2025**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 20, 2025, at 1:30 p.m. in the NRD office, 319 East 25<sup>th</sup> Street, York, Nebraska.

The directors present were Paul Bethune, Anthony Bohaty, Richard Bohaty, Doug Dickinson, Andrew Eberspacher, Roger Houdersheldt, Bill Kuehner, John Miller, Teresa Otte, Kevin Peterson, Kendall Siebert, Bill Stahly, Brian Stahr, Paul Weiss, and Lynn Yates.

The staff and others in attendance were David Eigenberg, Marie Krausnick, Nancy Brisk, Chrystal Houston, Terry Julesgard, Jack Wergin, Drew ten Bensel, DeeDee Novotny, Calvin Epp, Dalen Hall, Angie Joyce, Tina Oswald, and Nicole Strand of Polk County NRCS.

**ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.**

Miller stated that the legal notice of the board of directors' meeting was published on February 13, 2025, in the York News-Times.

**ITEM 2. PLEDGE OF ALLEGIANCE.**

Chair Miller led those present in reciting the pledge of allegiance.

**ITEM 3. OPEN MEETINGS ACT.**

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

**ITEM 4. ROLL CALL.**

Fifteen directors were present during roll call.

**ITEM 5. REQUESTS FOR EXCUSED ABSENCE.**

Mike Nuss and Matt Perry requested their absences from the February 20, 2025, board meeting be excused. It was moved by Houdersheldt and seconded by Dickinson to excuse the absence of Mike Nuss and Matt Perry from the February 20, 2025 board of directors meeting as requested. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

**ITEM 6. ADOPTION OF THE AGENDA.**

It was moved by Peterson and seconded by R. Bohaty to adopt the agenda for the February 20, 2025, board of directors meeting. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

**ITEM 7. APPROVAL OF MINUTES OF THE JANUARY 16, 2025, BOARD MEETING.**

It was moved by Kuehner and seconded by Dickinson to approve the minutes of the January 16, 2025, board meeting. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

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

Siebert reported that the Water and Regulations Committee met February 13, 2025, and presented the committee's recommendations.

**ITEM 9. EXAMINING EFFECTS OF FERTILIZER APPLICATION PRACTICES ON SOIL NITRATE AND WATER QUALITY.**

Jason Moudry, Water Programs Specialist, with the Lower Loup NRD presented the first-year results of a three-year study to examine the movement of nitrogen in the soil profile. Soil samples were collected throughout the year, including during the growing season to an eight-foot depth. Results show there is considerable movement during the off season which could lead to nitrogen being below the root zone before the plant can utilize it. Discussion following the presentation centered around the Upper Big Blue NRD joining with the Central Platte NRD and the Lower Loup NRD in applying for a Water Sustainability Fund Grant to do a similar study across the three Districts. It was moved by Siebert and seconded by Houdersheldt to proceed with the Central Platte and Lower Loup NRDs on an application for a Water Sustainability Fund Grant for a soil nitrate study.

It was moved by Eberspacher and seconded by Yates to amend the motion to have the Upper Big Blue NRD apply for a Water Sustainability Fund grant for a soil nitrate study on their own. The amendment failed.

AYE: A. Bohaty, Eberspacher, Kuehner, Yates

NAY: Bethune, R. Bohaty, Dickinson, Houdersheldt, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Miller

NOT PRESENT: Nuss, Perry

The question was called on the original motion. Motion carried.

AYE: Bethune, R. Bohaty, Dickinson, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: A. Bohaty, Eberspacher

NOT PRESENT: Nuss, Perry

**ITEM 10. GROUNDWATER TRANSFER AUTHORIZATIONS.**

Werhallin LLC owns 155.74 acres in the SE¼ of Section 20-T09N-R03W, which is the source tract. Connie F. Hall owns 7 acres in the NW¼ SW¼ of Section 21-T09N-R03W, which is the destination tract. Both tracts are in York County. This transfer fits within the groundwater transfer rules. It was moved by Siebert and seconded by Stahly to approve groundwater transfer T-126. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

Dalen D. and Lacey L. Hall own 39.8 acres in NW¼ of Section 28-T09N-R03W, which is the source tract. Connie F. Hall owns 7 acres in the SW¼ SW¼ of Section 21-T09N-R03W, which is the destination tract. Both tracts are in York County. This transfer fits within the groundwater transfer rules. It was moved by Siebert and seconded by Stahr to approve groundwater transfer T-129. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

Dalen D. and Lacey L. Hall own 39.8 acres in the NW¼ of Section 28-T09N-R03W, which is the source tract. Robert K. and Cheryl A. Seng Trust c/o Cheryl A. Seng Trustee own 7 acres in the NE¼ of Section 29-T09N-R03W, which is the destination tract. Both tracts are in York County. This transfer fits within the groundwater transfer rules. It was moved by Siebert and seconded by Peterson to approve groundwater transfer T-128. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

Dalen D. and Lacey L. Hall own 39.8 acres in the NW¼ of Section 28-T09N-R03W, which is the source tract. Werhallin LLC c/o Angie O'Brien owns 7 acres in the SE¼ of Section 20-T09N-R03W, which is the destination tract. Both tracts are in York County. This transfer fits within the groundwater transfer rules. It was moved by Siebert and seconded by Stahly to approve groundwater transfer T-130. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

Dalen D. and Lacey L. Hall own 160.57 acres in the NE¼ of Section 32-T09N-R03W, which is the source tract. James K. and Joann Jackson own 7 acres in the NW¼ of Section 33-T09N-R03W, which is the destination tract. Both tracts are in York County. This transfer fits within the groundwater transfer rules. It was moved by Siebert and seconded by Peterson to approve groundwater transfer T-127. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

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

Four aquifer quality well abandonment cost-share assistance program applications were reviewed by staff and recommended for final payments, totaling \$3,250.00. It was moved by Siebert and seconded by Houdersheldt to make cost-share payments for four well abandonments, as reviewed by the committee, at a cost of \$3,250.00. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

**ITEM 12. WATER METER REPAIR COST-SHARE PAYMENTS.**

Eleven water meter repair cost-share assistance applications were reviewed by staff and recommended for final payments, totaling \$4,796.50. It was moved by Siebert and seconded by Dickinson to make cost-share payments for eleven water meter repair cost-share assistance applications in the amount of \$4,796.50. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

**ITEM 13. REVIEW DRAFT RULE 5 REDLINE INCLUDING DRAFT LARGE VOLUME WATER WELLS.**

Staff provided copies of the revised draft Rule 5 at the January 16th board meeting, and by email. A discussion began on language in Chapter 10, Paragraph 05, page 5-21, regarding groundwater allocation. It was decided that the subject of groundwater allocation needs more discussion and should be addressed at future Water Committee meetings. Three other minor corrections to the draft were identified, page 5-15, last sentence change may to shall, page 5-23, paragraph 01, change following year to prior year. Otte stated she had a correction which she called into the office. Page 5-12, the second sentence on page needs a period at the end. It was moved by Siebert and seconded by Peterson to advance draft Rule 5 with corrections to the full board for approval and set the hearing date for March 20, 2025, at 11:00 a.m. at the Upper Big Blue Natural Resources District office, 319 East 25th Street, York Nebraska. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

It was moved by Siebert and seconded by Peterson to advance Rule 5 for the purpose of a Public Hearing on March 20, 2025, at 11:00 a.m. at the Upper Big Blue Natural Resources District office, 319 East 25th Street, York Nebraska. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

**ITEM 14. SANDERSON IRRIGATION WATER METER MAINTENANCE PAYMENT.**

An invoice in the amount of \$59,248.30 was received from Sanderson Irrigation for the water meter maintenance completed on 650 meters, gaskets and canopy boots. Sandersons expect to be finished by the end of February or early March. There are 424 meters remaining of the 1,895 total to be serviced. It was moved by Siebert and seconded by Houdersheldt to pay the invoice from Sanderson Irrigation in the amount \$59,248.30. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

**ITEM 15. PAYMENT TO WISH NEBRASKA.**

An invoice in the amount of \$15,282.50 was received from WISH Nebraska, Inc. for the purchase of Seametric batteries for resale. There was a discount of \$382.06 if paid within 30 days. The total amount due after the discount is \$14,900.44. It was moved by Siebert and seconded by Kuehner to pay WISH Nebraska, Inc \$14,900.44 for batteries purchased for resale. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

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

Richard Bohaty reported that the Projects and Programs Committee met on February 13, 2025, and presented the committee's recommendations.

**ITEM 17. LAND TREATMENT COST-SHARE PROGRAM.**

It was moved by Richard Bohaty and seconded by Yates that the Upper Big Blue NRD approve payment of one completed NSWCP land treatment project with a cost-share of \$4,892.05 and one completed reverse osmosis system with a cost share of \$500.00. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

**ITEM 18. LAND TREATMENT PROGRAM COST-SHARE RATES.**

Staff presented data showing how EQIP rates have increased over the past few years. The UBBNRD land treatment program cost-share is based on the lesser amount of actual costs or EQIP rates. NRCS field technicians have asked about increasing the maximum amount of cost-share for land treatment projects. The only practices that exceed the \$7,500 maximum cost-share are terraces, and sediment basin projects. The maximum land treatment project cost-share was last addressed in November of 2015 when the NRD increased the maximum cost-share from \$5,000 to \$7,500. Farming practices have changed, and fewer landowners are installing terraces. The NRD should also look for other land treatment practices that could be provided with cost-share. It was moved by R. Bohaty and seconded by Peterson that the Upper Big Blue NRD increase the maximum cost-share for land treatment program practices from \$7,500 to \$10,000. Motion carried.

AYE: Bethune, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Miller

NAY: A. Bohaty, Weiss, Yates

NOT PRESENT: Nuss, Perry

**ITEM 19. HAZARD MITIGATION PLAN UPDATE.**

JEO Consulting has addressed comments from the Nebraska Emergency Management Agency (NEMA) and from the Federal Emergency Management Agency (FEMA). The most recent draft of the Hazard Mitigation Plan is currently being reviewed by FEMA. JEO submitted an invoice in the amount of

\$1,056.30 for work performed from October 13, 2024, to January 17, 2024. The Nebraska Emergency Management Agency share is 75% or \$792.24. The UBBNRD, Hamilton County, Seward County, and York County will split the remaining 25% or 264.06 (\$66.02 each). The UBBNRD will invoice the other agencies quarterly. It was moved by R. Bohaty and seconded by Stahly that the Upper Big Blue NRD approve payment of \$1,056.30 to JEO Consulting Group for work completed on the Upper Big Blue NRD Multi-Jurisdictional Hazard Mitigation Plan Update from October 13, 2024, through January 17, 2025. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

#### **ITEM 20. ADOPTION OF UPDATED HAZARD MITIGATION PLAN.**

Each agency participating in the Hazard Mitigation Plan must formally adopt the plan. The plan can be adopted prior to final FEMA acceptance. Agencies must adopt a hazard mitigation plan to be eligible for cost-share programs. It was moved by R. Bohaty and seconded by Stahr that the Upper Big Blue NRD adopt the updated Upper Big Blue Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan by resolution. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

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

Kuehner reported that the Executive Committee met on February 13, 2025, and presented the committee's recommendations.

#### **ITEM 22. PAYMENT TO NORTH PRINTING & OFFICE SUPPLY FOR THE BLUEPRINT NEWSLETTER.**

The committee reviewed an invoice from North Printing & Office Supply in the amount of \$11,042.27 for printing the Spring 2025 issue of the Blueprint newsletter. It was moved by Kuehner and seconded by Bethune to approve payment to North Printing & Office Supply in the amount of \$11,042.27 for printing the Spring 2025 issue of the Blueprint newsletter. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

#### **ITEM 23. 2024 GENERAL ELECTION COSTS.**

Invoices were received for 2024 general election costs. The requests were from the Adams County Clerk for \$117.63 and the Hamilton County Clerk for \$418.11. It was moved by Kuehner and seconded by Siebert to approve payments of \$117.63 to the Adams County Clerk and the Clerk of Hamilton County for \$418.11 for the 2024 general election costs. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

**ITEM 24. DRAFT COMMITTEE ASSIGNMENTS.**

Miller provided a list of proposed committee assignments for 2025 - 2027. He attempted to accommodate each director's request while maintaining historical perspective on each committee. The Executive Committee reviewed and agreed to move the recommendations to the entire board.

The board meeting was recessed from 2:50 to 3:00 p.m. to allow the standing committees to caucus for the election of officers. The Projects and Programs Committee elected Richard Bohaty as chair, and Andrew Eberspacher as vice-chair. The Water and Regulations Committee elected Kendall Siebert as chair, and Kevin Peterson as vice-chair. The Executive Committee appointed Lynn Yates as the Projects Committee Representative, and Teresa Otte as the Water and Regulations Committee Representative. The final committee appointments are listed below.

**COMMITTEE ASSIGNMENTS  
2025 – 2027**

**PROJECTS & PROGRAMS COMMITTEE**

**RICHARD BOHATY, CHAIR**  
**ANDREW EBERSPACHER, VICE CHAIR**  
BILL KUEHNER  
MICHAEL NUSS  
MATTHEW PERRY  
BILL STAHLY  
PAUL WEISS  
LYNN YATES  
JOHN MILLER, BOARD CHAIR

**WATER & REGULATIONS COMMITTEE**

**KENDALL SIEBERT, CHAIR**  
**KEVIN PETERSON, VICE CHAIR**  
PAUL BETHUNE  
ANTHONY BOHATY  
DOUG DICKINSON  
ROGER HOUDERSHELDT  
TERESA OTTE, NARD ALTERNATE  
BRIAN STAHR  
JOHN MILLER, BOARD CHAIR

**EXECUTIVE COMMITTEE**

**JOHN MILLER, BOARD CHAIR**  
**BILL KUEHNER, BOARD VICE CHAIR**  
PAUL BETHUNE, NARD REPRESENTATIVE  
RICHARD BOHATY, PROJECT CHAIR  
DOUGLAS DICKINSON, TREASURER  
TERESA OTTE, WATER REPRESENTATIVE  
MATTHEW PERRY, SECRETARY  
KENDALL SIEBERT, WATER CHAIR  
LYNN YATES, PROJECTS REPRESENTATIVE

It was moved by Kuehner and seconded by Peterson to approve the proposed committee assignments for 2025-2027. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

**ITEM 25. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR JANUARY 2025.**

Eigenberg reviewed the financial report for the period January 1, 2025, to January 31, 2025, that was distributed. It was moved by Houdersheldt and seconded by Yates to approve the financial report for

January 2025 and approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

**ITEM 26. MOTION TO ADJOURN.**

It was moved by Kuehner and seconded by Houdersheldt to adjourn the meeting at 3:14 p.m. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Otte, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

NOT PRESENT: Nuss, Perry

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, 2025, 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.

---

Matt Perry, Secretary

ndb

**MINUTES  
BOARD OF DIRECTORS' MEETING  
March 20, 2025**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, March 20, 2025, at 1:30 p.m. in the NRD office, 319 East 25<sup>th</sup> Street, York, Nebraska.

The directors present were Paul Bethune, Anthony Bohaty, Richard Bohaty, Andrew Eberspacher, Roger Houdersheldt, Bill Kuehner, John Miller, Teresa Otte, Matthew Perry, Kevin Peterson, Kendall Siebert, and Brian Stahr.

The staff and others in attendance were David Eigenberg, Marie Krausnick, Nancy Brisk, Chrystal Houston, Terry Julesgard, Jack Wergin, DeeDee Novotny, and Josh Bowers of York County NRCS.

**ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.**

Miller stated that the legal notice of the board of directors' meeting was published on March 13, 2025, in the York News-Times.

**ITEM 2. PLEDGE OF ALLEGIANCE.**

Chair Miller led those present in reciting the pledge of allegiance.

**ITEM 3. OPEN MEETINGS ACT.**

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

**ITEM 4. ROLL CALL.**

Twelve directors were present during roll call.

**ITEM 5. REQUESTS FOR EXCUSED ABSENCE.**

Doug Dickinson, Michael Nuss, William Stahly, and Lynn Yates requested their absences from the March 20, 2025, board meeting be excused. It was moved by Kuehner and seconded by Siebert to excuse the absences of Dickinson, Nuss, Stahly, and Yates from the March 20, 2025, board of directors meeting as requested. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Eberspacher, Houdersheldt, Kuehner, Otte, Perry, Peterson, Siebert, Stahr, Miller

NAY: None

NOT PRESENT: Dickinson, Nuss, Stahly, Weiss, Yates

**ITEM 6. ADOPTION OF THE AGENDA.**

It was moved by Houdersheldt and seconded by Bethune to adopt the agenda for the March 20, 2025, board of directors meeting as presented. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Eberspacher, Houdersheldt, Kuehner, Otte, Perry, Peterson, Siebert, Stahr, Miller

NAY: None

NOT PRESENT: Dickinson, Nuss, Stahly, Weiss, Yates

**ITEM 7. APPROVAL OF MINUTES OF THE FEBRUARY 20, 2025, BOARD MEETING.**

It was moved by R. Bohaty and seconded by Peterson to approve the minutes of the February 20, 2025, board of directors meeting. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Eberspacher, Houdersheldt, Kuehner, Otte, Perry, Peterson, Stahr, Miller

NAY: None

NOT VOTING: Siebert

NOT PRESENT: Dickinson, Nuss, Stahly, Weiss, Yates

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

Siebert reported that the Water and Regulations Committee met March 13, 2025, and presented the committee's recommendations.

**ITEM 9. GROUNDWATER TRANSFER AUTHORIZATION.**

Anges A Shonka (life use) owns 80 acres in the E1/2 SE1/4 of Section 23-T12N-R01E, which is the source tract. Mark W. Shonka owns 114.20 acres in the SW1/4 of Section 24-T12N-R01E with 78 acres to be irrigated, which is the destination tract. Both tracts are in Seward County. This transfer fits within the groundwater transfer rules. It was moved by Siebert and seconded by Houdersheldt to approve groundwater transfer T-131. Motion Carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Eberspacher, Houdersheldt, Kuehner, Otte, Perry, Peterson, Siebert, Stahr, Miller

NAY: None

NOT PRESENT: Dickinson, Nuss, Stahly, Weiss, Yates

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

One aquifer quality well abandonment cost-share assistance program application was reviewed by staff and recommended for final payment totaling \$1,000. It was moved by Siebert and seconded by R. Bohaty to make cost-share payment for one well abandonment, as reviewed by the committee, at a cost of \$1,000.00. Motion Carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Eberspacher, Houdersheldt, Kuehner, Otte, Perry, Peterson, Siebert, Stahr, Miller

NAY: None

NOT PRESENT: Dickinson, Nuss, Stahly, Weiss, Yates

**ITEM 11. WATER METER REPAIR COST-SHARE PAYMENTS.**

Three water meter repair cost-share assistance applications were reviewed by staff and recommended for final payments totaling \$1,468.50. It was moved by Siebert and seconded by Peterson to make cost-share payments for three water meter repair cost-share assistance applications in the amount of \$1,468.50. Motion Carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Eberspacher, Houdersheldt, Kuehner, Otte, Perry, Peterson, Siebert, Stahr, Miller

NAY: None

NOT PRESENT: Dickinson, Nuss, Stahly, Weiss, Yates

**ITEM 12. HDR ENGINEERING INVOICE.**

An invoice in the amount of \$2,514.72 was received from HDR Engineering for work completed January

20, 2025, to January 25, 2025, on the Hamilton County/City of Aurora Water Sustainability Study. The Water Sustainability Fund will cover 60% and the remaining 40% will be split between the partners. The district will bill the partners for their share. It was moved by Siebert and seconded by Eberspacher to pay HDR Engineering for work completed in the amount of \$2,514.72. Motion Carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Eberspacher, Houdersheldt, Kuehner, Otte, Perry, Peterson, Siebert, Stahr, Miller

NAY: None

NOT PRESENT: Dickinson, Nuss, Stahly, Weiss, Yates

#### **ITEM 13. RULES ENFORCEMENT UPDATE.**

Other water user reports will be mailed the week of March 17, 2025, along with orders to cease and desist for late irrigation water use reports. Six operators have not complied with Rule 5, Chapter 13, Paragraph 01 to report all agricultural water use by December 1<sup>st</sup>. It was moved by Siebert and seconded by R. Bohaty to issue an order of cease and desist to Todd S. Andreasen, Adam Fritz, Greg Gerkenmeyer, Jason Preissler, Clint Ratkovec, and Dallas Troester for noncompliance with Upper Big Blue Natural Resources District Rule 5, Chapter 13, Paragraph 01. Motion Carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Eberspacher, Houdersheldt, Kuehner, Otte, Perry, Peterson, Siebert, Stahr, Miller

NAY: None

NOT PRESENT: Dickinson, Nuss, Stahly, Weiss, Yates

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

Richard Bohaty reported that the Projects and Programs Committee met on March 13, 2025, and presented the committee's recommendations.

#### **ITEM 15. UBBNRD PARKS PROGRAM – VILLAGE OF BEAVER CROSSING TRAIL & FISHING ACCESS.**

Brandon Mares attended the meeting and gave a brief overview of Beaver Crossing's plan for a walking trail and fishing access along the Blue River. Brandon is a village board trustee and a member of Build Beaver, a non-profit. The village applied through the District's Parks Program requesting \$10,000 in assistance. Discussion included an interlocal agreement between UBBNRD and the Village of Beaver Crossing to facilitate the payment. It was moved by R. Bohaty and seconded by Perry that the Upper Big Blue NRD provide \$10,000 of assistance to the Village of Beaver Crossing for trail development, recreation improvements and fishing access via the District's Parks Program. Motion Carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Eberspacher, Houdersheldt, Kuehner, Otte, Perry, Peterson, Siebert, Stahr, Miller

NAY: None

NOT PRESENT: Dickinson, Nuss, Stahly, Weiss, Yates

#### **ITEM 16. LAND TREATMENT PROGRAM PAYMENT.**

It was moved by R. Bohaty and seconded by Siebert that the Upper Big Blue NRD approve payment for one completed NSWCP land treatment project with a cost-share of \$7,500.00. Motion Carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Eberspacher, Houdersheldt, Kuehner, Otte, Perry, Siebert, Stahr, Miller

NAY: None

NOT VOTING: Peterson

NOT PRESENT: Dickinson, Nuss, Stahly, Weiss, Yates

**ITEM 17. NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.**

The committee reviewed seven buffer strip payments totaling \$8,655.50. It was moved by R. Bohaty and seconded by Eberspacher that the Upper Big Blue NRD approve contract payments of \$8,655.50 for the Nebraska Buffer Strip Program. Motion Carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Eberspacher, Houdersheldt, Kuehner, Otte, Perry, Peterson, Siebert, Stahr, Miller

NAY: None

NOT PRESENT: Dickinson, Nuss, Stahly, Weiss, Yates

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

Kuehner reported that the Executive Committee met on March 13, 2025, and presented the committee's recommendations.

**ITEM 19. DIRECTOR'S 2025 GMDA CONFERENCE EXPENSE REIMBURSEMENT.**

The 2025 Groundwater Management District Association (GMDA) annual conference was held in Temecula, California. A reimbursement request was submitted by director Eberspacher for expenses incurred to attend the conference. It was moved by Kuehner and seconded by Siebert to approve the reimbursement payment to Andrew Eberspacher for expenses of \$424.78 for the 2025 GMDA annual conference. Motion Carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Houdersheldt, Kuehner, Otte, Perry, Peterson, Siebert, Stahr, Miller

NAY: None

NOT VOTING: Eberspacher

NOT PRESENT: Dickinson, Nuss, Stahly, Weiss, Yates

**ITEM 20. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR FEBRUARY 2025.**

Eigenberg reviewed the financial report for the period February 1, 2025, to February 28, 2025, that was distributed. It was moved by Houdersheldt and seconded by Eberspacher to approve the financial report for February 2025 and approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Eberspacher, Houdersheldt, Kuehner, Otte, Perry, Peterson, Siebert, Stahr, Miller

NAY: None

NOT PRESENT: Dickinson, Nuss, Stahly, Weiss, Yates

**ITEM 21. MOTION TO ADJOURN.**

It was moved by Houdersheldt and seconded by Eberspacher to adjourn the meeting at 2:38 p.m. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Eberspacher, Houdersheldt, Kuehner, Otte, Perry, Peterson, Siebert, Stahr, Miller

NAY: None

NOT PRESENT: Dickinson, Nuss, Stahly, Weiss, 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 March 20, 2025, 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.

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Matthew Perry, Secretary

pkc

**MINUTES  
BOARD OF DIRECTORS' MEETING  
April 17, 2025**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, April 17, 2025, at 7:00 p.m. in the NRD office, 319 East 25<sup>th</sup> Street, York, Nebraska.

The directors present were Paul Bethune, Anthony Bohaty, Richard Bohaty, Doug Dickinson, Andrew Eberspacher, Bill Kuehner, Mike Nuss, John Miller, Teresa Otte, Matthew Perry, Kevin Peterson, Bill Stahly, Brian Stahr, and Lynn Yates.

The staff and others in attendance were David Eigenberg, Marie Krausnick, Nancy Brisk, Chrystal Houston, Terry Julesgard, Jack Wergin, Drew ten Bensel, Josh Bowers of York County NRCS, Rodney Verhoeff and Robb Lutz of EA Engineering, and Ron Sedlak.

**ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.**

Miller stated that the legal notice of the board of directors' meeting was published on April 10, 2025, in the York News-Times.

**ITEM 2. PLEDGE OF ALLEGIANCE.**

Chair Miller led those present in reciting the pledge of allegiance.

**ITEM 3. OPEN MEETINGS ACT.**

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

**ITEM 4. ROLL CALL.**

Thirteen directors were present during roll call. Perry arrived during the presentation of the Water Committee report.

**ITEM 5. REQUESTS FOR EXCUSED ABSENCE.**

Roger Houdersheldt, Kendall Siebert and Paul Weiss requested their absences from the April 17, 2025, board meeting be excused. It was moved by Kuehner and seconded by Yates to excuse the absence of Houdersheldt, Siebert, and Weiss from the April 17, 2025, board of directors meeting as requested.

Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT PRESENT: Houdersheldt, Perry, Siebert, Weiss

**ITEM 6. ADOPTION OF THE AGENDA.**

It was moved by Yates and seconded by Dickinson to adopt the agenda for the April 17, 2025, board of directors meeting as presented. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT PRESENT: Houdersheldt, Perry, Siebert, Weiss

**ITEM 7. APPROVAL OF MINUTES OF THE MARCH 20, 2025, BOARD MEETING.**

It was moved by Dickinson and seconded by Stahr to approve the minutes of the March 20, 2025, board of directors meeting. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Peterson, Stahr, Yates, Miller

NAY: None

NOT VOTING: Stahly

NOT PRESENT: Houdersheldt, Perry, Siebert, Weiss

**ITEM 8. EA ENGINEERING FINAL REPORT – ANDERSON RECREATION AREA GRANT FUNDING RESEARCH.**

Rodney Verhoeff and Robb Lutz of EA Engineering presented the final report of findings for the Bruce L. Anderson Recreation Area Grant/Funding Research Project to the board.

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

Peterson reported that the Water and Regulations Committee met April 8, 2025, and presented the committee's recommendations.

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

Six aquifer quality well abandonment cost-share assistance program applications were reviewed by staff and recommended for final payments totaling \$6,000.00. It was moved by Peterson and seconded by Yates to make cost-share payments for six well abandonments, as reviewed by the committee, at a cost of \$6,000.00. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT PRESENT: Houdersheldt, Perry, Siebert, Weiss

**ITEM 11. UNIVERSITY OF NEBRASKA VADOSE ZONE STUDY.**

An invoice was received in the amount of \$35,972.32 for work completed November 1, 2024, through February 28, 2025, on the vadose study in the district. It was moved by Peterson and seconded by Stahr to pay the University of Nebraska for work completed November 1, 2024, through February 28, 2025, in the amount of \$35,972.32. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT VOTING: Perry

NOT PRESENT: Houdersheldt, Siebert, Weiss

**ITEM 12. WATER METER MAINTENANCE SANDERSON IRRIGATION INVOICES.**

Two invoices were received from Sanderson Irrigation for servicing 593 meters in the amounts of \$51,086.75 and \$4,050.00 for a total of \$55,136.75. Sanderson Irrigation has completed the meter maintenance in zone one which is 2 months ahead of previous years. A total of 1,895 meters were

served. It was moved by Peterson and seconded by Yates to pay Sanderson Irrigation for meter maintenance performed on 593 meters in the amount of \$55,136.75. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Perry, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT PRESENT: Houdersheldt, Siebert, Weiss

#### **ITEM 13. CERTIFICATION OF IRRIGATED ACRES.**

The committee reviewed the irrigated acres' certification for 9 parcels totaling 621.92 acres, yielding an increase in irrigated acres of 39.48 acres. The total irrigated acres within the district is now 1,249,720.56 acres. It was moved by Peterson and seconded by Eberspacher to certify acres' changes as presented to the committee. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Perry, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT VOTING: Otte

NOT PRESENT: Houdersheldt, Siebert, Weiss

#### **ITEM 14. WISH NEBRASKA INVOICE.**

An invoice was received from WISH Nebraska in the amount of \$7,581.60 for the purchase of replacement batteries for the AG 3000 meters. These are batteries for resale and will be billed to the operator as they are replaced under the district's battery replace program. It was moved by Peterson and seconded by Yates to pay WISH Nebraska for resale batteries for the AG3000 meters in the amount of \$7,581.60. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Perry, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT PRESENT: Houdersheldt, Siebert, Weiss

#### **ITEM 15. ADOPTION OF REVISED RULE 5 - EFFECTIVE DATE MAY 16, 2025.**

Staff emailed the directors the hearing transcript from the March 20th hearing along with the comments that were received from the Department of Environment & Energy and the Department of Natural Resources. Attorney Don Blankenau outlined the next steps in adoption of the revised rule. The committee was provided with a draft "order amending rules" document which will need to be published in the paper for three weeks prior to the rules going into effect. The transcript of the hearing will be posted on the website along with the adopted rules. It was moved by Peterson and seconded by Stahr to adopt the amended rules and published and adopt the Upper Big Blue Natural Resources District Order Amending Rules Effective Date of Amendment: May 16, 2025. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Perry, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT PRESENT: Houdersheldt, Siebert, Weiss

#### **ITEM 16. RULES ENFORCEMENT - ORDERS TO CEASE AND DESIST – WATER USE REPORTS AND PHASE II/III REPORTING.**

Four operators have come into compliance with Rule 5 by reporting their irrigation water use and one for Phase II/III reporting. It was moved by Peterson and seconded by Kuehner to lift the Orders of Cease

and Desist on Todd S. Andreasen, Adam Fritz (water use order only), Jason Preissler, Dallas Troester and Gene A. Scholz & JoAnn Hoffer for coming into compliance with the Upper Big Blue Natural Resources District Rule 5. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Perry, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT PRESENT: Houdersheldt, Siebert, Weiss

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

Eberspacher reported that the Projects and Programs Committee met on April 10, 2025, and presented the committee's recommendations.

#### **ITEM 18. LAND TREATMENT PROGRAM PAYMENTS.**

It was moved by Eberspacher and seconded by Nuss that the Upper Big Blue NRD approve payment of one completed NSWCP land treatment project with a cost-share of \$10,000.00, two completed NRD cover crop projects with a cost-share of \$6,376.00, and one completed RO system project with a cost share of \$416.99. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Perry, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT PRESENT: Houdersheldt, Siebert, Weiss

#### **ITEM 19. HAZARD MITIGATION PLAN UPDATE.**

JEO Consulting submitted the revised Hazard Mitigation Plan to the Federal Emergency Management Agency (FEMA) and is awaiting comments. JEO submitted an invoice in the amount of \$1,207.20 for work performed from January 22, 2025, to March 14, 2025. The Nebraska Emergency Management Agency share is 75% or \$905.40. The UBBNRD, Hamilton County, Seward County, and York County will split the remaining 25% or \$301.80 (\$75.45 each). The UBBNRD will invoice the other agencies quarterly. It was moved by Eberspacher and seconded by Stahly that the Upper Big Blue NRD approve payment of \$1,207.20 to JEO Consulting Group for work completed on the Upper Big Blue NRD Multi-Jurisdictional Hazard Mitigation Plan Update from January 22, 2025, through March 14, 2025. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Perry, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT PRESENT: Houdersheldt, Siebert, Weiss

#### **ITEM 20. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.**

Kuehner reported that the Executive Committee met on April 10, 2025, and presented the committee's recommendations.

#### **ITEM 21. 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 \$8,470.00 and expenses are \$4,401.33 for a total expenditure of \$12,871.33. Individual expense vouchers were available for review. It was moved by Kuehner and seconded by Yates to approve payment of first quarter 2025 directors' per diem of \$8,470.00 and expenses of \$4,401.33 for a total of \$12,871.33, 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, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Perry, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT PRESENT: Houdersheldt, Siebert, Weiss

#### **ITEM 22. INVOICE FROM MIDWEST SPRAY FOAM AND CUSTOM INSULATION.**

An invoice in the amount of \$514,500 was received from Midwest Spray Foam and Custom Insulation LLC for the office building roof insulation and ventilation project. There were no changes to the original contract. It was moved by Kuehner and seconded by Eberspacher to pay Midwest Spray Foam and Custom Insulation LLC a total of \$514,500 for office building roof insulation and ventilation. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Perry, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT PRESENT: Houdersheldt, Siebert, Weiss

#### **ITEM 23. BURKE SCHOLARSHIP RECIPIENTS.**

The scholarship selection committee consisting of directors Otte, Stahr and Stahly met April 10, 2025, at 6:00 p.m. to review scholarship candidates. In 2025, we received 8 applications. Two applications did not meet one of the required criteria for the award (pursuing a career in natural resources). Applicants came from Hastings, Henderson, Goehner, Waco, Seward, and York. The selection committee recommended Evan Frink of Hastings and Sara Weisheit of Henderson. Garret Ostrander of Goehner was selected as the alternate. Frink will graduate from Adams Central High in 2025. He is planning to major in agriculture economics at UNL. Weisheit is a 2024 graduate of McCool Junction Public Schools. She is majoring in agronomy at UNL. Ostrander will graduate from Seward High School in 2025. He is planning to major in plant landscape systems at UNL. Committee Chair Otte provided the committee's recommendations for the scholarships:

- Evan Frink of Hastings
- Sara Weisheit of Henderson
- Garret Ostrander of Goehner (ALTERNATE)

It was moved by Kuehner and seconded by Yates to award two \$2,000.00 scholarships, one to Evan Frink, and one to Sara Weisheit of Henderson, and to name Garret Ostrander as the alternate scholarship recipient. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Perry, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT PRESENT: Houdersheldt, Siebert, Weiss

#### **ITEM 24. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR MARCH 2025.**

Eigenberg reviewed the financial report for the period March 1, 2025, to March 31, 2025, that was distributed. It was moved by Stahly and seconded by Yates to approve the financial report for March 2025 and approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Perry, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT PRESENT: Houdersheldt, Siebert, Weiss

**ITEM 25. MOTION TO ADJOURN.**

It was moved by Peterson and seconded by A. Bohaty to adjourn the meeting at 8:48 p.m. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Perry, Peterson, Stahly, Stahr, Yates, Miller

NAY: None

NOT PRESENT: Houdersheldt, 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 April 17, 2025, 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.

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Matthew Perry, Secretary

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