

LOWER BIG BLUE NATURAL RESOURCES DISTRICT  
BOARD MEETING  
August 25, 2022, 7:00 P.M.

Notice of the meeting was published in accordance with Section 84-1411, Nebraska Statutes, in the Beatrice Daily Sun and the Wilber Republican. Notice was also sent to Radio Station KWBE, Crete News, and Fairbury Journal-News. In accordance with the Nebraska Open Meetings Act, the Open Meetings Act is posted on the north wall of the meeting room for public viewing.

The meeting was called to order by Chairperson Jason Pohlmann at 7:00 p.m.

Directors Present: Larry Barta, Ryan Birkett, Brent Katz, Steve Kelley, Bob Lorenz, Duane Parde, Jason Pohlmann, Darrell Rains, Dean Roehr, Jason Sand, Rodney Skleba, Doug Stokebrand.

Staff Present: Scott Sobotka, Manager; Teresa Langley, Administrative Secretary; Tyler Weishahn, Assistant Manager; Adam Kimmerling, Administrative Assistant; Nick Schroeder, GIS, IT,

Directors Absent Heidi McClintock

APPROVAL OF AUGUST 25, 2022, CONSENT AGENDA

MOTION #1 was made by Steve Kelley, seconded by Duane Parde, to adopt the Consent Agenda for the August 25, 2022, board meeting. The consent agenda includes adoption of the agenda as submitted, approval of the July 21, 2022, meeting minutes, financial status report dated July 30, 2022, July and August bills payable, revenues and Beatrice West and Wymore Rural Water financials. Motion carried.

**YEA:** Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Skleba, Stokebrand.

**NAY:** None **ABSTAIN:** None

OPEN PUBLIC COMMENTS

None

WELL PERMITS, IRRIGATION AGREEMENTS

Tyler presented replacement wells for Robert Divoky and Jerry Kier. Both meet the rules for replacement.

MOTION #2 was made by Brent Katz, seconded by Doug Stokebrand, to approve the replacement well permits. Motion Carried.

**YEA:** Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Skleba, Stokebrand.

**NAY:** None **ABSTAIN:** None

Tyler presented a new well permit for Mark Tachovsky. The well scored the 200 points required to pass.

MOTION #3 was made by Steve Kelley, seconded by Rodney Skleba, to approve the new well permit. Motion Carried.

**YEA:** Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Skleba, Stokebrand.

**NAY:** None **ABSTAIN:** None

Tyler presented a water well registration application for Steven Bergmeier. NRDs are required to certify that the well in question was drilled outside of any stays or moratoriums. Mr. Bergmeier only recently discovered the well was unregistered. He estimates the well was drilled in the 1950's and it has been in continuous use since that time.

MOTION #4 was made by Larry Barta, seconded by Duane Parde, to approve the well registration. Motion Carried.

**YEA:** Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Skleba, Stokebrand.  
**NAY:** None **ABSTAIN:** None

Tyler presented an application for a DNR permit to conduct groundwater filed by David Meints. The project would pump groundwater into a man-made reservoir as needed. Stored water would then be used to irrigate 131.1 acres. Discussion of the project was held.

MOTION #5 was made by Larry Barta, seconded by Doug Stokebrand, to approve the permit to conduct groundwater with the stipulation that a flow meter be installed on the well. Motion Carried.

**YEA:** Barta, Birkett, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** Katz

Jason Sand arrived at 7:33 p.m.

#### GROUNDWATER MANAGEMENT PLAN RULES AND REGULATIONS UPDATE

Nick reviewed the testimony presented at the public hearing held August 25, 2022, at 6 p.m. at the NRD office at 805 Dorsey St. Beatrice, NE 68310. Four well drillers provided written or oral testimony. All four commented that the proposed rule 5.14.2.2, which states that 21 days notice be given prior to drilling a test hole, is unnecessarily long and would place an undue burden on their operations. The well drillers in attendance felt that 5 working days would be sufficient. Discussion on this rule change was held with some directors in favor of a 3-5 working day notice.

The board asked staff to draft revisions based on the discussion. The board will review and act on those revisions at the September meeting.

#### CONSIDERATION OF EXCUSED ABSENCES

Scott reported that Heidi McClintock has asked to be excused from the August meeting. She has provided Scott a copy of her duty orders for the National Guard.

MOTION #6 was made by Brent Katz, seconded by Ryan Birkett, to excuse Heidi McClintock from the August 25, 2022, board meeting. Motion Carried.

**YEA:** Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None

## FY 2023 BUDGET DISCUSSION AND ACTION

Scott presented an updated budget. He highlighted the addition of line items for insurance claims on District vehicles and buildings. Scott also stated that he has reduced the building line item to \$400,000. Scott mentioned that the District has lowered the levy and tax asking the last several years. Scott reviewed the county valuations for FY2023 and provided a summary of \$700,000 in the building sinking fund and \$150,000 in the P.L. 566 Operations and Maintenance sinking fund. Scott is currently working with Dana F. Cole to prepare state budget forms. The county levy is estimated to be 3.1665 cents for a property tax requirement of \$1,994,750.00

Discussion on the budget was held. The District will need to increase the levy to balance budget with current programs and projects. Scott asked for a motion to approve the FY2023 budget as presented.

The legal notice for next month's meeting will read "The Lower Big Blue Natural Resources District will hold a public NRD board meeting on Thursday, September 20, 2022, following the 8:00 a.m. Budget Hearing and Levy Hearing".

MOTION #7 was made by Larry Barta, seconded by Jason Sand to approve the FY 2023 Budget as presented, with the total Expenditures of \$3,407,925.89; Revenue of \$3,011,812.72; and to hold the Budget Hearing on September 20<sup>th</sup> at 8:00 a.m. followed by the Levy Hearing. Motion carried.

**YEA:** Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None

## HUSKER HARVEST DAYS

Scott told the board that Bob Lorenz would like to volunteer at Husker Harvest Days again this year. He asked for a motion to approve mileage and per diem for Bob to attend.

MOTION #8 was made by Rod Skleba, seconded by Larry Barta, to authorize mileage and per diem for Bob to attend Husker Harvest Days. Motion Carried.

**YEA:** Barta, Birkett, Katz, Kelley, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** Lorenz

## CUB CREEK 12A PROJECT

Pictures were shown of the progress at Cub Creek. Recently, staff poured pads for restrooms and installed docks and swimming buoys

Adam stated that Brandon Pohlmann baled 45 bales of hay this year. Discussion of what price to set for the District's 22.5 bales was had. Last year Brandon paid \$60/bale.

MOTION #9 was made by Jason Sand, seconded by Doug Stokebrand, to offer the district's portion of the hay to Brandon Pohlmann at \$65/bale. Motion Carried.

**YEA:** Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None

## LITTLE INDIAN WFPO AND NEW WFPO APPLICATIONS

Tyler reviewed the progress on the Little Indian WFPO project. NRD staff and JEO have met with several landowners regarding the project.

Scott reported that Gage County planning and zoning met August 16<sup>th</sup>. They recommended that the county supervisors adopt language to acknowledge current high water marks, and prohibit construction at or below those elevations.

Tyler also reviewed plans for three additional PIFR(s). Staff plans to work with JEO to submit applications for Turkey Creek, Cub Creek, and Mud-Plum-Wolf Wildcat.

MOTION #10 was made by Doug Stokebrand, seconded by Larry Barta, to approve the development of PIFR(s) for Turkey Creek, Cub Creek, and Mud-Plum-Wolf Wildcat. Motion Carried.

**YEA:** Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None

## NRD ACTIVITIES

Scott told the board that he attended the Jefferson County wind meeting August 18<sup>th</sup>. He asked that NRD recreation areas be acknowledged when determining zoning setbacks.

The Department of Natural Resources suspended irrigation due to low flows at the Barneston gauge on 8/8/22. Rains allowed the order to be lifted 8/18/22.

A letter was received from the Burchard Fire Department asking that Plum 4-F be filled for water supply in the event of a fire. Staff will respond to the letter and work with the Department to address why the reservoir remains drained.

A contractor has been hired to remove invasive Autumn Olive plantings at Wolf Wildcat 12. Mitigation plantings will be done to replace the trees removed.

Scott told the board that Rob Lawson, the new NRCS State Conservationist plans to tour the Lower Big Blue NRD on October 12<sup>th</sup>.

Scott reported on the NRCS Watershed Operation and Maintenance meeting on July 18<sup>th</sup>.

Auditors have been in the office August 23-25<sup>th</sup>.

A health alert has been issued at Big Indian this week for Blue-Green Algae.

Scott talked about the Precision Infrastructure Act. The Nebraska Public Service Commission is seeking comments on the proposed programs.

NDEE is considering applying for a Diesel Reduction Act grant.

Scott reported that Adam has been working to update the District's 10 year Master Plan. The plan must be reviewed and approved by the board by December.

## NRD CONFERENCE VOTING DELEGATE AND ALTERNATE

MOTION #11 was made by Doug Stokebrand, seconded by Bob Lorenz, to appoint Jason Pohlmann as Voting Delegate and Steve Kelley as Alternate Voting Delegate for the 2022 NARD Annual Conference. Motion carried.

**YEA:** Barta, Birkett, Katz, Kelley, Lorenz, Parde, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** Pohlmann

#### NARD RESOLUTIONS

Scott presented one resolution to the board relating to the use of sustainable farming practices.

#### BOARD MEETING TIME AND DATE

Discussion of the meeting date took place. Board meetings used to be the last Thursday of the month. The board voted to switch to the third Thursday of each month at the October 2021 board meeting. It was recently brought up that the second week of the month may be a better fit for directors and staff.

MOTION #12 was made by Steve Kelley, seconded by Dean Roehr, to hold board meetings on the second Thursday of the month beginning in October 2022. Motion carried.

**YEA:** Barta, Birkett, Katz, Kelley, Lorenz, Parde, Rains, Roehr, Sand, Skleba, Stokebrand Pohlmann, **NAY:** None **ABSTAIN:**

#### AGENCY REPORTS

##### NRCS

The NRCS report was distributed to the directors.

##### EXTENSION OFFICE

No Report.

##### FIVE RIVERS R C & D

A report from Bobbi Meints was included in the packet. Dues for the upcoming year were also received. Five Rivers requests \$2,000. The NRD pays \$1,000 each year.

##### NARD

Steve reported that their next meeting will be at the annual conference. He reminded directors to sign up if they have not done so and wish to attend.

#### UPCOMING MEETINGS

Upcoming Meetings, Announcements & Activities:

Aug. 26<sup>th</sup>-Sept. 5<sup>th</sup> Nebraska State Fair

August 29<sup>th</sup>-31<sup>st</sup> Managers Meeting

September 2<sup>nd</sup> 100 Millionth tree planting ceremony-State Capital

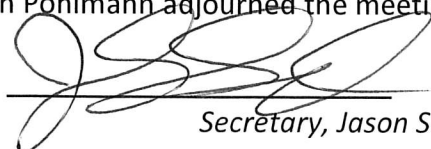
Sept. 20<sup>th</sup> Budget and levy Hearing - 8:00 A.M.

Sept. 20<sup>th</sup> NRD Meeting – immediately following the Budget and Levy Hearings

Sept. 13<sup>th</sup>-15<sup>th</sup> Husker Harvest Days

Sept. 25<sup>th</sup>-27<sup>th</sup> NARD Annual Conference, Kearney

Being no further business, Chairperson Jason Pohlmann adjourned the meeting at 8:40 p.m.



Secretary, Jason Sand

