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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 25th 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, Weiss, 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.

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 25th 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 SE $\frac{1}{4}$ of Section 20-T09N-R03W, which is the source tract. Connie F. Hall owns 7 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ 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 NW $\frac{1}{4}$ of Section 28-T09N-R03W, which is the source tract. Connie F. Hall owns 7 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ 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 NW $\frac{1}{4}$ 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 NE $\frac{1}{4}$ 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 NW $\frac{1}{4}$ of Section 28-T09N-R03W, which is the source tract. Werhallin LLC c/o Angie O'Brien owns 7 acres in the SE $\frac{1}{4}$ 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 NE $\frac{1}{4}$ of Section 32-T09N-R03W, which is the source tract. James K. and Joann Jackson own 7 acres in the NW $\frac{1}{4}$ 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 PROGAM 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 Stahly 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 HOUDERSHELD
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 25th 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 1st. 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 Gerkensmeyer, 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.

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 25th 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

serviced. 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.

Matthew Perry, Secretary

ndb

MINUTES
BOARD OF DIRECTORS' MEETING
May 15, 2025

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, May 15, 2025, at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

The directors present were Paul Bethune, Anthony Bohaty, Richard Bohaty, Doug Dickinson, Andrew Eberspacher, Roger Houdersheldt, Bill Kuehner, Mike Nuss, John Miller, Teresa Otte, Matthew 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, Terry Julesgard, Jack Wergin, DeeDee Novotny, Rita Hoblyn, Patty Connors, Drew ten Bensel, Aaron Shropshire of York County NRCS, Jason Hirschfeld, Sally Reuben, Seth Norquest, Ben Royal, Kelly Kadavy, and Aviv Verad with the BERMAD company.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Miller stated that the legal notice of the board of directors' meeting was published on May 8, 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 the roll call. Eberspacher arrived at 7:05 p.m. and Anthony Bohaty arrived at 7:15 p.m.

ITEM 5. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 6. ADOPTION OF THE AGENDA.

It was moved by Siebert and seconded by Stahly to adopt the agenda for the May 15, 2025, board of directors meeting as presented. Motion carried.

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

NAY: None

NOT PRESENT: A. Bohaty, Eberspacher

ITEM 7. APPROVAL OF MINUTES OF THE APRIL 17, 2025, BOARD MEETING.

It was moved by Dickinson and seconded by Stahr to approve the minutes of the April 17, 2025, board of directors meeting. Motion carried.

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

NAY: None

NOT PRESENT: A. Bohaty, Eberspacher

ITEM 8. CORNERSTONE INSURANCE GROUP.

Ben Royal and Kelly Kadavy of Cornerstone Insurance Group were present to discuss the fiscal year 2026 insurance renewal process. Cornerstone Insurance Group works as the local agent for FNIC, which is headquartered in Omaha, Nebraska. FNIC currently insures 15 other NRD's and approximately 80% of the irrigation districts across the state of Nebraska. One of the challenges that they face when obtaining insurance quotes is getting coverage for structural failure of our dams. Few insurance companies offer this coverage. FNIC can provide underwriting for this coverage through Glatfelter. Glatfelter is still working on their proposal, so no renewal premiums were available. A renewal quote for the total insurance package will be presented at the June Executive Committee meeting for approval at the June board meeting.

ITEM 9. PRECISION CONSERVATION MANAGEMENT PRESENTATION.

Seth Norquest was present to update the board on the PCM program and his progress with one-on-one meetings with area farmers. PCM added the York, Nebraska region in 2024 and has enrolled 8 farmers. His goal for this region is to enroll 25 more farmers in 2025.

ITEM 10. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Siebert reported that the Water and Regulations Committee met May 6, 2025, and presented the committee's recommendations.

ITEM 11. APPROVAL OF BERMAD WATERWORKS METERS.

Aviv Vered and Elad Orenstein presented the Water and Regulations Committee with two examples of the electromagnetic flowmeters the BERMAD company manufactures and requested they be added to the district's approved flowmeter list. The MC10 for pipe diameter of 2" to 6" and the MUT2300/MC406 for pipe diameters of 2" to 12". Specifications were provided for both meters and they meet the district's minimum requirements. The meters are designed to have zero distance requirements for placement in the pipeline. The batteries have a 7-to-10-year life, but for the conditions and applications here, a more realistic battery life would be 5 to 7 years. Staff can be trained and certified to replace batteries with a list price of \$200.00 each. It was moved by Siebert and seconded by Peterson to add the MC10 and MUT2300/MC406 BERMAD meters to the district's approved meter list. Motion approved.

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

NAY: A. Bohaty, Dickinson, Stahly, Yates

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

Eleven aquifer quality well abandonment cost-share assistance program applications were reviewed by staff and recommended for final payments totaling \$9,100.00. It was moved by Siebert and seconded by Stahly to make cost-share payments for eleven well abandonments, as reviewed by the committee, at a

cost of \$9,100.00. Motion carried.

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

NAY: None

ITEM 13. WATER METER REPAIR COST-SHARE APPLICATION PAYMENTS.

Eight water meter repair cost-share assistance applications were reviewed by staff and recommended for final payments totaling \$3,051.48. It was moved by Siebert and seconded by Perry to make cost-share payments for eight water meter repair cost-share assistance applications in the amount of \$3,051.48. Motion carried.

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

NAY: None

ITEM 14. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 5 parcels totaling 328.07 acres which yielded an increase of 191.34 acres and recommended they be certified. The district now has 1,249,911.90 irrigated acres. It was moved by Siebert and seconded by Stahr to certify acres' changes as presented to the committee. Motion carried.

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

NAY: None

ITEM 15. ISSUANCE OF ORDERS TO CEASE AND DESIST - PHASE II/III EXPIRED TRAINING.

Listed below are producers who have not complied with Rule 5, Chapter 20, Paragraph 02 requiring recertification every four years of their Operator Phase II/III training. Staff followed the steps outlined in the District's Rules and Regulations and issued a complaint notice, violation notice, and an intent to issue an order of cease and desist/schedule of compliance notice.

PHASE II/III EXPIRED TRAINING

- Mike Anderson
- Charles J. Augustine
- Brent A. Buller
- Cale Carlson
- Michael George
- Christopher Hauer
- Nicholas Johnson
- Thomas W. Keenan & Jacqueline M. Leaming Co-Trustees
- Todd Lay
- Two R Farms c/o Ross Ronne
- Richard D. Urban

It was moved by Siebert and seconded by Dickinson to issue orders of cease and desist to all producers listed on the attached Phase II/III Expired Training spreadsheet that are out of compliance with Phase II/III & Hastings Management Area Rule 5, Chapter 20, Paragraph 02. Motion carried.

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

**ITEM 16. ISSUANCE OF CEASE & DESIST ORDERS FOR FAILURE TO SUBMIT 2024-2025 PHASE II/III
REPORTS & HASTINGS MANAGEMENT AREA.**

Listed below are producers who have not complied with Rule 5, Chapter 20, Paragraph 06, Annual Reporting Requirements. Staff followed the steps outlined in the District's Rules and Regulations and issued a complaint notice, violation notice, and an intent to issue an order of cease and desist/schedule of compliance notice.

2024-2025 Phase II/III and Hastings Management Area Violators

- Mike Anderson
- Todd S. Andreasen
- Charles J. Augustine
- Christopher S. & Vivian F. Beckler
- Emmett Beckler
- Michael R. Campbell
- Dustin D. Cast
- Allen W. Coufal
- Eric E. & Lauren M. Eberspacher
- Rick Fullner/Platte Center West LLC/Pillen Family Farm
- Greg Gerkensmeyer
- Colton D. & Jared M. Hartman
- Christopher Hauder
- Frederick D. Heuermann
- Roger D. Hohlen
- Jesse Hough
- Nicholas Johnson
- Timothy D. Johnson
- Brad J. & Alisha B. Lavicky
- Jordan Overturf
- Clint Ratkovec
- Adam Roth
- Wes Roth
- Robert Lyle Sterns
- Arlo D. "Bud" Stevens
- Richard D. Urban
- Colton Wehrs
- Galen Winkler
- Philip Wohlgemuth

It was moved by Siebert and seconded by Perry to issue orders of cease and desist to all producers listed on the attached 2024-2025 Phase II & III/Hastings Order to Cease & Desist spreadsheet for out of compliance with Phase II/III & Hastings Management Area Rule 5, Chapter 20, Paragraph 06. Motion carried.

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

NAY: None

NOT VOTING: Houdersheldt

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

Richard Bohaty reported that the Projects and Programs Committee met on May 8, 2025, and presented the committee's recommendations.

ITEM 18. LAND TREATMENT COST-SHARE PAYMENTS.

It was moved by R. Bohaty and seconded by Yates that the Upper Big Blue NRD approve payment of two completed reverse osmosis system projects with a cost-share of \$1,000.00. Motion carried.

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

NAY: Weiss

NOT VOTING: A. Bohaty

ITEM 19. STORM DAMAGED TREE PROGRAM PAYMENTS.

It was moved by R. Bohaty and seconded by Nuss that the Upper Big Blue NRD approve payment of two completed storm damaged tree projects with a total cost-share of \$600.00. Motion carried.

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

NAY: None

ITEM 20. WATER QUALITY MANAGEMENT PLAN COVER CROP COST-SHARE PROGRAM.

Staff presented a revised WQMP cover crop program that includes the cost-share of \$75.00 per acre, with a maximum of \$7,500 per landowner/operator, per year. The contract would be for a 1-year term and cooperators can re-apply, but first-time participants would be given priority. Cooperators must follow NRCS cover crop guidelines. The program would encompass the entire Beaver Creek watershed and the well head protection areas within the Upper Big Blue NRD. The smaller upper watershed area located in the Central Platte NRD would not be eligible but could be considered in the future. Applicants will be prioritized by riparian critical zones, very high runoff risk areas, high runoff risk areas, well head protection areas, and the remainder of the Beaver Creek watershed. Applications will be due July 15th and NRD staff will rank applications and make selections by August 15th. The amount of available funding will depend on the annual budget. Applications received after the July 15th deadline may be considered if all available funding is not allocated. The Committee also reviewed the WQMP land treatment incentive program which provides 90% cost-share with a maximum of \$15,000 for the Beaver Creek watershed. It was moved by R. Bohaty and seconded by Nuss that the Upper Big Blue NRD board adopt the WQMP Cover Crop Program and the WQMP Land Treatment Incentive Program for the Beaver Creek watershed within the UBBNRD boundary. Motion carried.

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

NAY: Miller

ITEM 21. BULGRIN DAM.

Subsurface Inc completed the cured-in-place-pipe lining project at Bulgrin dam on March 28th. The final invoice of \$59,060.00 was reduced from the quoted amount of \$64,355.00 due to not fully completing the road signage bid item. NRD staff were on site during construction and were satisfied with the contractor's traffic control process but asked the contractor to re-evaluate this bid item. It was moved

by R. Bohaty and seconded by Houdersheldt that the Upper Big Blue NRD board approve payment of \$59,060 to Subsurface Inc. for the cured-in-place-pipe lining project completed at Bulgrin Dam. Motion carried.

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

NAY: None

The upstream face of Bulgrin Dam has moderate erosion. Staff requested approval to advertise for placing rock on the upstream face of the dam. It was moved by R. Bohaty and seconded by Perry that the Upper Big Blue NRD staff solicit quotes for placing rock on the upstream face of Bulgrin Dam. Motion carried.

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

NAY: None

ITEM 22. HAZARD MITIGATION PLAN UPDATE.

JEO Consulting submitted an invoice in the amount of \$1,458.70 for work performed on the Hazard Mitigation Plan update from March 15, 2025, to April 11, 2025. The Nebraska Emergency Management Agency (NEMA) notified the NRD that the Federal Emergency Management Agency (FEMA) has approved the Upper Big Blue NRD Hazard Mitigation Plan. Remaining JEO work includes collecting agency adoption resolutions and distributing the final plan. It was moved by R. Bohaty and seconded by Nuss that the Upper Big Blue NRD approve payment of \$1,458.70 to JEO Consulting Group for work completed on the Upper Big Blue NRD Multi-Jurisdictional Hazard Mitigation Plan Update from March 15, 2025, through April 11, 2025. Motion carried.

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

NAY: None

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

Kuehner reported that the Executive Committee met on May 8, 2025, and presented the committee's recommendations.

ITEM 24. EDUCATIONAL CAPITAL PROJECT FUND APPLICATION.

The Executive Committee reviewed the Educational Capital Project Fund application submitted by York Public Schools Foundation. The Foundation has established the goal of building an Agri-Science Center to serve the York Public Schools District students. The Center would allow students to explore more career pathways in agronomy, food science, natural resources, veterinary science, wildlife management, agriculture technology, and meat science. The Foundation has purchased real estate located near the YPS middle school and high school. The real estate currently has three buildings. The first building will be dedicated to classrooms and teacher offices and will contain ADA compliant restrooms. The second building will be a dedicated barn space for the school's animal lab. The Agri-Science Center will provide students grades 6-12 with a unique opportunity to engage in hands-on, career-related experiences across various fields within the agricultural industry. The Foundation has invested \$285,000.00 of its own funds in the project. It has secured funding in the amount of \$552,000.00 from individual and corporate donors. Additional corporate and private donors have pledged approximately \$500,000.00 for the years 2025, 2026, and 2027. At this point in time, the Foundation has raised approximately \$1,337,000.00 for the project. They are requesting \$10,000 of ECAP funding. It was moved by Kuehner

and seconded by Perry to award \$10,000 for an ECAP grant to York Public Schools Foundation for an Agri-Science Center. Motion carried.

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

NAY: Yates

ITEM 25. INVOICE FROM JACKSON-JACKSON & ASSOCIATES, INC.

An invoice from Jackson-Jackson & Associates, Inc. was received in the amount of \$31,985 for oversight of the office building roof insulation and ventilation project. It was moved by Kuehner and seconded by Siebert to pay Jackson-Jackson & Associates, Inc. a total of \$31,985 for oversight of the office building roof insulation and ventilation project. Motion carried.

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

NAY: None

ITEM 26. APPROVAL OF FY26 SALARY SCHEDULE.

Management recommended no changes for the FY26 Salary Schedule from the FY25 Salary Schedule. Eigenberg explained his recommendation and answered questions. This schedule will provide guidance on the FY26 salaries. Midpoints were calculated by taking an 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 Nuss to approve the FY26 Salary Schedule as presented. Motion carried.

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

NAY: None

ITEM 27. FY26 WAGE INCREASE REQUEST.

Eigenberg requested that the board authorize a 2.5% increase in the FY26 payroll for a total of \$45,560 for FY26 salary increases for staff. This 2.5% increase would be provided across the board to every position except the general manager. It was moved by Kuehner and seconded by Nuss to adjust the annual FY26 salaries of the district staff, except for the general manager, by 2.5% of the FY25 payroll and to authorize the general manager to determine and make salary and wage adjustments, in accordance with the Operating Policy. Motion carried.

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

NAY: None

ITEM 28. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR APRIL 2025.

Eigenberg reviewed the financial report for the period April 1, 2025, to April 30, 2025, that was distributed. It was moved by Houdersheldt and seconded by Stahly to approve the financial report for April 2025 and approve payments of the accounts payable and publish the expenditures. Motion carried.

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

NAY: None

ITEM 29. MOTION TO ADJOURN.

It was moved by Eberspacher and seconded by Houdersheldt to adjourn the meeting at 9:08 p.m.

Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Nuss, Otte,

Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

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 15, 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.

Matthew Perry, Secretary

ndb

**MINUTES
BOARD OF DIRECTORS' MEETING
JUNE 19, 2025**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 19, 2025, at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

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

The staff and others in attendance were David Eigenberg, Marie Krausnick, Nancy Brisk, Terry Julesgard, Jack Wergin, Chrystal Houston, DeeDee Novotny, and Drew ten Bensel.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Miller stated that the legal notice of the board of directors' meeting was published on May 8, 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.

Fourteen directors were present during the roll call.

ITEM 5. REQUESTS FOR EXCUSED ABSENCE.

Roger Houdersheldt requested an excused absence from the June 19, 2025, board of directors meeting. It was moved by Perry and seconded by Stahly to excuse the absence of Houdersheldt from the June 19, 2025, board of directors meeting as requested. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 6. ADOPTION OF THE AGENDA.

It was moved by Siebert and seconded by Peterson to adopt the agenda for the June 19, 2025, board of directors meeting as presented. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

NOT VOTING: R. Bohaty

ITEM 7. APPROVAL OF MINUTES OF THE MAY 15, 2025, BOARD MEETING.

It was moved by Dickinson and seconded by Peterson to approve the minutes of the May 15, 2025, board of directors meeting. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

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

Siebert reported that the Water and Regulations Committee met June 10, 2025, and presented the committee's recommendations.

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

Three aquifer quality well abandonment cost-share assistance program applications were reviewed by staff and recommended for final payments totaling \$2,823.12. It was moved by Siebert and seconded by Peterson to make cost-share payments for three well abandonments as reviewed by the committee at a cost of \$2,823.12. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 10. WATER METER REPAIR COST-SHARE PAYMENTS.

Twelve water meter repair cost-share assistance applications were reviewed by staff and recommended for final payments totaling \$5,814.67. It was moved by Siebert and seconded by Stahr to make cost-share payments for twelve water meter repair cost-share assistance applications in the amount of \$5,814.67. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 11. CHEMIGATION COST-SHARE ASSISTANCE PAYMENTS.

Four chemigation cost-share assistance applications were reviewed by staff and recommended for final payments of \$3,455.00. It was moved by Siebert and seconded by Yates to make cost-share payments for four chemigation cost-share assistance applications in the amount of \$3,455.00. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 12. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres' certification for 5 parcels totaling 368.42 acres which yielded an increase in irrigated acres of 87.77 acres. The total irrigated acres in the district are now 1,249,999.67. It was moved by Siebert and seconded by Peterson to certify acres' changes as presented to the committee. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 13. PAYMENT TO UNIVERSITY OF NEBRASKA – VADOSE ZONE STUDY.

An invoice was received in the amount of \$13,929.05 for work completed from March 1 through April 30, 2025, on the vadose study in the Upper Big Blue NRD. June 2025 was the original completion date for the study but because of equipment issues and COVID the project was delayed. Dr. Snow is working on an eighteen-month extension to use the remaining funds in the grant. It was moved by Siebert and seconded by Peterson to pay University of Nebraska for work completed March 1, 2025, through April 30, 2025, in the amount of \$13,929.05. Motion carried.

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

NAY: Dickinson

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 14. RULES ENFORCEMENT - PRODUCER TRAINING & RECERTIFICATION – LIFTING ORDERS TO CEASE AND DESIST.

Six producers have come into compliance with Rule 5, Chapter 20, Paragraph 02, requiring initial training or recertification every four years of their Operator Phase II/III training. It was moved by Siebert and seconded by Stahr to lift orders of cease and desist on Cale Carlson, Christopher Hauder, Thomas Keenan & Jacqueline Leaming Co-Trustees, Todd Lay, Michael George, and Ross Ronne/Two R Farms for coming into compliance with Phase II/III & Hastings Management Area Rule 5, Chapter 20, Paragraph 02. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 15. RULES ENFORCEMENT - 2024-2025 PHASE II/III REPORTING & HASTINGS MANAGEMENT AREA – LIFTING ORDERS TO CEASE AND DESIST.

Staff presented the names of 22 producers who have complied with Rule 5, Chapter 20, Paragraph 06, Annual Reporting Requirements. A list is attached to these minutes. It was moved by Siebert and seconded by Dickinson to lift orders of cease and desist for all producers listed on the attached 2024-2025 Phase II & III/Hastings Order to Cease & Desist Dismissals spreadsheet for coming into compliance with Phase II/III & Hastings Management Area Rule 5, Chapter 20, Paragraph 06. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 16. FY26 DRAFT WATER DEPARTMENT BUDGET REVIEW.

Staff provided the committee with a second draft of the 2025-2026 budget. Staff requested a second monitoring well site be included in next year's budget. The site being considered is between Seward and Garland along the eastern border of the district. Area residents are requesting it to monitor water levels due to the new acreages which are being developed. Staff have been in contact with Kathleen Cameron at CSD on a possible site. The addition to the budget would be \$80,000. It was moved by Siebert and seconded by Dickinson to forward the second draft Water Department budget, with committee changes, to the Executive Committee for inclusion in the consolidated budget. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

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

Richard Bohaty reported that the Projects and Programs Committee met on June 12, 2025, and presented the committee's recommendations.

ITEM 18. LAND TREATMENT PROGRAM PAYMENT.

It was moved by R. Bohaty and seconded by Yates that the Upper Big Blue NRD approve payment of one NRD land treatment project with a cost-share of \$300.00, and forward for payment to the state nine completed NSWCP land treatment projects with a cost-share of \$26,060.37. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 19. STORM DAMAGED TREE PROGRAM.

It was moved by R. Bohaty and seconded by Perry that the Upper Big Blue NRD approve payment of three completed storm damaged tree projects with a total cost-share of \$876.94. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 20. NEBRASKA BUFFER STRIP PROGRAM 4TH QUARTER PAYMENTS.

The Upper Big Blue NRD pays the landowner for buffer strip contracts and is reimbursed by the Nebraska Department of Agriculture. It was moved by R. Bohaty and seconded by Yates that the Upper Big Blue NRD Board approve the 4th quarter FY25 Nebraska buffer strip payments for ten Nebraska buffer strip contracts, with a total cost-share of \$16,222.30. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 21. PAYMENT TO NARD FOR TREES.

The Nebraska Association of Resources Districts submitted an invoice for NRD tree seedlings purchased by UBBNRD. The total cost to the Upper Big Blue NRD was \$17,494.91, which was reduced \$1,854.46 by the Executive Travel grant, leaving a balance due of \$15,640.45. It was moved by R. Bohaty and seconded by Eberspacher that the Upper Big Blue NRD Board approve the payment to the Nebraska Association of Resource Districts for the 2025 NRD tree seeding program of \$15,640.45. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 22. NEBRASKA DEPARTMENT OF NATURAL RESOURCES – STREAM GAGING SITES.

The Nebraska Department of Natural Resources submitted an invoice for the operation and maintenance of the new stream gaging sites on the Big Blue River at Staplehurst and the West Fork Big Blue River near Grafton. The Upper Big Blue NRD has an agreement with NeDNR to cost-share on these stream gaging sites. It was moved by R. Bohaty and seconded by Stahly that the Upper Big Blue NRD Board approve the payment to the Nebraska Department of Natural Resources of \$9,796.20 for the operation and maintenance cost-share for the two stream gaging sites. Motion carried.

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

ITEM 23. BULGRIN DAM EROSION CONTROL CONTRACT.

Staff received five quotes for the Bulgrin Dam upstream face erosion control project. Project work items include mobilization, traffic control, and placement of approximately 104 tons of NDOR type B riprap. Quotes ranged from \$11,006.00 to \$24,730.40. It was moved by R. Bohaty and seconded by Perry that the Upper Big Blue NRD Board award Broken Arrow Excavating a contract for placing riprap on the upstream face of Bulgrin Dam for their submitted quote of \$11,006.00. Motion carried.

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

ITEM 24. HAZARD MITIGATION PLAN UPDATE – PAYMENT TO JEO.

JEO Consulting submitted an invoice in the amount of \$754.50 for work performed on the Hazard Mitigation Plan update from April 12, 2025, to May 16, 2025. The Nebraska Emergency Management Agency (NEMA) and the Federal Emergency Management Agency (FEMA) have both approved the final Upper Big Blue NRD Hazard Mitigation Plan. Minor remaining work items include collecting agency adoption resolutions and distributing the final plan. Staff will file the final report and reimbursement request with NEMA following the end of the quarter (June 30, 2025). It was moved by R. Bohaty and seconded by Siebert that the Upper Big Blue NRD approve payment of \$754.50 to JEO Consulting Group for work completed on the Upper Big Blue NRD Multi-Jurisdictional Hazard Mitigation Plan Update from April 12, 2025, through May 16, 2025. Motion carried.

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

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

Kuehner reported that the Executive Committee met on June 12, 2025, and presented the committee's recommendations.

ITEM 26. FISCAL YEAR 26 INSURANCE RENEWAL.

Staff worked with Cornerstone Insurance Group to obtain quotes from FNIC for the FY26 insurance renewal package. Due to the liability for the district-owned dams we are unable to get other insurers to quote the entire package. We have 1 high-hazard dam (Hastings Northwest) and 6 significant-hazard dams (Dorchester 1A, Dorchester 2A, Larson, Struebing, Recharge Lake and Oxbow), and 24 low-hazard dams that the district owns and maintains.

The renewal quote for the district's insurance package is listed below. The total workers compensation premium is based on actual payroll, so a payroll audit will be conducted at the end of the fiscal year to determine if any additional premium, or refund of premium, is due.

Coverage	FY25 Premiums	FY26 Premiums
Liability, Auto, Fire & Casualty	\$83,289	\$87,966
Workers Compensation	\$12,243	\$14,196
Total	\$95,532	\$102,162

It was moved by Kuehner and seconded by Yates to make payment of \$102,162 to FNIC for liability, auto, workers' compensation, fire, and casualty insurance for FY26. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 27. PAYMENT FOR THE SUMMER 2025 BLUEPRINT NEWSLETTER.

The committee reviewed an invoice from North Printing & Office Supply in the amount of \$13,793.73 for printing the Summer 2025 issue of the Blueprint newsletter. It was moved by Kuehner and seconded by Siebert to approve payment to North Printing & Office Supply in the amount of \$13,793.73 for printing the Summer 2025 issue of the Blueprint newsletter. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 28. FISCAL YEAR 25 NRD SALARY REIMBURSEMENT - LOWER BIG BLUE NRD SECRETARY.

The Lower Big Blue NRD submitted an invoice in the amount of \$8,286.74 for the salary and benefits of the Saline County NRCS secretary, for work performed in FY25 (July 1, 2024 - June 30, 2025). It was moved by Kuehner and seconded by Stahly to approve payment of \$8,286.27 to the Lower Big Blue NRD for the Saline County NRCS secretary's FY25 salary and benefits. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

ITEM 29. GENERAL MANGER'S JOB PERFORMANCE EVALUATION AND FY26 COMPENSATION.

It was moved by Kuehner and seconded by Peterson that the full board conduct the evaluation of the General Manager's job performance and any salary adjustment. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

It was moved by R. Bohaty and seconded by Siebert that the board to into closed session at 8:00 p.m. for the purpose of protecting, and preventing needless harm or injury to, the reputation of the general manager while evaluating his performance. Motion carried.

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

ABSENT: Houdersheldt, Nuss, Weiss

It was moved by Yates and seconded by Eberspacher to return to open session at 8:57 p.m. Motion carried.

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

It was moved by Yates and seconded by Stahly to set the general manager's salary at \$136,000 for fiscal year 2026. Motion carried.

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

ITEM 30. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR MAY 2025.

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

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

ITEM 31. MOTION TO ADJOURN.

It was moved by Kuehner and seconded by Peterson to adjourn the meeting at 9:16 p.m. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Yates, Miller
ABSENT: Houdersheldt, Nuss, 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 19, 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.

Matthew Perry, Secretary

Attachment (1)
ndb

MINUTES
BOARD OF DIRECTORS' MEETING
JULY 17, 2025

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 17, 2025, at 7:00 p.m. in the NRD office, 319 East 25th 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, Matthew 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, Terry Julesgard, Jack Wergin, DeeDee Novotny, and Drew ten Bensel.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Miller stated that the legal notice of the board of directors' meeting was published on July 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.

Seventeen directors were present during the roll call.

ITEM 5. ADOPTION OF THE AGENDA.

It was moved by Stahly and seconded by Peterson to adopt the agenda for the July 17, 2025, board of directors meeting as presented. Motion carried.

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

NAY: None

ITEM 6. APPROVAL OF MINUTES OF THE JUNE 19, 2025, BOARD MEETING.

It was moved by Dickinson and seconded by Yates to approve the minutes of the June 19, 2025, board of directors meeting. Motion carried.

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

NOT VOTING: Weiss

ITEM 7. SERVICE RECOGNITION.

Director Paul Bethune was recognized for 10 years of service on the Upper Big Blue NRD board. Drew ten Bensel was recognized for his 5 years of service to the district.

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

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

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

Four aquifer quality well abandonment cost-share assistance program applications were reviewed by staff and approved for final payments totaling \$2,631.36. It was moved by Siebert and seconded by Peterson to make cost-share payments for four well abandonments, as reviewed by the committee, at a cost of \$2,631.36. Motion carried.

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

NAY: None

ITEM 10. WATER METER REPAIR COST-SHARE PAYMENTS.

Eleven water meter repair cost-share assistance applications were reviewed by staff and recommended for final payments totaling \$5,295.22. It was moved by Siebert and seconded by Eberspacher to make cost-share payments for eleven water meter repair cost-share assistance applications as reviewed by the committee in the amount of \$5,295.22. Motion carried.

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

NOT VOTING: Kuehner

ITEM 11. CHEMIGATION COST-SHARE ASSISTANCE PAYMENTS.

Twenty-three chemigation cost-share applications were reviewed by staff and are recommended for final payments totaling \$17,032.95. It was moved by Siebert and seconded by Yates to make cost-share payments for twenty-three chemigation cost-share assistance applications as reviewed by the committee in the amount of \$17,032.95. Motion carried.

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

NAY: Nuss, Weiss

ITEM 12. UNIVERSITY OF NEBRASKA – VADOSE ZONE STUDY EXTENSION AND INVOICE.

Dr. Snow provided a letter regarding the extension of Research Agreement #138709 with the Upper Big Blue Natural Resources District, to allow for completion of the task outline in the statement of work. An invoice was submitted in the amount of \$4,582.45 for work completed from May 1 – May 31, 2025, for the ongoing vadose study in the district. It was moved by Siebert and seconded by Peterson to pay the University of Nebraska for work completed May 1, 2025, through May 31, 2025, in the amount of \$4,582.45. Motion carried.

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

NAY: None

ITEM 13. HDR ENGINEERING INVOICE – HAMILTON COUNTY/CITY OF AURORA WATER SUSTAINABILITY STUDY.

Four invoices were received from HDR Engineering for work completed January 26, 2025, to May 31, 2025, on the Hamilton County/City of Aurora Water Sustainability Study. The invoice amounts are March

\$4,856.65, April \$7,974.29, May \$6,717.30, June \$11,753.89 for a total of \$31,302.13. The Water Sustainability Fund will cover 60% and the remaining 40% will be split between the three partners. The district will bill the partners for their share which is \$4,147.53 each. It was moved by Siebert and seconded by Eberspacher to pay HDR Engineering for work completed January 26, 2025, to May 31, 2025, in the amount of \$31,302.13. Motion carried.

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

NAY: None

ITEM 14. RULES ENFORCEMENT UPDATE.

Other Water Use Reporting Update – 75% of the operators' water use reports have been received which leaves 117 wells to be reported. Staff are working to contact the remaining operators.

Orders of Cease and Desist – Clint Ratkovec has come into compliance with *Rule 5, Chapter 15, Paragraph 01 Water Use Reporting and Chapter 20 Phase II/III reporting.* It was moved by Siebert and seconded by Yates to lift the order of cease and desist on Clint Ratkovec for coming into compliance with Water Use Reporting Chapter 15, Paragraph 01, and Phase II/III & Hastings Management Area Rule 5, Chapter 20, Paragraph 02. Motion carried.

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

NAY: None

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

Richard Bohaty reported that the Projects and Programs Committee met on July 8, 2025, and presented the committee's recommendations.

ITEM 16. LAND TREATMENT PROGRAM.

There were three completed NRD land treatment projects, and one completed NRD reverse osmosis system. The committee reviewed the Land Treatment Program funding for FY2025.

It was moved by R. Bohaty and seconded by Eberspacher that the Upper Big Blue NRD approve payment of three NRD land treatment projects with a cost-share of \$4,222.02. Motion carried.

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

NAY: Weiss

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

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

NAY: Nuss, Weiss

NOT VOTING: R. Bohaty

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

Kuehner reported that the Executive Committee met on July 15, 2025, and presented the committee's recommendations.

ITEM 18. 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 \$8,960.00 and expenses are \$4,108.86 for a total expenditure of \$13,068.86. Individual expense vouchers were available for review. It was moved by Kuehner and seconded by Siebert to approve payment of second quarter 2025 directors' per diem of \$8,960.00 and expenses of \$4,108.86, for a total of \$13,068.86, and to publish these approved expenditures in the June 2025 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, Nuss, Otte,

Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ITEM 19. NRD SHARED SERVICES SALARY REIMBURSEMENT – LITTLE BLUE NRD.

An invoice dated June 30, 2025, in the amount of \$29,992.38 was received from the Little Blue NRD for the salary of the Adams and Clay County NRCS secretaries for work performed in FY25 (July 1, 2024-June 30, 2025). It was moved by Kuehner and seconded by Nuss to approve payment of \$29,992.38 to the Little Blue NRD for the Adams and Clay County NRCS secretaries FY25 salary. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Houdersheldt, Kuehner, Nuss, Otte,

Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ITEM 20. ADDITIONAL ONE PERCENT RESTRICTED FUNDS AUTHORITY.

Eigenberg recommended the approval of the additional 1% restricted funds authority. He reminded the board that an affirmative vote of three-fourths of the majority of those present and voting is required for passage. It was moved by Kuehner and seconded by Yates to approve an increase in the total budgeted restricted funds authority by an additional 1%. Motion failed.

AYE: Bethune, Dickinson, Houdersheldt, Nuss, Otte, Perry, Stahly, Stahr, Yates, Miller

NAY: A. Bohaty, R. Bohaty, Eberspacher, Kuehner, Peterson, Siebert, Weiss

ITEM 21. FY 2026 DRAFT CONSOLIDATED BUDGET.

The Executive Committee made the following changes to the draft consolidated budget. Under line-item 502.05 the \$235,000 for the Pioneer Trails north bay silt removal project was added back; \$55,000 for the Pioneer Trails ADA fishing dock and sidewalk was removed; \$40,000 for the Pioneer Trails boat ramp dock was removed. Under line-item 502.06 \$80,000 was removed for one set of monitoring wells. Line-item 470.04 for storm damaged trees in the amount of \$8,000 was removed. They eliminated the proposed \$110,444 transfer from sinking fund to the general fund. After these changes were incorporated, the new draft had a 1.66% increase compared to FY25 budget. It was moved by Kuehner and seconded by Perry to adopt the draft FY26 Consolidated Budget with the committees changes for the purpose of Public Hearing. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: A. Bohaty, R. Bohaty, Houdersheldt, Kuehner, Nuss,

The dates for two public hearings need to be set so that legal notices can be published. It was moved by Kuehner and seconded by Yates to schedule the FY26 Budget Hearing for 7:00 p.m., Thursday, August

21, 2025, and the FY26 Tax Request Hearing for 7:00 p.m., Thursday, September 18, 2025. Motion carried.

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

NAY: None

ITEM 22. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR JUNE 2025.

Eigenberg reviewed the financial report for the period June 1, 2025, to June 30, 2025, that was distributed. It was moved by Houdersheldt and seconded by Yates to approve the financial report for June 2025 and approve payments of the accounts payable and publish the expenditures. Motion carried.

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

NAY: None

ITEM 23. MOTION TO ADJOURN.

It was moved by Eberspacher and seconded by Yates to adjourn the meeting at 7:53 p.m. Motion carried.

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

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 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.

Matthew Perry, Secretary

ndb

**MINUTES
BOARD OF DIRECTORS' MEETING
AUGUST 21, 2025**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 21, 2025, at 7:10 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

The directors present were Paul Bethune, Doug Dickinson, Andrew Eberspacher, Roger Houdersheldt, Bill Kuehner, John Miller, Mike Nuss, Teresa Otte, Matthew 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, Terry Julesgard, Sierra Luhn, Jack Wergin, Drew ten Bensel, Patty Connors, DeeDee Novotny, Raymond Asamoah, and Josh Bowers of York NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Miller stated that the legal notice of the board of directors' meeting was published on August 14, 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. REQUEST FOR EXCUSED ABSENCE.

Richard Bohaty requested an excused absence for the August 21, 2025, board meeting. It was moved by Yates and seconded by Siebert to excuse the absence of Richard Bohaty from the August 21, 2025, board of directors meeting as requested. Motion carried.

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

NAY: None

ABSENT: A. Bohaty, R. Bohaty

ITEM 6. ADOPTION OF THE AGENDA.

It was moved by Houdersheldt and seconded by Siebert to adopt the agenda for the August 21, 2025, board of directors meeting as presented. Motion carried.

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

NAY: None

ABSENT: A. Bohaty, R. Bohaty

ITEM 7. APPROVAL OF MINUTES OF THE JULY 17, 2025, BOARD MEETING.

It was moved by Dickinson and seconded by Perry to approve the minutes of the July 17, 2025, board of directors meeting. Motion carried.

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

NAY: None

ABSENT: A. Bohaty, R. Bohaty

ITEM 8. ADOPTION OF FY 2026 BUDGET.

The FY26 proposed budget was reviewed at the public hearing held prior to the board meeting. Miller asked if anyone had any comments on the proposed budget. There were no comments. It was moved by Perry and seconded by Siebert to adopt the FY 2026 Budget as presented. Motion carried.

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

NAY: None

ABSENT: A. Bohaty, R. Bohaty

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

Siebert reported that the Water and Regulations Committee met August 12, 2025, and presented the committee's recommendations.

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

Three aquifer quality well abandonment cost-share assistance program applications were reviewed by staff and recommended for final payments totaling \$3,000.00. It was moved by Siebert and seconded by Yates to make cost-share payments for three well abandonments, as reviewed by the committee, at a cost of \$3,000.00. Motion carried.

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

NAY: None

ABSENT: A. Bohaty, R. Bohaty

ITEM 11. WATER METER REPAIR COST-SHARE PAYMENTS.

Nine water meter repair cost-share assistance applications were reviewed by staff and recommended for final payments totaling \$4,414.26. It was moved by Siebert and seconded by Peterson to make cost-share payments for nine water meter repair cost-share assistance applications as reviewed by the committee in the amount of \$4,414.26. Motion carried.

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

NAY: None

ABSENT: A. Bohaty, R. Bohaty

ITEM 12. CHEMIGATION COST-SHARE PAYMENTS.

Three chemigation cost-share applications were reviewed by staff and recommended for final payments totaling \$2,117.73. It was moved by Siebert and seconded by Stahr to make cost-share payments for three chemigation cost-share assistance applications as reviewed by the committee in the amount of \$2,117.73. Motion carried.

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

ITEM 13. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres' certification for 8 parcels totaling 757.20 acres, which yielded an increase in irrigated acres of 110.24 acres. The total irrigated acres within the district are now 1,250,109.89. It was moved by Siebert and seconded by Peterson to certify acres' changes as presented to the committee. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Kuehner, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller
NAY: None
ABSENT: A. Bohaty, R. Bohaty

ITEM 14. HDR ENGINEERING INVOICE FOR HAMILTON COUNTY/CITY OF AURORA WATER SUSTAINABILITY STUDY.

An invoice was received from HDR Engineering for work completed June 1, 2025, to June 28, 2025, on the Hamilton County/City of Aurora Water Sustainability Study in the amount of \$3,167.68. The Water Sustainability Fund will cover 60% and the remaining 40% will be split between the three partners. The district will bill the partners for their share, which is \$419.72 each. It was moved by Siebert and seconded by Nuss to pay HDR Engineering for work completed June 1, 2025, to June 28, 2025, in the amount of \$3,167.68. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Kuehner, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller
NAY: None
ABSENT: A. Bohaty, R. Bohaty

ITEM 15. NORTH PRINTING – LAND & LEGACY NEWSLETTER PRINTING AND MAILING.

An invoice was received from North Printing and Office Supply for the printing and mailing of 5,900 Land and Legacy newsletters in the amount of \$8,400.80. Staff have received several phone calls already regarding changes in ownership and questions about the programs highlighted in the newsletter. It was moved by Siebert and seconded by Yates to pay North Printing and Office Supply for the printing and mailing of the Land and Legacy newsletter in the amount of \$8,400.80. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Kuehner, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller
NAY: None
ABSENT: A. Bohaty, R. Bohaty

ITEM 16. RULES ENFORCEMENT UPDATE.

Four producers have come into compliance with Rule 5. The Orders of Cease and Desist can be lifted on Brent Buller and Gregory Bolte for completing training requirements; Robert Sterns for completing Phase II/III reporting requirements; and Collin Demuth for completing Phase III water sampling requirements. It was moved by Siebert and seconded by Perry to lift order of cease and desist on Brent Buller, Gregory Bolte, Robert Sterns and Collin Demuth for coming into compliance with the requirements in Rule 5. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Kuehner, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller
NAY: None
ABSENT: A. Bohaty, R. Bohaty

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

Andrew Eberpacher reported that the Projects and Programs Committee met on August 14, 2025, and presented the committee's recommendations.

ITEM 18. LAND TREATMENT PROGRAM PAYMENTS.

There were four new reverse osmosis system applications, one new land treatment project application this month, and three completed NRD reverse osmosis system projects. The Committee reviewed the Land Treatment Program funding for FY2026. It was moved by Eberspacher and seconded by Dickinson that the Upper Big Blue NRD approve payment of three NRD reverse osmosis systems with a total cost-share of \$1,388.58. Motion carried.

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

ITEM 19. RECHARGE LAKE GRANT/FUNDING OPPORTUNITIES.

EA Engineering submitted an invoice in the amount of \$19,000 for the completed study. It was moved by Eberspacher and seconded by Nuss that the Upper Big Blue NRD approve payment of \$19,000.00 to EA Engineering for work completed on the Bruce L. Anderson Recreation Area (Recharge Lake) Grant/Funding Study completed earlier this year. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Kuehner, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller
NAY: None
ABSENT: A. Bohaty, R. Bohaty

ITEM 20. BRUNER DAM AND NOBLE DAM REQUEST FOR PROPOSALS.

Staff requested approval to issue requests for proposals for the slip lining of the outlet pipes at Bruner Dam and Noble Dam in Butler County. It was moved by Eberspacher and seconded by Siebert that the Upper Big Blue NRD issue requests for proposals (RFP) for lining Bruner Dam and Noble Dam in Butler County with cured in place pipe lining. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Kuehner, Nuss, Otte, Perry, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller
NAY: None
ABSENT: A. Bohaty, R. Bohaty

ITEM 21. SOURCEWELL CONTRACTING.

Staff presented information on Sourcewell, which provides cooperative purchasing "Procurement by, or on behalf of, one or more Public Procurement Units." Sourcewell develops RFPs and IFBs for national, competitive solicitation that meet or exceed local requirements. Sourcewell contracts last 4 years and can be extended for 3 more years. The Upper Big Blue NRD has an account with Sourcewell from past purchases that were turned in by companies that the NRD had used previously.

Current planned projects that could utilize Sourcewell include the Pioneer Trails playground through BCI Burke (Creative Sites), and the Oxbow Trail ADA accessible fishing dock (through EZ Dock – PlayPower, Inc – MD Aquatics). Using Sourcewell would permit the NRD to purchase selected equipment without going through a separate RFP. After some discussion, the Projects and Programs Committee recommended that the NRD not use Sourcewell and that the NRD issue RFPs for these projects.

ITEM 22. PIONEER TRAILS PLAYGROUND.

It was moved by Eberspacher and seconded by Nuss that the Upper Big Blue NRD staff prepare and issue a request for proposals for the playground at Pioneer Trails Recreation Area. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Kuehner, Nuss, Otte, Perry, Peterson, Siebert,

Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty

ITEM 23. OXBOW TRAILS RECREATION AREA ADA FISHING DOCK.

It was moved by Eberspacher and seconded by Perry that the Upper Big Blue NRD staff prepare and issue a request for proposals for the ADA accessible fishing dock at Oxbow Trail Recreation Area. Motion carried.

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

NAY: None

ABSENT: A. Bohaty, R. Bohaty

ITEM 24. PIONEER TRAILS RECREATION AREA NORTH BAY SILT REMOVAL.

Staff discussed the silt removal project on the north bay of Pioneer Trails. Wergin suggested it might be advantageous to wait for the results of the upcoming NGPC fish survey to determine the number of fish remaining after the recent fish kill, before proceeding with the pumping of the silt. Depending upon the number of fish remaining it might be an opportunity to revisit lowering the lake level and removing the silt by accessing the lake with heavy equipment. Staff will continue to collect data to prepare for pumping the sediment. It was moved by Eberspacher and seconded by Nuss that the Upper Big Blue NRD staff prepare a request for proposals (RFP) for pumping the sediment from the north bay at Pioneer Trails Recreation Area. Motion carried.

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

NAY: None

ABSENT: A. Bohaty, R. Bohaty

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

Kuehner reported that the Executive Committee met on August 14, 2025, and presented the committee's recommendations.

ITEM 26. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS DUES.

The Nebraska Association of Resources Districts submitted an invoice in the amount of \$41,735.39 for fiscal year 2026 dues. This represents a 2.5% increase over fiscal year 2025 dues. It was moved by Kuehner and seconded by Dickinson to approve payment of \$41,735.39 to the NARD for the FY26 dues.

Motion carried.

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

NAY: None

ABSENT: A. Bohaty, R. Bohaty

ITEM 27. INVOICE FROM CONNOR ROOFING FOR MATERIALS AND FREIGHT FOR STORAGE BUILDING REPAIR.

The board passed a motion October 20, 2022 that read in part “to approve the low quote from Conner Roofing Company, York, Nebraska, for \$109,109.50, to make repairs from hail damage to all facilities at 319 East 25th Street, York, Nebraska and 1112 Recharge Road, York, Nebraska. 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 the 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, Nebraska. This motion also grants authority for the contractor and staff to work directly with property insurance carriers to secure additional insurance funds, if additional items not under the first estimate, are discovered.”

Repairs to the metal building have not been completed. Neville Construction of McCool Junction, Nebraska, has been hired as a subcontractor by Conner Roofing Company, York, Nebraska to complete the repairs of all damaged metal siding, roof panels, trim metal buildings and downspouts at properties located at 319 East 25th Street, York, Nebraska. (This list may not be inclusive to all damage). An invoice for materials and freight in the amount of \$28,614.91 was received. Conner Roofing has requested partial payment in the amount of \$17,994.91. The insurance claim payment for hail repairs has been received. It was moved by Kuehner and seconded by Nuss to approve partial payment of \$17,994.91 to Conner Roofing Company, York, Nebraska, for the expense of materials and freight to make repairs from hail damage to facilities at 319 East 25th Street, York NE, to repair all damaged metal siding, roof panels, trim metal buildings, downspouts and other damages at properties located at 319 East 25th Street, York NE. This motion also grants authority for the contractor and staff to work directly with property insurance carriers to secure additional insurance funds if additional items, not under the first estimate, are discovered. Motion carried.

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

NAY: None

ABSENT: A. Bohaty, R. Bohaty

ITEM 28. INVOICE FROM TRADEBE ENVIRONMENTAL SERVICES, LLC IN CONJUNCTION WITH HAZARDOUS WASTE COLLECTION.

An invoice dated July 11, 2025, totaling \$16,185.00, was received from Tradebe Environmental Services, LLC. for disposal of the ag hazardous waste collected in Seward County April 12, 2025. This expenditure will be covered with pass through grant funds. It was moved by Kuehner and seconded by Perry to approve payment of \$16,185.00 to Tradebe Environmental Services, LLC. for disposal of the ag hazardous waste collected in Seward County April 12, 2025. Motion carried.

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

NAY: None

ABSENT: A. Bohaty, R. Bohaty

ITEM 29. SHARED SERVICES SALARY REIMBURSEMENT.

An invoice dated July 22, 2025, totaling \$13,846.44 was received from the Lower Platte North NRD for the salary of the Butler County NRCS secretary, for work performed in FY25 (July 1, 2024- June 30, 2025). It was moved by Kuehner and seconded by Perry to approve payment of \$13,846.44 to the Lower Platte North NRD for the Butler County NRCS secretary's FY25 salary. Motion carried.

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

NAY: None

ABSENT: A. Bohaty, R. Bohaty

ITEM 30. SINKING FUND REASSIGNMENT.

Currently, the sinking fund has money designated for 8 projects. These funds are made up of 17 separate certificates of deposit. Oxbow Trail Development (3), Kezan Creek (2) Recharge Watershed Improvements (6), Seward West Trail (2), Operational & Maintenance (2), and Flood Control (2). The Committee wants to ensure that when there is a fiscal need for a feasible project, invested dollars are correctly categorized. The Committee recommends reassigning account numbers 7590652 – Kezan Creek (\$239,217.49), 115270 - Kezan Creek (\$246,047.49), 122757 Oxbow Trail Development (\$72,457.95) and 4436066 Oxbow Trail Development (\$112,169.01) to Recharge Watershed Improvements. It was moved by Kuehner and seconded by Siebert to reassign account numbers 7590652 – Kezan Creek (\$239,217.49), 115270 - Kezan Creek (\$246,047.49), 122757 Oxbow Trail Development (\$72,457.95) and 4436066 Oxbow Trail Development (\$112,169.01) to Recharge Watershed Improvements. Motion carried.

AYE: Dickinson, Eberspacher, Kuehner, Nuss, Perry, Peterson, Siebert, Stahly, Stahr, Miller

NAY: Bethune, Houdersheldt, Otte, Weiss, Yates

ABSENT: A. Bohaty, R. Bohaty

ITEM 31. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR JULY 2025.

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

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

NAY: None

ABSENT: A. Bohaty, R. Bohaty

ITEM 32. MOTION TO ADJOURN.

It was moved by Houdersheldt and seconded by Siebert to adjourn the meeting at 8:20 p.m. Motion carried.

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

NAY: None

ABSENT: A. Bohaty, R. 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 August 21, 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.

Matthew Perry, Secretary

ndb

**MINUTES
BOARD OF DIRECTORS' MEETING
SEPTEMBER 18, 2025**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 18, 2025, at 7:03 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

The directors present were Paul Bethune, Anthony Bohaty, Richard Bohaty, Doug Dickinson, Andrew Eberspacher, Bill Kuehner, John Miller, Mike Nuss, Teresa Otte, Matthew Perry, Kendall Siebert, Bill Stahly, Brian Stahr, Paul Weiss, and Lynn Yates. Staff and others in attendance were David Eigenberg, Marie Krausnick, Nancy Brisk, Terry Julesgard, Sierra Luhn, Jack Wergin, DeeDee Novotny, and Josh Bowers of York NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

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

ITEM 2. PLEDGE OF ALLEGIANCE.

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

ITEM 3. OPEN MEETINGS ACT.

Chairperson 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. REQUEST FOR EXCUSED ABSENCE.

Roger Houdersheldt and Kevin Peterson requested an excused absence for the September 18, 2025 board meeting. It was moved by Perry and seconded by Dickinson to excuse the absence of Houdersheldt and Peterson from the September 18, 2025, board of directors meeting as requested. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Peterson

ITEM 6. ADOPTION OF THE AGENDA.

It was moved by Stahly and seconded by Siebert to adopt the agenda for the September 18, 2025, board of directors meeting as presented. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Peterson

ITEM 7. APPROVE MINUTES OF THE FY26 BUDGET HEARING.

It was moved by Dickinson and seconded by Yates to approve the minutes of the FY26 Budget Hearing held August 21, 2025. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Peterson

ITEM 8. APPROVE MINUTES OF AUGUST 21, 2025, BOARD MEETING.

It was moved by Perry and seconded by Yates to approve the minutes of the August 21, 2025, board of directors meeting. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Peterson

ITEM 9. ADOPTION OF FY 2026 TAX REQUEST RESOLUTION 2026-1.

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 18, 2025, 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 2026 general fund property tax request be set at \$3,629,285.45.
2. The total assessed value of property differs from last year's total assessed value by 12.26% 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 \$0.01757 per \$100 of assessed value.
4. The Upper Big Blue Natural Resources District proposes adopting a property tax request that will cause its tax rate to be \$0.017861 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 0.44 percent.
6. A copy of this resolution shall be certified and forwarded to the County Clerk on or before October 15, 2025.

It was moved by Yates and seconded by Dickinson to adopt Resolution 2026-1 setting the FY 2026 property tax request as presented. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Peterson

ITEM 10. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

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

ITEM 11. WATER METER REPAIR COST-SHARE PAYMENTS.

Five water meter repair cost-share assistance applications were reviewed by staff and are recommended for final payments, totaling \$1,704.72. It was moved by Siebert and seconded by Stahr to make cost-share payments for five water meter repair cost-share assistance applications as reviewed by the committee in the amount of \$1,704.72. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Peterson

ITEM 12. CHEMIGATION COST-SHARE PAYMENTS.

Two chemigation cost-share applications were reviewed by staff and recommended for final payment. It was moved by Siebert and seconded by Eberspacher to make cost-share payments for two chemigation cost-share assistance applications as reviewed by the committee in the amount of \$994.59. Motion carried.

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

NAY: Weiss

ABSENT: Houdersheldt, Peterson

ITEM 13. HDR ENGINEERING INVOICE FOR HAMILTON COUNTY/CITY OF AURORA WATER SUSTAINABILITY STUDY.

Two invoices were received from HDR Engineering for work completed June 29, 2025, to August 23, 2025, on the Hamilton County/City of Aurora Water Sustainability Study in the amounts of \$10,581.23 and \$7,542.00 for a total of \$18,123.23. The Water Sustainability Fund will cover 60% and the remaining 40% will be split between the three partners. The district will bill the partners for their share which is \$2,401.33 each. It was moved by Siebert and seconded by Stahly to pay HDR Engineering for work completed June 29, 2025, to August 23, 2025, in the amount of \$18,123.23. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Peterson

ITEM 14. UNIVERSITY OF NEBRASKA VADOSE ZONE STUDY.

An invoice was received in the amount of \$6,356.17 for work completed June 1, 2025, through July 31, 2025, on the ongoing vadose study in the district. It was moved by Siebert and seconded by Stahr to pay the University of Nebraska for work completed June 1, 2025, through July 31, 2025, in the amount of \$6,356.17. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Peterson

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

Richard Bohaty reported that the Projects and Programs Committee met on September 11, 2025, and presented the committee's recommendations.

ITEM 16. LAND TREATMENT PROGRAM PAYMENTS.

There were two new land treatment applications in the month of September. One is a cover crop application under the Water Quality Management Plan. Two RO systems have been installed and are recommended for final payment. The committee reviewed the land treatment program funding for FY2026. The Upper Big Blue NRD will receive \$79,600.46 in Nebraska Soil and Water Conservation Program (NSWCP) land treatment funding. It was moved by R. Bohaty and seconded by Nuss to pay for two reverse osmosis systems as reviewed by the committee, totaling \$1,000.00. Motion carried.

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

NAY: Weiss

ABSENT: Houdersheldt, Peterson

ITEM 17. NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

Three Nebraska buffer strip contracts were recommended for payment. It was moved by R. Bohaty and seconded by Nuss that the Upper Big Blue NRD make payment on three Nebraska buffer strip contracts in the amount of \$7,312.50. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Peterson

ITEM 18. BULGRIN DAM – BROKEN ARROW EXCAVATING LLC PAYMENT.

Broken Arrow Excavating LLC has completed placing rock on the face of Bulgrin Dam and submitted their invoice for \$11,006.00. It was moved by R. Bohaty and seconded by Eberspacher to pay Broken Arrow Excavating LLC for the placement of rock on the Bulgrin Dam face totaling \$11,006.00. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Peterson

ITEM 19. BRUNER DAM AND NOBLE DAM CURED IN PLACE PIPE LINING.

Staff sent out a request for proposals (RFP) to repair both Bruner and Noble Dams using cured-in-place pipe lining technology. The RFP was not scheduled to close until September 16, 2025, so staff requested they be allowed to present the proposals at the September 18th board of directors meeting. It was moved by R. Bohaty and seconded by Eberspacher to evaluate the summary of request for proposals to repair both Bruner and Nobles Dams using cured in place pipe lining technology and select a contractor at the September 18, 2025, board of directors meeting. There were three proposals submitted, but the one from NuFlowNebraska was not submitted by the deadline so it was not considered. Ace Pipe Cleaning submitted a price of \$67,250 and Subsurface, Inc., submitted a price of \$58,050. It was moved by Perry and seconded by Siebert to amend the motion to say that the NRD enter into a contract with Subsurface, Inc., to install cured in place pipe lining at Bruner Dam and Noble Dam in Butler County for their submitted bid of \$58,050. Amendment carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Perry, Siebert, Stahly, Stahr, Weiss, Yates, Miller
NAY: None
ABSENT: Houdersheldt, Peterson

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

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Perry, Siebert, Stahly, Stahr, Weiss, Yates, Miller
NAY: None
ABSENT: Houdersheldt, Peterson

ITEM 20. REQUEST FOR PROPOSALS RECHARGE LAKE SILT RETENTION DESIGN.

Staff requested permission to release a request for proposal (RFP) for the design of sediment retention devices at Recharge Lake. It was moved by R. Bohaty and seconded by Perry that the Upper Big Blue NRD staff prepare a request for proposals (RFP) for the design of sediment retention devices at Recharge Lake. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Kuehner, Nuss, Otte, Perry, Siebert, Stahly, Stahr, Weiss, Yates, Miller
NAY: None
ABSENT: Houdersheldt, Peterson

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

Kuehner reported that the Executive Committee met on September 11, 2025, and presented the committee's recommendations.

ITEM 22. 2025 MASTER PLAN.

The board members were provided with digital copies of the plan for their review. The staff's recommendation is for the board to approve the plan for submission to partnering agencies.

Per Nebraska Revised Statute, Section 2-3276, each Natural Resources District (NRD) is required to maintain a Master Plan, which is an account of goals, objectives, and desired outcomes for the ten years following its adoption. This plan is required to address the 12 purposes in Nebraska Revised Statute, Section 2-3229 including: (1) erosion prevention and control, (2) prevention of damages from flood water and sediment, (3) flood prevention and control, (4) soil conservation, (5) water supply for any beneficial use, (6) development, management, utilization, and conservation of ground water and surface water, (7) pollution control, (8) solid waste disposal and sanitary drainage, (9) drainage improvement and channel rectification, (10) development and management of fish and wildlife habitat, (11) development and management of recreational and park facilities, and (12) forestry and range management.

Nebraska Revised Statute, Section 2-3276 reads as follows: "By August 1, 1979, each NRD shall prepare and adopt a master plan to include but not be limited to a statement of goals and objectives for each of the purposes stated in section 2-3229. The master plan shall be reviewed and updated as often as deemed necessary by the district, but in no event less often than once each ten years. A copy of the master plan is adopted, and all revisions and updates thereto shall be filed with the department and other sister agencies [Nebraska Dept. of Water, Energy, and Environment, the Governor's Policy Research Office, and the Nebraska Game and Parks Commission].

In years past, the UBBNRD developed a Long-Range Implementation Plan in addition to the Master Plan, [Nebraska Revised Statute, Section 2-3277] Nebraska Revised Statute, Section 2-3277 was replead on July 1, 2025. It was moved by Kuehner and seconded by Yates to approve the 2025 Master Plan and instruct staff to submit the approved plans to partnering agencies. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Peterson

ITEM 23. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR AUGUST 2025.

Eigenberg reviewed the financial report for the period August 1, 2025, to August 31, 2025, that was distributed. It was moved by Yates and seconded by Siebert to approve the financial report for August 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, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: Houdersheldt, Peterson

ITEM 24. MOTION TO ADJOURN.

It was moved by Siebert and seconded by Eberspacher to adjourn the meeting at 8:05 p.m. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Peterson

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 18, 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.

Matthew Perry, Secretary

ndb

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

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 16, 2025, at 7:00 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

The directors present were Paul Bethune, Doug Dickinson, Andrew Eberspacher, Roger Houdersheldt, John Miller, Mike Nuss, Kevin Peterson, Kendall Siebert, Bill Stahly, Brian Stahr, Paul Weiss, and Lynn Yates. Staff and others in attendance were David Eigenberg, Marie Krausnick, Nancy Brisk, Terry Julesgard, Sierra Luhn, Jack Wergin, Drew ten Bensel, and Tracy Cannon of AMGL.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Miller stated that the legal notice of the board of directors' meeting was published on October 14, 2025, in the York News-Times.

ITEM 2. PLEDGE OF ALLEGIANCE.

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

ITEM 3. OPEN MEETINGS ACT.

Chairperson 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. REQUEST FOR EXCUSED ABSENCE.

Anthony Bohaty, Richard Bohaty, Bill Kuehner, Teresa Otte, and Matt Perry requested excused absences for the October 16, 2025, board meeting. It was moved by Eberspacher and seconded by Yates to excuse the absence of A. Bohaty, R. Bohaty, Kuehner, Otte and Perry from the October 16, 2025, board of directors meeting as requested. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 6. ADOPTION OF THE AGENDA.

It was moved by Houdersheldt and seconded by Dickinson to adopt the agenda for the October 16, 2025, board of directors meeting as presented. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 7. APPROVE MINUTES OF FY2026 TAX REQUEST HEARING.

It was moved by Peterson and seconded by Stahr to approve the minutes of the FY2026 Tax Request Hearing. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 8. APPROVE MINUTES OF SEPTEMBER 18, 2025, BOARD MEETING.

It was moved by Stahly and seconded by Dickinson to approve the minutes of the September 18, 2025, board of directors meeting. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSTAIN: Houdersheldt

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 9. STAFF RECOGNITION.

Jack Wergin, Projects and Programs Department Manager, was recognized for 10 years of service to the district.

ITEM 10. FY 2025 AUDIT – TRACY CANNON, AMGL.

Tracy Cannon of AMGL CPAs & Advisors presented the FY 2025 audit to the board. She reviewed the management discussion and analysis, financials, and changes to how we report accrued unpaid sick leave as required by GASB 101, *Compensated Absences*. The audit did recommend that the board adopt a formal capitalization policy of at least \$2,500. The audit did not identify any deficiencies in internal controls that were considered material weaknesses. Due to the size of the accounting and administrative staff the district is unable to provide optimum segregation of duties, which is deemed a significant deficiency. Ms. Cannon did state that this is a common issue with most small employers.

It was moved by Houdersheldt and seconded by Bethune to accept the FY 2025 audit as presented.

Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

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

Siebert reported that the Water and Regulations Committee met October 7, 2025, and presented the committee's recommendations.

ITEM 12. WATER METER REPAIR COST-SHARE PAYMENTS.

Two water meter repair cost-share assistance applications were reviewed by staff and recommended for final payments, totaling \$714.50. It was moved by Siebert and seconded by Peterson to make cost-share payments for two water meter repair cost-share assistance applications, as reviewed by the committee, in the amount of \$714.50. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 13. HDR ENGINEERING INVOICE – HAMILTON COUNTY/CITY OF AURORA WATER SUSTAINABILITY STUDY.

An invoice was received from HDR Engineering for work completed August 24, 2025, to September 27, 2025, on the Hamilton County/City of Aurora Water Sustainability Study in the amount of \$6,576.96. The Water Sustainability Fund will cover 60% and the remaining 40% will be split between the three partners. The district will bill the partners for their share which is \$871.45 each. It was moved by Siebert and seconded by Stahr to pay HDR Engineering for work completed August 24, 2025, to September 27, 2025, in the amount of \$6,576.96. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 14. ENVIRONMENTAL SCIENCE ASSOCIATES (ESA) – MANAGED SERVICES AGREEMENT AND ORDER FORM.

The staff received a managed services agreement from Environmental Science Associates (ESA) for the continued application management, hosting and technical support of the water accounting platform managed by them. The one-year service and fee are \$12,000.00. This is the Nitrogen Use Efficiency Dashboard and Water Pooling Accounting Platform used to generate reports which are mailed to the cooperators. It was moved by Siebert and seconded by Peterson to accept the managed services agreement from Environmental Science Associates and pay the one-year service and fee of \$12,000.00.

Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 15. RULES ENFORCEMENT UPDATE - PHASE II/III REPORTING.

Jordan Overturf has come into compliance with Rule 5, Chapter 22, Paragraph 06.

It was moved by Siebert and seconded by Yates to lift order of cease and desist on Jordan Overturf for coming into compliance with Rule 5, Chapter 22, Paragraph 06. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 16. RULES ENFORCEMENT UPDATE – PHASE III IRRIGATION SAMPLING.

Staff issued letters of intent to file orders of cease-and-desist September 12th for Other Water Users who have not reported, and Phase III producers who have not submitted irrigation water samples as required. All the Other Water Users have come into compliance. Four producers remain out of compliance for Phase III Irrigation Sampling as required by Rule 5, Chapter 24, Paragraph 03: Phase III irrigation water nitrate analysis—The operator must have the irrigation water tested for nitrates at least once every three (3) years. Staff have followed the steps outlined in the District's Rules and Regulations and issued a complaint notice, violation notice, and an intent to issue an order of cease and desist/schedule of compliance notice. It was moved by Siebert and seconded by Yates to issue orders of

cease and desist on AF Farms Inc, in care of Adam Fritz, Greg Gerkensmeyer, Michael C. Griess, and Logan M. Otto II for non-compliance with Rule 5, Chapter 24, Paragraph 03 Phase III irrigation water nitrate analysis. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 17. CIVICPLUS ANNUAL RENEWAL AND MAINTENANCE.

Staff are working with CivicPlus regarding their invoice and statement of work totaling \$45,483.13. The invoice does cover both the maintenance and the producer online portal for our Beehive platform. Staff questioned the increased cost and are in discussions with CivicPlus. They have a standard annual increase of 5% on accounts and the district is attempting to have this percentage decreased. Julesburg anticipated a response from CivicPlus prior to the board meeting, but no additional information was available for the board to review. It was moved by Siebert and seconded by Houdersheldt to refer the matter back to the Water and Regulations committee in November for consideration. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 18. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberspacher reported that the Projects and Programs Committee met on October 9, 2025, and presented the committee's recommendations.

ITEM 19. LAND TREATMENT PROGRAM UPDATE AND PAYMENTS.

There were two new Nebraska Soil and Water Conservation Program (NSWCP) land treatment applications, three new NRD WQMP cover crop applications, and two new NRD reverse osmosis system applications in the month of September. The committee reviewed the land treatment program funding for FY2026. The Nebraska Department of Water, Energy, and Environment (DWEE) reallocated unspent FY2025 NSWCP land treatment funds to each NRD for FY2026. The Upper Big Blue NRD received an additional \$39,380.00, which brings the total FY2026 Upper Big Blue NRD NSWCP allocation to \$118,980.46. It was moved by Eberspacher and seconded by Yates to pay for three completed NRD WQMP cover crop projects totaling \$7,500.00 as reviewed by the committee. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

It was moved by Eberspacher and seconded by Siebert to pay for two completed NRD reverse osmosis systems as reviewed by the committee, totaling \$1,000.00. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Yates, Miller

NAY: Weiss

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 20. NEBRASKA NITROGEN REDUCTION INCENTIVE ACT (NiRIA).

Staff continue to receive reports on applied nitrogen from cooperators participating in the NiRIA Program. The first group of payments are ready for approval. The Nebraska Department of Water, Energy and Environment (DWEE) has secured funding for the 2026 growing season from the Nebraska Corn Board totaling \$1,000,000.00 to continue this program. The Upper Big Blue NRD share is \$97,806.73. The deadline to apply for 2026 is November 15, 2025.

It was moved by Eberspacher and seconded by Stahly to pay for 48 completed fields (21 cooperators) that have met the Nitrogen Incentive Reduction Act (NiRIA) requirements for 2025 totaling \$83,398.98, as reviewed by the Committee. The NRD will make these payments and will be reimbursed by DWEE.

Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 21. STORM DAMAGED TREE PROGRAM.

A few storm damaged tree program applications were approved in FY2025 that will be reimbursed in FY2026. It was moved by Eberspacher and seconded by Yates that the Upper Big Blue NRD make payment on two completed storm damaged tree applications in the amount of \$494.99, as reviewed by the committee. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 22. TREE PRICES FOR 2025-2026.

Staff reviewed the tree prices for the past few years and recommended raising the price to \$1.20 per tree and \$1.20 for labor to plant each tree. It was moved by Eberspacher and seconded by Yates that the NRD set the 2026 price for trees at \$1.20 per tree and the 2026 price for NRD to plant trees at \$1.20 per tree, as reviewed by the committee. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 23. OXBOW TRAIL RECREATION AREA – ADA FISHING DOCK.

Staff received two quotes for installing an EZ Dock ADA accessible fishing dock at Oxbow Trail like the ADA fishing dock at Recharge Lake. Staff have a concrete contractor scheduled to install a headwall to anchor the dock to the exiting fishing pier. Staff are working on the design of an ADA sidewalk and handrail to access the dock, which will be presented to the committee at the November meeting.

It was moved by Eberspacher and seconded by Houdersheldt to accept the bid of \$32,932.00 from MD Aquatics of Lincoln to install an ADA accessible fishing dock at Oxbow Trail Recreation Area as reviewed by the committee. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

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

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

ITEM 25. THIRD QUARTER DIRECTORS' PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem & expenses for this past quarter. Totals for the third quarter per diem were \$9,170.00 and expenses were \$4,115.44 for a total expenditure of \$13,285.44. It was moved by Yates and seconded by Stahr to approve payment of third quarter 2025 directors' per diem. Totals for the third quarter directors' per diem are \$9,170.00 and expenses are \$4,115.44, for a total of \$13,285.44, and to publish these approved expenditures in the September 2025 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, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 26. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR SEPTEMBER 2025.

Eigenberg reviewed the financial report for the period September 1, 2025, to September 30, 2025, that was distributed. It was moved by Houdersheldt and seconded by Peterson to approve the financial report for September 2025 and approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, Perry

ITEM 27. MOTION TO ADJOURN.

It was moved by Eberspacher and seconded by Houdersheldt to adjourn the meeting at 8:15 p.m.

Motion carried.

AYE: Bethune, Dickinson, Eberspacher, Houdersheldt, Nuss, Peterson, Siebert, Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: A. Bohaty, R. Bohaty, Kuehner, Otte, 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 October 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.

Matthew Perry, Secretary

ndb

MINUTES
BOARD OF DIRECTORS' MEETING
November 20, 2025

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

The directors present were Paul Bethune, Anthony Bohaty, Richard Bohaty, Doug Dickinson, Andrew Eberspacher, Roger Houdersheldt, William Kuehner, John Miller, Mike Nuss, Matthew Perry, Kevin Peterson, Kendall Siebert, Bill Stahly, Brian Stahr, Paul Weiss, and Lynn Yates. Staff and others in attendance were David Eigenberg, Marie Krausnick, Nancy Brisk, Terry Julesgard, Jack Wergin, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

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

ITEM 2. PLEDGE OF ALLEGIANCE.

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

ITEM 3. OPEN MEETINGS ACT.

Chairperson 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. Anthony Bohaty arrived at 1:35 p.m.

ITEM 5. ADOPTION OF THE AGENDA.

It was moved by Dickinson and seconded by Yates to adopt the agenda for November 20, 2025, board of directors meeting as presented. Motion carried.

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

NAY: None

ABSENT: A. Bohaty

ITEM 6. APPROVE MINUTES OF OCTOBER 16, 2025, BOARD MEETING.

It was moved by Yates and seconded by Bethune to approve the minutes of October 16, 2025, board of directors meeting. Motion carried.

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

NAY: None

ITEM 7. STAFF RECOGNITION.

Secretary Angie Johnson was recognized for 5 years of service to the district.

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

Siebert reported that the Water and Regulations Committee met November 17, 2025, and presented the committee's recommendations.

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

It was moved by Siebert and seconded by Eberspacher to make cost-share payments for three well abandonments, as reviewed by the committee, at a cost of \$1,911.97. Motion carried.

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

NAY: None

ITEM 10. CHEMIGATION COST-SHARE PAYMENTS.

It was moved by Siebert and seconded by Peterson to make cost-share payments for nine chemigation cost-share assistance applications as reviewed by the committee, in the amount of \$6,035.75. Motion carried.

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

NAY: Houdersheldt, Weiss

ITEM 11. HDR ENGINEERING INVOICE – HAMILTON COUNTY/CITY OF AURORA WATER SUSTAINABILITY STUDY.

An invoice was received from HDR Engineering for work completed September 28 to November 1, 2025, on the Hamilton County/City of Aurora Water Sustainability Study in the amount of \$17,762.98. HDR is finishing the draft report which should be available for partners to review in December. A final report and presentation are planned for January. The Water Sustainability Fund will cover 60% and the remaining 40% will be split between the three partners. The district will bill the partners for their share which is \$2,353.59 each. It was moved by Siebert and seconded by Stahly to pay HDR Engineering for work completed September 28, 2025, to November 1, 2025, in the amount of \$17,762.98. Motion carried.

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

NAY: None

ITEM 12. CIVICPLUS ANNUAL RENEWAL AND MAINTENANCE.

A Statement of Work (SOW) was received from CivicPlus which covers the annual maintenance and hosting for staff desktop portals and online producer portal for the Beehive platform. Once the Statement of Work is signed and returned an invoice will be sent. The annual renewal for this year is \$43,777.51. It was moved by Siebert and seconded by Stahr to approve the Statement of Work and to authorize General Manager, David Eigenberg, to sign and to make annual renewal payment of \$43,777.51 upon receipt of the invoice. Motion carried.

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

NAY: None

ITEM 13. NITRATE MOVEMENT STUDY INTERLOCAL AGREEMENT WITH LOWER LOUP AND CENTRAL PLATTE NRD.

To accomplish the Nitrate Movement Study an interlocal agreement between Lower Loup and Central Platte Natural Resources Districts has been drafted. The interlocal agreement outlines the responsibilities of each District for the duration of the Water Sustainability Grant. The purpose of the grant is to track nitrogen movement through the soil profile by collecting soil samples throughout the year focusing on in-season nitrate movement. It was moved by Siebert and seconded by Houdersheldt to enter an interlocal agreement with Lower Loup NRD and Central Platte NRD to accomplish the Nitrate Movement Study within the three Districts. Motion carried.

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

NAY: None

ITEM 14. NITRATE MOVEMENT STUDY REQUEST FOR PROPOSALS.

Staff requested permission to develop a Request for Proposal to solicit bids for a contractor to collect the soil samples for the Nitrate Movement Study. A staff member will be on site for quality control and to transport the samples to the laboratory. Staff plan to have proposals from contractors for the December Water and Regulation Committee meeting. It was moved by Siebert and seconded by Peterson to instruct staff to develop a Request for Proposals for the collecting of soil samples for the Nitrate Movement Study. Motion carried.

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

NAY: None

ITEM 15. RULES ENFORCEMENT UPDATE - PHASE III IRRIGATION WATER SAMPLING.

Logan Otto II has come into compliance with Rule 5, Chapter 24, Paragraph 03. It was moved by Siebert and seconded by Nuss to lift the order of cease and desist on Logan Otto II for coming into compliance with Rule 5, Chapter 24, Paragraph 03. Motion carried.

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

NAY: None

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

Richard Bohaty reported that the Projects and Programs Committee met on November 17, 2025, and presented the committee's recommendations.

ITEM 17. LAND TREATMENT PROGRAM PAYMENTS.

It was moved by R. Bohaty and seconded by Nuss to pay for three completed NRD reverse osmosis systems with total cost-share of \$1,280.85 as reviewed by the committee. Motion carried.

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

NAY: Weiss

It was moved by R. Bohaty and seconded by Eberspacher to pay for two completed NRD WQMP cover crop projects totaling \$13,650.00 as reviewed by the committee. Motion carried.

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

NAY: None

ITEM 18. NEBRASKA NITROGEN REDUCTION INCENTIVE ACT (NiRIA).

Staff continue to receive reports on applied nitrogen from cooperators participating in the NiRIA Program. The second group of payments are ready for approval. The Nebraska Department of Water, Energy and Environment has secured funding for the 2026 growing season from the Nebraska Corn Board totaling \$1,000,000.00 to continue this program. The UBBRD share for 2026 is \$97,806.73. The deadline for 2026 was November 15, 2025. The State may extend this deadline. It was moved by R. Bohaty and seconded by Eberspacher to pay for 11 completed fields (6 cooperators) that have met the Nitrogen Incentive Reduction Act (NiRIA) requirements for 2025 totaling \$18,353.55, as reviewed by the Committee. The NRD will make these payments and will be reimbursed by DWEE. Motion carried.

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

NAY: None

ABSENT: Stahly

ITEM 19. PRIVATE DAMS PROGRAM PAYMENT.

Kirvanek Construction has completed the Michale Fiala private dam south of Oxbow Trail. Mike Nelson Land Development will complete the TM & DH private dam west of Sutton soon. The landowner is responsible for paying the contractor and the NRD will reimburse the landowner. It was moved by R. Bohaty and seconded by Nuss that the Upper Big Blue NRD make payment of \$39,560.01 (75% of the total cost of \$52,746.68) to Michael Fiala for the completed Michael Fiala private dam. Motion carried.

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

NAY: Weiss, Yates

NOT VOTING: Stahly

ITEM 20. BRUNER DAM – NOBLE DAM – CURED IN PLACE PIPE LINING UPDATE.

Subsurface Inc has completed the cured in place pipe lining projects at Bruner Dam and Noble Dam. A deduction of \$2,500.00 from the bid price of \$58,050 was made for the non-completion of the canopy inlet repair at Noble Dam. NRD staff plans to install an anti-vortex inlet on both Bruner Dam and Noble Dam. It was moved by R. Bohaty and seconded by Houdersheldt that the Upper Big Blue NRD make a payment of \$55,550.00 to Subsurface Inc. for the cured in place pipelining projects at Bruner Dam and Noble Dam in Butler County. Motion carried.

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

NAY: None

ITEM 21. OXBOW TRAIL RECREATION AREA.

MD Aquatics will be installing the new ADA fishing dock. They are currently waiting for the ramp to be delivered before starting the installation. The headwall for connecting the dock to the pier has been installed.

Staff contacted four concrete contractors for the ADA accessible sidewalk from the existing sidewalk to the end of the fishing pier. This sidewalk will be reinforced to prevent heaving between sections of sidewalk. To limit the amount of earthwork, the new sidewalk will include two sections of ramps that require handrails. These 2 sections of steeper slope (12:1) fit very well with the existing walk path down

to the pier. There must be a flat section of sidewalk between ramps. The new sidewalk was designed with 2 – 30 foot 12:1 ramps that will require handrails on both sides.

Staff contacted 4 companies that make handrails. Sidewalk ramps can be placed on 12:1:slopes if they include handrails. Staff suggested ordering 4 – 30 foot long aluminum handrails to be installed by NRD staff on both sides of the two planned sidewalk ramps.

It was moved by R. Bohaty and seconded by Eberspacher that the NRD select the bid of \$14,283.00 from Dankers Concrete of Pleasant Dale to install the reinforced sidewalk from the end of the fishing pier to the existing sidewalk at Oxbow Trail Recreation Area. Motion carried.

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

NAY: None

It was moved by R. Bohaty and seconded by Perry that the NRD select the bid of \$7,470.00 for 4 – 30 foot long aluminum handrails from H & W Stair and Rail of Lincoln to be installed on the ramp sections of sidewalk at Oxbow Trail Recreation Area. NRD staff will install these handrails. Motion carried.

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

NAY: None

ITEM 22. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Executive Committee met on November 17, 2025, and presented the committee's recommendations.

ITEM 23. PAYMENT TO NORTH PRINTING & OFFICE SUPPLY FOR PHASE II & III NEWSLETTER.

An invoice for \$3,618.19 was received from North Printing & Office Supply for printing the Phase II & III Newsletter. It was moved by Kuehner and seconded by Peterson to approve payment to North Printing & Office Supply in the amount of \$3,618.19 for printing the Phase II & III newsletter. Motion carried.

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

NAY: None

ITEM 24. PAYMENT TO AMGL CPAS & ADVISORS FOR FY2025 AUDIT.

An invoice for \$9,750.00 was received from AMGL CPAs & Advisors for conducting the FY 2025 Audit.

It was moved by Kuehner and seconded by Houdersheldt to approve payment of \$9,750.00 to AMGL CPAs & Advisors for conducting the FY 2025 Audit. Motion carried.

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

NAY: None

ITEM 25. RESOLUTION ADDING ROTH ELECTIVE DEFERRAL OPTION TO 457 DEFERRED COMP PLAN.

At the NARD Board meeting on November 10, 2025, directors approved adding Roth elective deferrals to the NARD 457 Plan effective January 1, 2026. It was moved by Kuehner and seconded by Perry to adopt the resolution to add Roth elective deferrals to the NARD 457 Plan effective January 1, 2026. Motion carried.

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

ITEM 26. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR OCTOBER 2025.

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

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

NAY: None

ITEM 27. MOTION TO ADJOURN.

It was moved by Houdersheldt and seconded by Perry to adjourn the meeting at 2:56 p.m. Motion carried.

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

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 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.

Matthew Perry, Secretary

ndb

MINUTES
BOARD OF DIRECTORS' MEETING
December 18, 2025

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, December 18, 2025, at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

The directors present were Paul Bethune, Anthony Bohaty, Richard Bohaty, Doug Dickinson, Andrew Eberspacher, Justin Elge, William Kuehner, John Miller, Matthew Perry, Kevin Peterson, Kendall Siebert, Bill Stahly, Brian Stahr, Paul Weiss, and Lynn Yates. Staff and others in attendance were David Eigenberg, Marie Krausnick, Nancy Brisk, Terry Julesgard, Jack Wergin, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

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

ITEM 2. PLEDGE OF ALLEGIANCE.

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

ITEM 3. OPEN MEETINGS ACT.

Chairperson 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.

Fourteen directors were present during roll call.

ITEM 5. DIRECTOR REQUEST FOR EXCUSED ABSENCE.

It was moved by Peterson and seconded by Siebert to excuse the absence of Houdersheldt from the December 18, 2025, board of directors meeting as requested. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Nuss

ITEM 6. ADOPTION OF THE AGENDA.

It was moved by Stahly and seconded by Siebert to adopt the agenda for December 18, 2025, board of directors meeting as presented. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Nuss

ITEM 7. APPROVE MINUTES OF NOVEMBER 20, 2025, BOARD MEETING.

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

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

NAY: None

ABSENT: Houdersheldt, Nuss

ITEM 8. APPOINTMENT TO FILL AT-LARGE SUBDISTRICT VACANCY.

The Executive Committee reviewed the Upper Big Blue NRD Operating Policy and the guidelines from the Nebraska Secretary of State on the protocol to fill a vacant director position. Management published notices in several newspapers in the district and posted the notice and application on the district website. As of 1:00 p.m., Wednesday, December 10, 2025, five applications were received to fill the at-large position. All the applicants reside in the district and are registered voters. Candidates were Ronda Rich, Justin Elge, Gregory Whitmore, Jason M. Tempel, and Jeffery Wochner. The Executive Committee voted to forward all five candidates for the at-large director's position to the full board for consideration and appointment. All five candidates were present at the meeting. Chairperson Miller allowed each candidate five minutes to address the board prior to voting. The voting results for each candidate are listed below.

ELGE: A. Bohaty, R. Bohaty, Eberspacher, Kuehner, Siebert, Stahly, Stahr, Yates, Miller

RICH: Bethune, Dickinson

TEMPEL: None

WHITEMORE: Perry, Peterson, Weiss

WOCHNER: None

It was moved by Perry and seconded by Peterson to appoint Justin Elge to fill the unexpired term for the at-large subdistrict vacancy. Motion carried.

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

NAY: None

ABSENT: Dickinson, Houdersheldt, Nuss

Elge was administered the oath of office and seated on the board.

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

Siebert reported that the Water and Regulations Committee met December 11, 2025, and presented the committee's recommendations.

ITEM 10. GROUNDWATER TRANSFER AUTHORIZATION.

Carolyn Korgan owns 80.86 acres in the E1/2 NE1/4 of Section 29-T08N-R08W, which is the source tract. Carolyn Korgan also owns the NW1/4 of Section 28-T08N-R08W, which is the destination tract, which has 38.7 acres to be irrigated. Both tracts are in Clay County. This transfer fits within the groundwater transfer rules. It was moved by Siebert and seconded by Peterson to approve groundwater transfer T-133. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Nuss

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

Seven aquifer quality well abandonment cost-share assistance program applications have been reviewed by staff and recommended for final payments, totaling \$5,188.47. It was moved by Siebert and seconded by Stahly to make cost-share payments for seven well abandonments, as reviewed by the committee, at a cost of \$5,188.47. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Nuss

ITEM 12. CHEMIGATION COST-SHARE PAYMENT.

One chemigation cost-share application was reviewed by staff and recommended for final payment of \$521.99. It was moved by Siebert and seconded by Dickinson to make cost-share payment for one chemigation cost-share assistance application, as reviewed by the committee, in the amount of \$521.99. Motion carried.

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

NAY: Weiss

ABSENT: Houdersheldt, Nuss

ITEM 13. WATER METER REPAIR COST-SHARE PAYMENT.

One water meter repair cost-share assistance application was reviewed by staff and recommended for final payment totaling \$500.00. It was moved by Siebert and seconded by Yates to make cost-share payment for one water meter repair cost-share assistance application, as reviewed by the committee, in the amount of \$500.00. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Nuss

ITEM 14. WATER METER MAINTENANCE – SANDERSON IRRIGATION INVOICE.

An invoice was received from Sanderson Irrigation for water meter maintenance completed to date. The invoice was for 303 meters serviced along with gaskets and canopy boots. Sanderson's crew started November 25th on the 2,126 meters in meter maintenance area two which includes parts of Adams, Clay, York, and Hamilton Counties. It was moved by Siebert and seconded by Stahr to pay the invoice from Sanderson Irrigation in the amount \$27,893.76. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Nuss

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

Richard Bohaty reported that the Projects and Programs Committee met on December 11, 2025, and

presented the committee's recommendations.

ITEM 16. LAND TREATMENT COST-SHARE PROGRAM PAYMENTS.

It was moved by R. Bohaty and seconded by Eberspacher to pay for two completed NRD reverse osmosis systems with total cost-share of \$930.90 as reviewed by the committee. Motion carried.

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

NAY: Weiss

ABSENT: Houdersheldt, Nuss

It was moved by R. Bohaty and seconded by Siebert to pay for three completed NRD land treatment - WQMP cover crop projects totaling \$11,367.25, as reviewed by the committee. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Nuss

ITEM 17. NEBRASKA NITROGEN REDUCTION INCENTIVE ACT (NiRIA) PAYMENTS.

Staff have received several applications for the 2026 growing season. Nebraska Department of Water, Energy and Environment (DWEE) has secured funding for the 2026 growing season from the Nebraska Corn Board totaling \$1,000,000.00 to continue this program. The UBBNRD share for 2026 is \$97,806.73. The deadline to apply for 2026 was extended to December 15, 2025. In 2025 the maximum cost-share was set at \$7,500.00. The committee requested we add operator names to the corporate applications and also that we add the total acres of each application to the summary. It was moved by R. Bohaty and seconded by Siebert to pay for 45 completed fields (12 cooperators) that have met the Nitrogen Incentive Reduction Act (NiRIA) requirements for 2025 totaling \$57,810.03, as reviewed by the committee. The NRD will make these payments and will be reimbursed by DWEE. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Nuss

ITEM 18. NEBRASKA BUFFER STRIP PROGRAM SECOND QUARTER PAYMENTS.

The NRD pays cooperators for the Nebraska buffer strip program contracts, and the State reimburses the NRD. It was moved by R. Bohaty and seconded by Siebert that the Upper Big Blue NRD make payment of \$2,978.24 for four Nebraska buffer strip program contracts for the 2nd quarter of FY26.

Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Nuss

ITEM 19. PRIVATE DAMS PROGRAM PAYMENT REQUEST.

Mike Nelson Land Development completed the TM & DH Farms private dam west of Sutton. The construction costs totaled \$88,724.77, and the private engineering fees were \$10,990.00 which results in a total cost of \$99,714.77. The landowner is responsible for paying the contractor and the NRD

reimburses the landowner. It was moved by R. Bohaty and seconded by Eberspacher that the Upper Big Blue NRD make payment of \$74,786.08 (75% of the total cost of \$99,714.77) to TM & DH Farms for the completed TM & DH Farms private dam. Motion carried.

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

NAY: Weiss, Yates

ABSENT: Houdersheldt, Nuss

ITEM 20. OXBOW TRAIL RECREATION AREA ADA FISHING DOCK.

MD Aquatics finished installing the ADA fishing dock and submitted an invoice in the amount of \$32,932.00 per bid. Dankers Concrete is set to begin installing the sidewalk this week. It was moved by R. Bohaty and seconded by Eberspacher that the NRD make a payment of \$32,932.00 to MD Aquatics for installing the ADA fishing dock at Oxbow Trail Recreation Area. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Nuss

ITEM 21. 2026 SKID STEER LEASE – YORK EQUIPMENT.

The contract for the skid steer lease from York Equipment is set to renew. The lease invoice for \$6,500 is the same as last year. It was moved by R. Bohaty and seconded by Yates that the Upper Big Blue NRD make a payment of \$6,500.00 to York Equipment for the 2026 one-year lease (up to 300 hours) for a Bobcat T770 Track Loader. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Nuss

ITEM 22. REVIEW RULE 6 – UPPER BIG BLUE NRD PARKS REGULATIONS.

Legal has completed a review of the draft Rule 6 and their comments have been addressed. It was moved by R. Bohaty and seconded by Eberspacher that the NRD set a hearing for accepting Rule 6 with changes for 1:00 p.m., on Thursday, January 15, 2026. Motion carried.

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

NAY: None

ABSENT: Houdersheldt, Nuss

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

Kuehner reported that the Executive Committee met on December 11, 2025, and presented the committee's recommendations.

ITEM 24. EARLY CLOSURE CHRISTMAS EVE DAY.

During the November Executive Committee meeting, the general manager informed the committee of his intention to close the office early on Christmas Eve. It was moved by Kuehner and seconded by Peterson that the office be closed at 12:00 noon on December 24, 2025, in observance of Christmas. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Elge, Kuehner, Perry, Peterson, Siebert,

Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: Houdersheldt, Nuss

ITEM 25. FINANCIAL REPORT AND PUBLICATION OF EXPENDITURES FOR NOVEMBER 2025.

Eigenberg reviewed the financial report for the period November 1, 2025, to November 30, 2025, that was distributed. It was moved by Yates and seconded by Bethune to approve the financial report for November 2025 and approve payments of the accounts payable and publish the expenditures. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Elge, Kuehner, Perry, Peterson, Siebert,

Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: Houdersheldt, Nuss

ITEM 26. MOTION TO ADJOURN.

It was moved by Peterson and seconded by Yates to adjourn the meeting at 3:11 p.m. Motion carried.

AYE: Bethune, A. Bohaty, R. Bohaty, Dickinson, Eberspacher, Elge, Kuehner, Perry, Peterson, Siebert,

Stahly, Stahr, Weiss, Yates, Miller

NAY: None

ABSENT: 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 December 18, 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.

Matthew Perry, Secretary

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