

CITY OF BROKEN BOW CITY COUNCIL AGENDA March 23, 2021 @ 6:00 PM Municipal Auditorium 314 South 10th Avenue, Broken Bow, NE

Meeting Procedure

The Public may address specific agenda items at the pleasure of the Mayor. Please come to the podium, state your name and address, and limit your remarks to five minutes or less. Out of respect to City employees, we request that any complaints or criticisms of employees not be aired in a public meeting. Concerns about employees should be brought to the attention of the City Administrator or Mayor. An individual in violation will be declared out of order.

A. Call to Order

- **B.** Open Meetings Act: In accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available and is posted for review by all citizens.
- C. Roll Call
- D. Pledge of Allegiance
- **E. Submittal of Requests for Future Items:** Individuals who have appropriate items for City Council consideration should complete the Request for Future Agenda Items. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given.
- **F.** Consent Agenda: Consideration of approving the consent agenda items for March 23, 2021, which will include the following:
 - a. Approval of Minutes of March 9, 2021 Meeting
 - b. Approval of Bills as Posted

G. New Business:

- **a.** Audit Report Consideration of Approving the Annual Audit Report for the year ending September 30, 2020.
- b. Public Hearing, on Variance Application Country Club Estates, to waive or withdraw requirement at Section 9.2 sub section 3b that provides, provided that in no case shall said minimum lot be less than one acre in an area where there is public water supply available at the lot, and two and a half acres where there is not public water supply. Consideration of opening a public hearing to waive or withdraw requirement at Section 9.2 sub section 3b of the Zoning Ordinance.
- **c.** Variance Application for Country Club Estates Consideration of Approving Variance Application for Country Club Estates.

H. Adjournment

The next City Council Meeting will be on Tuesday, April 13, 2021 @ 6:00 pm.

^{**}Please click on the letter next to the agenda item to see the information associated with that item.



CITY OF BROKEN BOW CITY COUNCIL AGENDA March 23, 2021 @ 6:00 PM Municipal Auditorium 314 South 10th Avenue, Broken Bow, NE

Upcoming Events

- ❖ April 5 Park Board Meeting at 5:10 pm @ Municipal Building
- ❖ April 12 Board of Public Works at 12:30 pm @ Municipal Building
- April 13 City Council Meeting at 6:00 pm @ Municipal Building
- ❖ April 21 Planning Commission at 12:00 pm @ Municipal Building
- ❖ April 26 Board of Public Works at 12:30 pm @ Municipal Building
- April 27 City Council Meeting at 6:00 pm @ Municipal Building

The Council will review the above matters and take such action as they deem appropriate. The Council may enter into closed session to discuss any matter on this agenda when it is determined by the Council that it is clearly necessary for protection of the public interest or the prevention of needless injury to the reputation of any individual and if such individual has not requested a public meeting, or as otherwise allowed by law. Any closed session shall be limited to the subject matter for which the closed session was classed. If the motion to close passes, immediately prior to the closed session the Mayor shall restate on the record the limitation of the subject matter of the closed session.

^{**}Please click on the letter next to the agenda item to see the information associated with that item.

Broken Bow City Council Meeting Minutes March 9, 2021

The Broken Bow City Council met in regular session on Tuesday, March 9, 2021 in the Broken Bow Municipal Auditorium. Notice of the meeting was given in advance thereof as required by publication in the Custer County Chief on March 4, 2021. Availability of the agenda and related materials was communicated in the advanced notice to the Mayor and all members of the Council, as well as, shared with various media outlets. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Mayor Rod Sonnichsen called the meeting to order at 6:00 P.M., with the following Councilmembers present: Jacob Holcomb, Chris Myers, and Larry Miller. Absent: David Schmidt. Mayor Sonnichsen announced the availability of the open meetings law, followed by reciting of the Pledge of Allegiance.

Mayor Sonnichsen read the format for submitting requests for future agenda items.

Moved by Holcomb, seconded by Miller, to approve the consent agenda for March 9, 2021. Said motion includes approval of the Minutes of the February 23, 2021 Council Meeting, Bills to Date, Broken Bow Ambulance Service Roster, Broken Bow Volunteer Fire Department Roster, and KaBoomers Fireworks Application. Roll call vote: Voting aye: Holcomb, Myers, and Miller. Nays: None. Motion carried.

Aflac, \$387.03; American Red Cross, lifeguarding, \$300.00; Black Hills Energy, gas, \$2,131.19; Broken Bow Airport Authority, monthly payment, \$1,083.33; Broken Bow Chamber of Commerce, ambulance incentive, \$900.00; Broken Bow Mun Utilities, Fuel, \$2,566.29; Broken Bow Municipal Utilities, utilities & trash, \$11,790.73; Broken Bow Rural Fire Board. Black Hills, BBMU, Great Plains, \$916.41; City of Broken Bow, CD Cell Closure Funds, \$2,626.00; CLIA Laboratory Program, CLIA, \$180.00; Card Services, \$1,297.28; Central Ne Economic Dev District, conference registration, \$120.00; City Flex Benefit Plan, \$135.00; City of Broken Bow, Health Insurance, \$2,822.80; City of Broken Bow, Pension Plan, \$7,632.18; Colonial Insurance, \$476.42; Custer County Chief, \$1,376.15; Custer County Treasurer, Communications Interlocal, \$12,120.58; Custer Public Power, CD Cell Power, \$122.21; DHHS Drinking Water, pool permit, \$40.00; EFTPS Online Payment, \$16,425.16; EZ IT Solutions. \$3,331.07; Eakes Office Supplies, copies & supplies, \$396.72; Family Heritage, \$25.50; Gateway Motors Inc., oil change, \$59.49; Hometown Leasing, copier lease, \$159.18; Insurance Aid Services, fees, \$1,408.91; Island Supply Welding Co., oxygen, \$42.68; Kellie Crowell, training, \$512.50; Mt. Custer Truck Sales, repairs, \$65.05; Municipal Emergency Services, equipment, \$10,680.00; Myers Construction, snow removal, \$3,097.50; Omaha State Bank, HSA, \$75.00; Prachts Ace Hardware, supplies, \$5.98; Pristine Cleaning, LLC, cleaning service. \$375.00; Quill Corp, supplies, \$205.50; Ranchland Ford, yearly service, \$800.49; Sandry Fire Supply, bunker gear, \$2,994.00; Sara J. Hulinsky, cleaning service, \$1,192.00; Schaper and White Law Firm, legal fees, \$1,720.83; Scott-Merriman, supplies, \$594.00; State Income Tax WH NE Online Payment, \$2,722.28; Steve Scott, reimbursement, \$72.39; Trotter Service, gasoline, \$2,303.44; V-Bar Sales & Service, supplies, snow pusher, \$395.66; Total Bills: \$98,683.93.

City Administrator, Dan Knoell made a request to the Council to make a motion to postpone the Public Hearing, on the Variance Application for Golf Course Estates to the next Council meeting held March 23, 2021. The request was made due to the Public Notice date being March 23.

2021. Moved by Myers, seconded by Holcomb to postpone the Public Hearing on the Variance Application for Golf Course Estates to the next Council meeting March 23, 2021. Roll Call vote: Voting aye: Myers, Holcomb, and Miller. Nays: None. Motion carried.

Moved by Myers, seconded by Miller, to approve appointing David Minnick, MD as the Broken Bow Ambulance Service Physician Medical Director and Jacob Karmazin as Physician Medical Director Surrogate. Roll Call vote: Voting aye: Myers, Miller, and Holcomb. Nays: None. Motion carried.

Moved by Holcomb, seconded by Miller, to approve Resolution 2021-5. Said resolution approves scrapping of personal property owned by the City of Broken Bow Water/Sewer Department that has been deemed surplus and unsafe for use, setting the value at less than \$500. The said property being the Chevy Custom Deluxe 20 Pickup, Vin ending in 4084. Roll Call vote: Voting aye: Myers, Miller, and Holcomb. Nays: None. Motion carried.

Moved by Miller, seconded by Myers, to adjourn the City Council Meeting at 6:11 p.m. Roll call vote: Voting aye: Miller, Myers, and Holcomb. Nays: None. Motion carried.

Rod Sonnichsen, Mayor

ATTEST:

Kandi K. Peters, City Clerk



Accounts Payable Detail Listing City of Broken Bow

Vandt	Vendor Name	City of Broken Bow		
	Post Date Due Date	Amount Invoice Date PO#	Date	Status
<u>1 dyn</u>	Account# Work O		Debit	Credit
30755	A.T. Parts and Equipment 3/23/2021 3/23/2021 08-3222.10	370.00 Snow Blower	370.00	Posted 0.00
30757	AKRS EQUIPMENT	265.14 supplies	265.14	Posted 0.00
30774 30775	Aflac 3/17/2021 3/17/2021 01-1501.00 3/17/2021 3/17/2021	295.41 PRE TAX AFLAC 91.62	295.41	Posted 0.00 Posted
	01-1501.00 Awards & More	AFLAC POST TAX	91.62	0.00
30769	3/23/2021 3/23/2021 02-3311.00	278.82 Name Plates	278.82	Posted 0.00
30758	08-3310.00	11.57 Repair	11.57	Posted 0.00
30759	Bob's Truck Repair 3/23/2021 3/23/2021 08-3310.00	164.86 Repair	164.86	Posted 0.00
30732	Card Services 3/23/2021 3/23/2021 01-3223.00	220.00 Stamps	220.00	Posted 0.00
30765	Carquest of Broken Bow 3/23/2021 3/23/2021 06-3223.00	13.28 supplies	13.28	Posted 0.00
JJ738	Central Ne Medical Clinic 3/23/2021 3/23/2021 03-3222.00	55.00 drug testing	55.00	Posted 0.00
30733	Century Link 3/23/2021 3/23/2021 10-3221.00 09-3221.00 03-3221.00 01-3221.00 04-3221.00	769.53 Swim Pool - Basic & Credit Card Park - Basic & Long Distance Handi Bus - Basic & Long Distance General -Basic & Long Distance Radio General -Basic & Long Distance Office Long Distance	148.99 62.48 76.64 85.49 163.49 232.44 769.53	Posted 0.00 0.00 0.00 0.00 0.00 0.00 0.00
30776	City Flex Benefit Plan 3/17/2021 3/17/2021 01-1501.00	135.00 SELECT FLEX-UNREIMBURSED M/D/V	135.00	Posted 0.00
30785	City of Broken Bow - Healt 3/17/2021 3/17/2021 01-1501.00	2,822.80 HEALTH INSURANCE	2,822.80	Posted 0.00
30762	City of Broken Bow Pension 3/23/2021 3/23/2021 01-1502.00	on Fund 2,771.13 Liability - BBHA	2,771.13	Posted 0.00
30777	3/17/2021 3/17/2021	1,460.41	4 400 44	Posted
30778	01-1513.00 3/17/2021 3/17/2021 01-1502.00	RETIREMENT LOAN PAYMENT 5,722.54 RETIREMENT NEW	1,460.41 5,722.54	0.00 Posted 0.00
30772	Colonial Insurance 3/17/2021 3/17/2021 01-1501.00 3/17/2021 3/17/2021 01-1501.00	341.32 COLONIAL LIFE PRE TAX 135.10 COLONIAL LIFE POST TAX	341.32 135.10	Posted 0.00 Posted 0.00
30736	Custer County Chief 3/23/2021 3/23/2021 07-3342.00	85.95 publication	85.95	Posted 0.00

Accounts Payable Detail Listing City of Broken Bow

Vend#	Vendor Name	City of Broken Bo	ow			
Pay#	Post Date Due Date	Amount Invoice	<u>Date</u>	PO#	<u>Date</u>	<u>Status</u>
		Order Descriptio	<u>n</u>		<u>Debit</u>	Credit
30753	David Baltz (continued) 3/23/2021 3/23/2021 05-3313.00	50.00 back ground check			50.00	Posted 0.00
30747	Demco 3/23/2021 3/23/2021 07-3223.00	60.58 supplies		ma No	60.58	Posted 0.00
30735	Dollar General-Regions 4 3/23/2021 3/23/2021 02-3223.00				46.37	Posted 0.00
30781	EFTPS Online Payment 3/17/2021 3/17/2021 01-1500.00	2,059.90 MEDICARE			2,059.90	Posted 0.00
30782	3/17/2021 3/17/2021 01-1500.00 01-1500.00	5,597.54 FEDERAL MARRIED FEDERAL SINGLE		Management	2,686.97 2,910.57 5,597.54	Posted 0.00 0.00 0.00
30783	3/17/2021 3/17/2021 01-1500.00	8,807.74 SOCIAL SECURITY			8,807.74	Posted 0.00
30746	Eakes Office Products 3/23/2021 3/23/2021 07-3223.00	52.35 supplies			52.35	Posted 0.00
30779	Family Heritage 3/17/2021 3/17/2021 01-1501.00	25.50 FAMILY HERITAGE			25.50	Posted 0.00
30750	Frontier Family Pharmac 3/23/2021 3/23/2021 05-3338.00	190.34 supplies			190.34	Posted 0.00
30751	Gary's Super Foods 3/23/2021 3/23/2021 05-3338.00	67.21 supplies			67.21	Posted 0.00
30739	Great Plains Communica 3/23/2021 3/23/2021 07-3221.00 08-3221.00 09-3221.00	ations 850.95 Internet Internet Internet		Management of the Control of the Con	780.00 35.47 35.48 850.95	Posted 0.00 0.00 0.00 0.00
30742	History Nebraska 3/23/2021 3/23/2021 07-3340.00	35.00 Subscription			35.00	Posted 0.00
30745	Ingram Library Services 3/23/2021 3/23/2021 07-3340.00	2,098.83 materials		30 M M	2,098.83	Posted 0.00
30756	John Deere Financial 3/23/2021 3/23/2021 09-3410.00	433.02 mower lease			433.02	Posted 0.00
30763	Katie Hogg 3/23/2021 3/23/2021 02-3223.00 09-3223.00	51.06 supplies supplies			40.07 10.99 51.06	Posted 0.00 0.00 0.00
30743	Kearney Hub 3/23/2021 3/23/2021 07-3340.00	2.64 Newspaper			2.64	Posted 0.00
30752	Lawrence Stump 3/23/2021 3/23/2021 05-3313.00	50.00 back ground check			50.00	Posted 0.00
30760	Lori French 3/23/2021 3/23/2021 10-3359.00	39.00 Lifeguard Training			39.00	Posted 0.00

Accounts Payable Detail Listing City of Broken Bow

	Vendor Name		_		DO::		
Pay#		Amount Invoice		<u>ate</u>	<u>PO#</u>	<u>Date</u>	<u>Status</u>
	Account# Work (<u>Order</u>	<u>Description</u>			<u>Debit</u>	Cred
	Mark Wells (continued)	50.40					
0770	3/23/2021 3/23/2021	52.12				50.40	Posted
	01-1501.00	Refund				52.12	0.0
	Matheson Tri-Gas Inc	200 72					
0754	3/23/2021 3/23/2021	282.76				000 70	Posted
	08-3310.00	gas				282.76	0.0
	National Geographic						
0744		67.00				67.00	Posted
	07-3340.00	Subscription				67.00	0.0
.=	OBrien's Hardware	4.07					
0768	3/23/2021 3/23/2021	1.87				1.87	Posted
	08-3310.00	Repair				1.07	0.0
	Omaha State Bank	75.00					
0780	3/17/2021 3/17/2021	75.00				75.00	Posted
	01-1501.00	HSA			-	75.00	0.0
	Prachts Ace Hardware	04.00					Б
)767	3/23/2021 3/23/2021	61.82				20.04	Posted
	08-3310.00 09-3339.00	Repair Tools/Stain				33.34 28.48	0.
	08-3338.00	roots/stain			Antimizer a Manifestation of the	61.82	0.0
	Droots V.C.					01.02	0.0
1740	Presto X Company 3/23/2021 3/23/2021	51.00					Doot
0740	3/23/2021 3/23/2021 07-3311.00	monthly servi	CO			51.00	Posted 0.
		monuny servi				31.00	0.
748	Pristine Cleaning, LLC 3/23/2021 3/23/2021	275.00					Doots
140	02-3419.01	275.00 Cleaning Ser	vice			275.00	Posted 0.
		Oleaning der	VICC			275.00	0.
1761	Quill Corporation 3/23/2021 3/23/2021	10.92					Dootool
761	04-3223.00	office supplie	e			10.92	Posted 0.
		Onice aupplie	·····			10.92	0.0
0749	S&L Sanitary Service 3/23/2021 3/23/2021	49.30					Posted
J143	09-3219.00	trash around	the square			49.30	Posted 0.
	State Income Tax WH NE		aro oquaro			10.00	0.
0784		2,579.89					Posted
3704	01-1500.00	STATE MARI	RIED			1,364.34	0.1
	01-1500.00	STATE SING				1,215.55	0.
					A	2,579.89	0.
	Steve Scott			***************************************	ii ii		
764	3/23/2021 3/23/2021	15.00					Posted
	04-3314.00	Reimburseme	ent			15.00	0.
	The Christian Century						
741	3/23/2021 3/23/2021	117.00					Posted
	07-3340.00	Subscription				117.00	0.
	Trotter Service						
771	3/18/2021 3/23/2021	1,550.83					Posted
	08-3225.00	Street - Gaso				913.80	0.
	06-3225.00	Firemen - Ga	soline			36.54	0.
	08-3310.00	Tire Repair				391.26	0.
	09-3225.00	Park - Gasoli	ne		400000000000000000000000000000000000000	209.23	0.
						1,550.83	0.
	Verizon Wireless	400.00					
734	3/23/2021 3/23/2021	492.29	200			400 50	Posted
	05-3221.00	Rescue hot s				108.52	0.
	06-3221.00 03-3221.00	Andy cell pho Handi Bus Ph				20.61 20.95	0.
	03-3221.00	Streets cell p				20.95 31.07	0. 0.
	09-3221.00	Parks cell ph				31.07	0.
	04-3221.00	Wifi for patro				280.07	0.
		Till for patro			KERNESSHEEDINGS	492.29	0.0
						492.29	0.

3/19/2021 12:08:16 PM

Accounts Payable Detail Listing

City of Broken Bow

Page 4 of 4

			, · .					
Vend#	Yendor Name	<u>e</u>						
Pay#	Post Date D	ue Date	Amount Invoice		<u>Date</u>	<u>PO#</u>	<u>Date</u>	<u>Status</u>
	Account#	Work Order		<u>Description</u>			<u>Debit</u>	Credit
	Village Unifo	orm (continued)						
30737	3/23/2021 3	/23/2021	156.47					Posted
	02-3223.01		rugs				156.47	0.00
	Wenquist In	C.						
30766	3/23/2021 3	/23/2021	9.47					Posted
	05-3223.00		supplies				9.47	0.00

42,375.25 54 Non-voided payables listed.

Report Setup
AP - Accounts Payable Listing : Vendor Name
Filter Options
Starting: 3/10/2021
Ending: 3/23/2021
Banks: All
Payable Status: Posted, Printed, ACH, Recorded, Voided
All Vendors Selected

Check Approval List - GL Account

	rioon	City of Broken Bow		
3/19/2021 12:11:49 PM		City of Broken Bow		Page 1 of 2
	<u>Invoice</u>	Invoice Description	Account Description	<u>Amount</u>
General				
A		PRE TAX AFLAC	Health/Life/Acc Insuranc	295.41
A		AFLAC POST TAX	Health/Life/Acc Insuranc	91.62
Card Services		Stamps	Supplies & Postage	220.00
Century Link		Basic & Long Distance phone Basic & Long Distance phone	Telephone/Internet Telephone/Internet	85.49 163.49
Century Link City Flex Benefit Plan		SELECT FLEX-UNREIMBURSED M/D/V	Health/Life/Acc Insuranc	135.00
City of Broken Bow - Health Insurance		HEALTH INS	Health/Life/Acc Insuranc	2,822.80
City of Broken Bow Pension Fund		BBHA PensionDecember & January	Pension	2,771.13
City of Broken Bow Pension Fund		RETIREMENT NEW	Pension	5,722.54
City of Broken Bow Pension Fund		RETIREMENT LOAN PAYMENT	Loan Payment	1,460.41
Colonial Insurance		COLONIAL LIFE PRE TAX	Health/Life/Acc Insuranc	341.32
Colonial Insurance		COLONIAL LIFE POST TAX	Health/Life/Acc Insuranc	135.10
EFTPS Online Payment		MEDICARE	Payroll Taxes	2,059.90
EFTPS Online Payment		FEDERAL	Payroll Taxes	2,686.97
EFTPS Online Payment		FEDERAL	Payroll Taxes	2,910.57
EFTPS Online Payment		FICA	Payroll Taxes Health/Life/Acc Insuranc	8,807.74
Family Heritage Mark Wells		FAMILY HERITAGE Refund	Health/Life/Acc Insuranc	25.50 52.12
Omaha State Bank		HSA	Health/Life/Acc Insuranc	75.00
State Income Tax WH NE Online Paymer		STATE	Payroll Taxes	1,364.34
State Income Tax WH NE Online Paymer		STATE	Payroll Taxes	1,215.55
State meeme rax vviria eriime raymer			Total General	\$33,442.00
Municipal Building			. 5.5 555.5.	11
Awards & More		Name Plates	Maintenance & Repair B	278.82
Dollar General-Regions 410526		supplies	Supplies & Postage	46.37
Katie Hogg		supplies	Supplies & Postage	40.07
Pristine Cleaning, LLC		Cleaning Service	Contracted Services	275.00
Village Uniform		rugs	Building Cleaning Suppli	156.47
			Total Municipal Building	\$796.73
H;⊂ " Bus				
Cal Ne Medical Clinic		drug testing	Miscellaneous Expense	55.00
Century Link		Basic & Long Distance phone	Telephone/Internet	76.64
Verizon Wireless		telephone	Telephone/Internet	20.95
Verizon Wireless		telephone	Telephone/Internet	31.07
D.F.			Total Handi Bus	\$183.66
Police		Dania & Lana Diatanaa ahaas	Talambana/Intonsat	000 44
Century Link Quill Corporation		Basic & Long Distance phone office supplies	Telephone/Internet Supplies & Postage	232.44 10.92
Steve Scott		Reimbursement	Police Officer Expense	15.00
Verizon Wireless		telephone	Telephone/Internet	280.07
VCH20H VVIICIC33		telephone	Total Police	\$538.43
Rescue Unit			Total Tolloc	Ψ000.10
David Baltz		back ground check	Training	50.00
Frontier Family Pharmacy		supplies	Ambulance Supplies	190.34
Gary's Super Foods		supplies	Ambulance Supplies	67.21
Lawrence Stump		back ground check	Training	50.00
Verizon Wireless		telephone	Telephone/Internet	108.52
Wenquist Inc.		supplies	Supplies & Postage	9.47
			Total Rescue Unit	\$475.54
Fire				
Carquest of Broken Bow		supplies	Supplies & Postage	13.28
Trotter Service		Fuel/Tire	Gas and Oil	36.54
Verizon Wireless		telephone	Telephone/Internet	20.61
			Total Fire	\$70.43
Library				
Custer County Chief		Help wanted Ad	Library Promotions	85.95
Demco Final Office Products		supplies supplies	Supplies & Postage	60.58
i Plains Communications		Internet & Phone service	Supplies & Postage Telephone/Internet	52.35 780.00
History Nebraska		Subscription	Book Purchases	35.00
Ingram Library Services		materials	Book Purchases	2,098.83
Kearney Hub		Newspaper	Book Purchases	2.64
National Geographic		Subscription	Book Purchases	67.00
Presto X Company		monthly service	Maintenance & Repair B	51.00
The Christian Century		Subscription	Book Purchases	117.00

City of Broken Bow

3/19/2021 12:11:49 PM		City of Broken Bow		Page 2 of 2
Vendor Name	Invoice	Invoice Description	Account Description	Amount
Library				
			Total Library ⁻	\$3,350.35
St. 4			•	
A.T. Parts and Equipment		Snow Blower	Snow Removal	370.00
Beaver Bearing Co Albion		Repair	Maint/Repair Equipment	11.57
Bob's Truck Repair		Repair	Maint/Repair Equipment	164.86
Great Plains Communications		Internet & Phone service	Telephone/Internet	35.47
Matheson Tri-Gas Inc		gas	Maint/Repair Equipment	282.76
OBrien's Hardware		Repair	Maint/Repair Equipment	1.87
Prachts Ace Hardware		Repair	Maint/Repair Equipment	33.34
Trotter Service		Fuel/Tire	Gas and Oil	913.80
Trotter Service		Fuel/Tire	Maint/Repair Equipment	391.26
			Total Street	\$2,204.93
Park				
AKRS EQUIPMENT		supplies	Maint/Repair Equipment	265.14
Century Link		Basic & Long Distance phone	Telephone/Internet	62.48
Great Plains Communications		Internet & Phone service	Telephone/Internet	35.48
John Deere Financial		mower lease	Equipment Purchases	433.02
Katie Hogg		supplies	Supplies & Postage	10.99
Prachts Ace Hardware		Repair	Maintenance/Repair Gro	28.48
S&L Sanitary Service		Trash collection	Trash Removal	49.30
Trotter Service		Fuel/Tire	Gas and Oil	209.23
Verizon Wireless		telephone	Telephone/Internet	31.07
			Total Park	\$1,125.19
Swimming Pool				
Century Link		Basic & Long Distance phone	Telephone/Internet	148.99
Lori French		Lifeguard Training	Red Cross Training	39.00
			Total Swimming Pool	\$187.99
				\$42,375.25

Report Selection: Check Approval List - GL Account
Date Range Selection: GL Posting Date
Starting Date: 3/10/2021
Ending Date: 3/23/2021



APPLICATION FOR VARIANCE

- Variance Instructions

 1. Fill out this application.
 2. Please provide a layout of the proposed variance request.
 3. Please provide a layout of the property.
 4. Please provide a copy of the deed for the current property.
 5. File this completed application with the City of Broken Bow.

 - 6. Submit a list of property owners within 300 feet of the boundaries, prepared by a certified abstractor.
 - 7. Filling fee \$500.00. Make checks payable to the City of Broken Bow.

Variance information (please print legibly or type)	
Name: K. Janelle Ripp, Brent Custer, Robert Kahnk, Kent Leibhart, Todd Eb	perie and MW Real Estate Investment Group, LLC
Address: 425 South 7th Ave, PO Box 326 (Sennett, Duncan, Jenkins & Wic	ckham)
Phone Number: 308-872-6868	
Legal Description: See Exhibit A	
Have you applied for a varlance prior on this property?Ye	es X No
Information Regarding Findings Required by the Board of Ad	djustment (please print legibly or type)
1. Please describe the type of variance you are requesting?	
To waive or withdraw requirement at Section 9.2 sub section 3b that	t provides " provided that in no case shall said minimu
lot be less than one (1) acre in area where there is a public water su	apply available at the lot, and two and a half (2 1/2) acre
where there is not public water supply available.	
Please list why this property is unique and why this unique same zone or district and is not created by an action or ac	e character is not ordinarily found in the ctions of the property owner or applicant.
Property was platted in 2002 and designed to have wells, septic tank	s and drain fields for each lot (see attachment B)
that conform to DEQ and Department of Health guidelines.	
Please state how the granting of a variance will not be of property and how the granting of a variance will not chang	substantial detriment to the adjacent ge the character of the district.
Granting variance would allow subdivision to be developed as planne	ed and as anticipated at the time Plat was
approved by the City. Private wells, septic tanks and drain fields will	still be required by City Zoning Ordinance
to comply with DEQ and DHHS requirements.	



4.	owner requesting the variance.
	The denial of variance will bar the development of the subdivision.
б.	Please state with specificity how the granting of a variance would be based upon reasonable and demonstrable and exceptional hardship as opposed to being a variance granted for the purposes of being convenient, profitable or capricious.
	The failure to grant the variance will deny the owners of the ability to develop the subdivision as platted.
6.	Please state how the granting of a variance would not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.
	The development of water, septic tanks and drain field would still have to comply with DEQ and Department
	of Health requirements.
	of Health requirements.
0.0000	
7.	Please state how the granting of a variance will not be in opposition to the general spirit and intent of the zoning regulations.
	The zoning regulations are intended to regulate and encourage development of subdivisions and the grant of
	the grant of the variance will allow the development of the property as designed.
	7 / 26-20
plica	ant Signature: K Janelle Rippy Date: 11-25-20
plica	K panejie Rippy
plica	Brent Quster Todd) Eberle
plica	K premejne Rippy
plica	Brent Quster Todd) Eberle
plica	Brent Ouster Robert Kahnk Robert Kahnk Robert Kannk Ro
	Brent Ouster Robert Kahnk Robert Kahnk Kent Leibhart Kent Leibhart Robert Kahnk Group, LLC
Offi	Brent Guster Brent Guster Robert Kahnk Ro
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EXHIBIT A

A tract of land located in the Northwest Quarter of Section Thirty-One (31), Township Seventeen (17) West, Range Twenty (20) North, of the 6th P.M., Custer County, Nebraska, described as follows:

Beginning at the North Quarter Corner of Section Thirty-One (31), Township Seventeen (17) West, Range Twenty (20) North, of the 6th P.M., Custer County, Nebraska; then running S00°00'04"E, on an assumed bearing along the East line of said Northwest Quarter, 258.95', to the Point of Beginning; then continuing S00°00'04", along the East Line of the Northwest Quarter, 1077.35 feet to the CN 1/16 Corner of said Section 31; then N89°46'50"W, along the South line of the North half of the Northwest Quarter (NW¹/₄) of said Section 31, 1231.63 feet; then N03°35'17"W, 484.27 feet; then N86°01'48"E, 464.35'; then N00°23'28"W, 208.60 feet; then N89°14'35"E, 98.00 feet; then N00°45'25"W, 198.00 feet; then S88°03'35"W, 97.00 feet; then N04°24'34"E, 412.75 feet to a point on the North line of said Section 31; then S89°59'59"E, along the North line of said Section 31, 540.02 feet; then S00°14'09"W, 259.07 feet; then N89°58'13"E, 230.97 feet to the True Point of Beginning.

Said Tract contains 27.70 Acres more or less of which 1,40 Acres +/- are County Road Right-of-Way.



NEBRASKA DOCUMENTARY.

STAMP TAX

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\$ /27.75 BY FRE

JOINT TENANCY WARRANTY DEED

Clyde Arnold & Son, a Nebraska Partnership, (Vava A. Arnold Grantor, in consideration of and Clyde C. Arnold being all the Partners thereof)
Seventy-three Thousand (\$73,000.00) and no/100----- dollars received from Grantee,

Ronald J. Ripp and K. Janelle Ripp, husband and wife,

conveys to Grantees, as joint tenants and not as tenants in common, the following described real estate (as defined in Neb. Rev. Stat. 76-201):

See legal description on back of page.

Granios covenants (jointly and severally, if it	tore than one, with the Grantee that Grantor:
(1) is lawfully seised of such real estate and that it is reservations, covenants and restrictions of recor	s free from encumbrances subject to easements, d
(2) has legal power and lawful authority to convey	the same;
(3) warrants and will defend the title to the real e	estate against the lawful claims of all persons.
Executed: June 4, 2001	CLYDE ARNOLD & SON
	Vava A. Arnold, Partner
	Clyde C. Arnold, Partner partner
State ofNebraska	
County of .Custer	_
The foregoing instrument was acknowledged before me	on June 5,2001
byVava A. Arnold, Partner and Clyde C. Arn Nebraska Partnership	Old, Partner of Clyde Arnold & Son, a
STATE OF NEBRASKA GENERAL NOTARY-State of Nebraska JANET KALINOWSKI	Notary Public
County of C. J. Ster My Comm. Exp. July 30, 2002	\cap
Filed for record and entered in Numerical Index on	June 5, 200 (
at 3.20o'clock	21/ Page 1/6
Ву:	and the Ellinger by the Burnell
· · · · · · · · · · · · · · · · · · ·	mty or Deputy County Clerk
Reg	ister of Deeds or Deputy Register of Deeds

Rev. 9/98

A tract of land in the Northeast Quarter of the Northwest Quarter (NENW4) of Section Thirty-one (31), Township Seventeen (17) North, Range Twenty (20) West of the 6th P.M., Custer County, Nebraska, commencing at the northeast corner of the Northwest Quarter (NW) of said Section 31, thence west 11.65 chains, thence south 6.30 chains, thence east 1.47 chains, thence south 3 chains, thence west 1.47 chains, thence south 3.16 chains, thence west 7.64 chains, thence south 7.30 chains, thence east 19.28 chains, thence north 19.92 chains, EXCEPT Lot 1, Irregular Tract, in part of the Northeast Quarter of the Northwest Quarter (NEINWI) of Section Thirty-one (31), Township Seventeen (17) North, Range Twenty (20) West of the 6th P.M., Custer County, Nebraska, described as follows: referring to the northeast corner of the Northeast Quarter (NE%) of Section 31, thence westerly on the north line on an assumed bearing of No. 89°46'23"W, a distance of 40 feet; thence So. 0°28'31"W, a distance of 33.0 feet to the point of beginning, said point being on the southerly right-of-way line of County Road #38 and the west line of County Road #1889; thence So. 0°28'31"W and on said right-of-way line, a distance of 176 feet; thence No. 89°46'23"W, a distance of 129 feet; thence No. 0°28'31"E, a distance of 176 feet to the south line of County Road #38; thence So. 89°46'23"E, a distance of 129 feet to the point of beginning AND EXCEPT Lot Two (2), Irregular Tract, in part of the Northeast Quarter of the Northwest Quarter (NEINWI) of Section Thirty-one (31), Township Seventeen (17) North, Range Twenty (20) West of the 6th P.M., Custer County, Nebraska, further described as follows: Referring to the northeast corner of the Northwest Quarter (NW%) of Section 31, thence westerly on the north line on an assumed bearing of No. 89°46'23"W, a distance of 169 feet; thence So. 0°28'31"W, a distance of 33.0 feet to the point of beginning, said point being on the scutherly right-of-way line of County Road #38; thence No. 89"46'23"W and on said right-of-way line, a distance of 61 feet; thence So. 0"28'31"W, a distance of 226 feet; thence So. 89"46'23"E, a distance of 190 feet to the westerly right-of-way line of County Road #1889; thence No. 0°28'31"E and on said rightof-way line, a distance of 50 feet; thence No. 89°46'23"W, a distance of 129 feet; thence No. 0°28'31"E, a distance of 176 feet to the point of beginning.

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NEBRASKA DOCUMENTARY STAMP TAX

DEC - 6 2019

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--{Space above provided for recording information}-

Russell Title & Escrow Co. 702 South D Street ~ P.O. Box 442 Broken Bow, NE 68822 (308) 872-5938 (308) 872-6960 FAX

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, RONALD J. RIPP and K. JANELLE RIPP, husband and wife, herein called the Grantors, in consideration of ONE DOLLAR AND NO CENTS (\$1.00) and other good and valuable consideration received from Grantees, does hereby grant, bargain, sell, convey and confirm unto BRENT J. CUSTER and KATIE J. CUSTER, husband and wife, as joint tenants with right of survivorship and not as tenants in common, herein called the Grantees, the real property described as follows:

Lots Fourteen (14) and Fifteen (15), Block Two (2), County Club Estates, Custer County, Nebraska.

To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the Grantees and to Grantees' heirs and assigns forever.

And the Grantors do hereby covenant with the Grantees and with Grantees' heirs and assigns that Grantors are lawfully seised of said premises; that they are free from encumbrance, except subject to existing easements of record; that Grantors have good right and lawful authority to convey the same; and that Grantors warrant and will defend the title to said premises against the lawful claims of all persons whomsoever.

DATED the (gld) day of December, 2019.

SONAL DE DEED

K. JANELLE RIPP

STATE OF NEBRASKA

88.

COUNTY OF CUSTER

On this before me, the undersigned a Notary Public, duly commissioned and qualified for in said county, personally came RONALD J. RIPP and K. JANELLE RIPP, husband and wife, to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the

execution thereof to be their voluntary act and deed.

Witness my hand and Notarial Seal the day and year last written.

GENERAL, NOTARY - State of Nebraska BADYE TAYLOR My Compt. Exp. September 16, 2022 John Coffee

NEBRASKA DOCUMENTARY STAMP TAX

OCT - 6 2020

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STATE OF NEBRASKA CUSTER COUNTY This instrument was filed and record

10:45 am

AS 10 A Registration of Dayses Stelfens

Steffens Law Office, PC P.O. Box 363 Broken Bow, NE 68822

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Robert R. Kahnk and Janeen A. Kahnk, husband and wife, herein called the Grantors whether one or more, in consideration of ONE DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION received from Grantees, do, grant, bargain, sell, convey, and confirm to Robert R. Kahnk and Janeen A. Kahnk, Co-Trustees of the Robert R. and Janeen a. Kahnk Family Trust, dated July 12, 2005, herein called the Grantees whether one or more, the following described real property in Custer County, Nebraska

Lots Four (4), Five (5), Six (6), Seven (7), Eight (8) and Nine (9), Block One (1), Country Club Estates, Custer County, Nebraska.

To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the Grantees and to the Grantees' heirs and assigns forever.

And the Grantors do hereby covenant with the Grantees and with Grantees' heirs and assigns that Grantors are lawfully seised of said premises; that they are free from encumbrance; subject to easements and restrictions of record, the reservations described herein, and any applicable zoning ordinances, that Grantors have good right and lawful authority to convey the same; and that Grantors warrant and will defend the title to said premises against the lawful claims of all persons whomsoever.

Dated this 5th day of October , 2020.

| Janeul O. Kulml | State of Nebraska | State of Nebraska | State of Nebraska | State of County of Custer | State of County of Custer | State of Nebraska | State of Ne

The foregoing instrument was acknowledged before me on October 5 2020 by Robert R. Kahnk and Janeen A. Kahnk, husband and wife.

Notary Public

State of Nebraska -- General Notary WILLIAM V. STEFFENS My Commission Expires December 1, 2023 NEBRASKA DUGLMENTARY -STAMENAX

NOV 2 5 2019

\$ 141.75 By ST

USTER COUNTY
This instrument was fired and recorded

11-25-19

at 4:00 pm

Book 19 page lele95

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Departy Projet of Doman

-[Space above provided for recording information]-

Russell Title & Escrow Co. 702 South D Street ~ P.O. Box 442 Broken Bow, NE 68822 (308) 872-5938 (308) 872-6960 FAX

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, RONALD J. RIPP and K. JANELLE RIPP, husband and wife, herein called the Grantors, in consideration of ONE DOLLAR AND NO CENTS (\$1.00) and other good and valuable consideration received from Grantees, do hereby grant, bargain, sell, convey and confirm unto ROBERT R. KAHNK and JANEEN A. KAHNK, husband and wife, as joint tenants with right of survivorship and not as tenants in common, herein called the Grantees, the real property described as follows:

Lots Four (4), Five (5), Six (6), Seven (7), Eight (8) and Nine (9), Block One (1), Country Club Estates, Custer County, Nebraska.

To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the Grantees and to Grantees' heirs and assigns forever.

And the Grantors do hereby covenant with the Grantees and with Grantees' heirs and assigns that Grantors are lawfully seised of said premises; that they are free from encumbrance, except subject to existing easements of record; that Grantors have good right and lawful authority to convey the same; and that Grantors warrant and will defend the title to said premises against the lawful claims of all persons whomsoever.

DATED the 25 day of November, 2019.

RONALD & RUFF

K JANELLE RIPE

STATE OF NEBRASKA

SS.

COUNTY OF CUSTER

On this <u>A5</u> day of November, 2019, before me, the undersigned a Notary Public, duly commissioned and qualified for in said county, personally came RONALD J. RIPP and K. JANELLE RIPP, husband and wife, to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and Notarial Seal the day and year last written.

GENERAL NOTARY - State of Mahraska SADYE TAYLOR My Comm. Exo. September 16, 2022 Potery Poblic

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GENERAL V
FEE BOOK V

NEBRASKA DOCUMENTARY STAMP TAX

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STATE OF HEBRASIKA
CLUSTER COUNTY
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9-21-15

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Book 15 Page 5538

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Register of Death

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—[Space above provided for recording information]-

Russell Title & Escrow Co. 702 South D Street ~ P.O. Box 442 Broken Bow, NE 68822 (308) 872-5938 (308) 872-6960 FAX

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, RONALD J. RIPP and K. JANELLE RIPP, husband and wife, herein called the Grantors, in consideration of ONE DOLLAR AND NO CENTS (\$1:00) received from Grantee, do hereby grant, bargain, sell, convey and confirm unto KENT LEIBHART, a single person, herein called the Grantee, the real property described as follows:

Lot Ten (10), Block One (1), Country Club Estates, Broken Bow, Custer County, Nebraska.

To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the Grantee and to Grantee's heirs and assigns forever.

And the Grantors do hereby covenant with the Grantee and with Grantee's heirs and assigns that Grantors are lawfully seised of said premises; that they are free from encumbrance, except subject to existing easements of record; that Grantors have good right and lawful authority to convey the same; and that Grantors warrant and will defend the title to said premises against the lawful claims of all persons whomsoever.

DATED the 21 day of fightenher, 2015.

RONALD J. RIPP

K. JANELLE RIPP

STATE OF NEBRASKA

SS.

COUNTY OF CUSTER

On this <u>Al</u> day of <u>Robert La</u> 2015, before me, the undersigned a Notary Public, duly commissioned and qualified for in said county, personally came RONALD J. RIPP and K. JANELLE RIPP, husband and wife, to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and Notarial Seal the day and year last written.

GENERAL NOVARY - State of Nebraska SADYE TAYLOR My Comm. Exp. Sept. 16, 2018 Notary Public

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NEBRASKA DOCUMENTARY STAMP TAX

Date: 12/28/20 ° \$ 67.50 By CT STATE OF NEBRASKA
CUSTER COUNTY
This Instrument was filled and recorded
12/28/20
at 01:30 PM
Book 20 Page 9479

Chisto Jumbull
Register of Deeds

Register of Deeds Recording Fee \$16.00

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Janes V. Duncun Sennutt, Duncan, Jenéms & Wiekham, P.C., L.L.O. 423 S. P. Avenue, P.O. Box 376 Friden Inns, N.E 69822 (308) 872-6868 (508) 872-1101 FAX

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, Todd W. Eberle and Wanda Eberle, husband and wife, herein called the Grantors, in consideration of One Dollar (\$1.00) and other good and valuable consideration received from Grantee do hereby grant, bargain, sell, convey and confirm unto MW Real Estate Investment Group, LLC, herein called the Grantee, the real property described as follows:

Lots Twelve (12) and Thirteen (13), Block Two (2), Country Club Estates, Custer County, Nebraska.

To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the Grantee and to Grantee's heirs and assigns forever.

And the Grantors do hereby covenant with the Grantee and with Grantee's heirs and assigns that Grantors are lawfully selzed of said premises; that they are free from encumbrance, except subject to existing easements of record; that Grantors have good right and lawful authority to convey the same; and that Grantors warrant and will defend the title to said premises against the lawful claims of all persons whomsoever.

DATED this 15 day of December, 2020.

Todd W. Eberle

Manda Eberle

STATE OF NEBRASKA)	
¥	•	55
00111177407 07 0110777	•	0.
COUNTY OF CUSTER)	

On this the J5day of December, 2020, before me, a Notary Public, in and for said state, personally appeared *Todd W. Eberle*, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and notatial seal on the 1.5 day of December, 2020.



Notary Public

STATE OF NEBRASKA) : ss COUNTY OF CUSTER)

On this the <u>/5</u> day of December, 2020, before me, a Notary Public, in and for said state, personally appeared *Wanda Eberle*, known to me to be the Identical person who signed the foregoing instrument and acknowledged the execution thereof to be her voluntary act and deed.

Witness my hand and notarial seal on the $\underline{/5}$ day of December, 2020.

GENERAL HOTATTY - State of Nebrandon REBECOA A MORSE My Comm. Exp. October 18, 2024 Notary Public

9.1 Sewer and Water

The owner or developer of the tract to the subdivision may (but is not required to) install satisfactory sewer and water lines which are necessary to serve such subdivision. If sewer and water lines are not installed, they shall be designed (design to be approved by the City Engineer) and easements provided for in the plat. If sewer and water lines are to be installed, installation of the same shall be in accordance with the specifications of the City and under the direction and supervision of the Broken Bow City Engineer. Where adequate water and sewer lines are accessible within thirteen hundred twenty (1,320) feet of the final plant, connections to those lines shall be made. Water lines shall be looped according to the specifications set by the City Engineer.

The cost of providing this engineering service will be the responsibility of the owner or developer of the tract to be subdivided or by other agreement with the City. Design of municipal water mains and sanitary sewer lines shall conform to standards and guidelines approved by the Broken Bow City Engineer.

9.2 Sanitary Sewer Improvements

The following requirements shall govern sanitary sewer improvements:

- 1. Where an adequate public sanitary sewer system is reasonably accessible in the determination of the Broken Bow City Council, public sanitary sewers may (at developer's discretion) be installed to adequately serve all lots, including lateral connections to the public system. Public sewer system extensions shall meet the requirements of the City standards and the Nebraska Department of Environmental Quality and the Department of Health and Human Services System. Combinations of sanitary sewers and storm sewers shall be prohibited.
- 2. Where a public sanitary sewer system is not reasonably accessible, the sub divider may provide:
 - a. A central treatment plant, provided that such central treatment plant is installed in accordance with the City and State Department of Environmental Quality and Department of Health and Human Services System requirements, or
 - b. Lots may be served by individual disposal systems, if the provisions of the following section are met.
- 3. a. Where the installation of individual disposal systems is considered, the suitability of the soil for individual systems, the absorptive ability of the soil, surface drainage, ground water level, and topography shall be the criteria for determining whether or not the installation of individual systems is permissible. Criteria shall be in accordance with the requirements of the City and the Nebraska Department of Environmental Quality and Department of Health and Human Services System.
 - b. Each lot so served shall be of a size and shape to accommodate the necessary length of tile field at a safe distance from and at a lower elevation than the proposed buildings. Such lot size and shape shall conform to the requirements of the zoning district in which they are located, provided that in no case shall said minimum lot be less than one (1) acre in area where there is a public water supply available at the lot, and two and a half (2 ½) acres where there is not public water supply available.

EFFECTIVE 8/26/14

NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES

178 NAC 12

forces imposed by the surrounding materials; and will resist corrosion by soil and water environments.

Watertight Secure Cover means a welded, solvent welded, threaded, or bolted watertight cover for a water well that is secured in such a way so as to prevent its removal without the use of tools.

<u>Water Well</u> means any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed for the purpose of exploring for ground water, monitoring ground water, utilizing the geothermal properties of the ground, obtaining hydrogeologic information, or extracting water from or injecting fluid as defined in <u>Neb. Rev. Stat.</u> §81-1502 into the underground water reservoir. Water well does not include any excavation described in <u>Neb. Rev. Stat.</u> §46-601.01 (1) (b) and (1) (c).

(Licensed) Water Well Contractor means any individual who has obtained a license from the Department and who is the principal officer, director, manager, or owner-operator of any business engaged in the construction or decommissioning of water wells.

(<u>Licensed</u>) Water Well <u>Drilling Supervisor</u> means any individual who has obtained a license from the Department and who is engaged in the construction or decommissioning of water wells. Such supervisor may have discretionary and supervisory authority over other employees of a water well contractor.

<u>Well Development</u> means the act of repairing alterations to the formation during construction of the well and enhancing the porosity and permeability of materials surrounding the intake portion of the well. The development process is the application of mechanical devices and/or the use of chemicals to remove drilling fluids and debris left in the filter pack and formation as a result of the drilling process.

Well Pit means a structure that is set at or below grade and houses a pump and/or pumping equipment and is large enough to allow an individual to fully enter the structure to work on such equipment and is not water tight.

Well Screen means the section of the well that allows water to pass from an aquifer into the well or from the well into an aquifer.

12-003 GENERAL REQUIREMENTS: These requirements apply to all water wells constructed under Title 178 NAC 12, except as modified in 178 NAC 12-004 through 12-014.

12-003.01 Protection and Location:

12-003.01A A well must not be located in a well pit.

12-003.01B Protection: All water wells must be protected from surface drainage, flooding and seepage from sources of contamination and pollution by:

1. Locating the well site to promote drainage away from the well, and

. Tanakrawi la l

- 2. Terminating the top of the well and vent above the 100 year flood plain, or
- 3. Locating on a berm and/or within a dike to protect the well from a 100 year flood, or
- 4. Plugging the vent and seal at the top of the well if yield is less than 50 GPM.

12-003.01C Separation distances must at a minimum comply with the distances listed in Chart 1 (or Chart 2 if the requirements in 178 NAC 12-003.01C item 2 are met). Be aware that other state, NRD, and local statutes and regulations may have more restrictive requirements. If locations are found to not comply with more stringent standards of other state or local regulations that apply, the Department may notify the appropriate authority.

1. All water wells except those covered in 178 NAC 12-007 must meet the minimum separation distances in accordance with Chart 1 below.

Chart 1

Minimum	Chart 1
Distance in Feet	From
1,000	Any Title 179 community water supply wells under different ownership
1,000	Any industrial wells under different ownership
600	Any irrigation wells under different ownership
100	Any waste water lagoon
100	Any privy, cesspool, subsurface disposal system
100	Any septic lateral field (soil absorption system)
100	Any animal waste containment structure
100	Any holding pens of animals
100	Any other known sources of contamination or pollution
50	Any sewer line
50	Any septic tank
10	Any depression that could retain stagnant water
10	Any storm water way
10	Any frost proof hydrant
10	Any well pit