

LOWER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD MEETING
September 20, 2022
Immediately following budget and levy hearings

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 8:27 a.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; Tyler Weishahn, Assistant Manager; Teresa Langley, Administrative Secretary; Scott Theis, Operations Supervisor; Adam Kimmerling, Administrative Assistant; Nick Schroeder, GIS/IT/Data Specialist; Ryan Thomas, Resources Specialist.

APPROVAL OF SEPTEMBER 20, 2022, CONSENT AGENDA

MOTION #1 was made by Steve Kelley, seconded by Brent Katz, to adopt the Consent Agenda for the September 20, 2022 board meeting, which includes: adoption of the agenda as submitted, approval of the August 25th, 2022 meeting minutes, financial status report dated August 31, 2022, August and September 2022 revenues, and expenditures; Beatrice West and Wymore Rural Water financials.

YEA: Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Skleba, Stokebrand.
NAY: None **ABSTAIN:** None **NOT PRESENT** McClintock, Sand.

OPEN PUBLIC COMMENTS

Teresa Langley, addressed the Board to voice concerns regarding alleged office communication issues, personnel policy changes, alleged harassment and alleged discrimination. Teresa stated that she has served as the Administrative Secretary for the District for 18 years. In light of the recent changes to the personnel policy and other concerns, she has chosen to resign her position effective 10 days from today.

The Board and staff discussed the timeline and financial status of the Wymore Rural Water Project.

Brent Katz spoke and asked staff to please visit with board members about any issues they may have.

WELL PERMITS, IRRIGATION AGREEMENTS

Staff reported there were no new well permits or irrigation agreements to present at this time.

GROUNDWATER QUANTITY RULES AND REGULATIONS UPDATE

Nick reported on the updated language to the groundwater rules and regulations since the last meeting including comments received at the public hearing. They include a change to clarify the notification process prior to drilling a test hole and allow the Board to set the number of days by board action.

MOTION #2 was made by Dean Roehr, seconded by Duane Parde, To approve the Groundwater Quantity Rules and Regulations Revisions and establish that these rules and regulations shall become effective on this 20th day of September 2022 and shall remain in full force and effect until revised, repealed, amended, or superseded. All previous groundwater quantity rules and regulations shall hereby be superseded.

YEA: Barta, Birkett, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Skleba, Stokebrand. **NAY:** Katz
ABSTAIN: None **NOT PRESENT** McClintock, Sand.

MOTION #3 was made by Steve Kelly, seconded by Dean Roehr, To set the number of full District working days required for test-hole drilling notification in rules 5.14.2.2 through 5.14.2.2.2 to three full working days.

Discussion on the time frame for notification was held.

MOTION #4 was made by Brent Katz, seconded by Doug Stokebrand to amend Motion #3 to read “to set the number of full District working days required for test-hole drilling notification in rules 5.14.2.2 through 5.14.2.2.2 to two full working days.

YEA: Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Skleba, Stokebrand.
NAY: None **ABSTAIN:** None **NOT PRESENT** McClintock, Sand.

Chairperson Pohlmann called a roll call vote on Motion #3 as amended.

YEA: Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Skleba, Stokebrand.
NAY: None **ABSTAIN:** None **NOT PRESENT** McClintock, Sand.

MASTER PLAN REVIEW

Adam reviewed the updated master plan with the Board. The 10 year plan is part of the state statutes governing NRD’s. Updated plans are required to be eligible for state funding.

Directors are encouraged to review the plan and submit any revisions to Adam by October 4th. A final draft of the plan will be presented for adoption at the October board meeting.

FY 2023 BUDGET APPROVAL

Scott summarized the Budget Hearing that was held prior to the NRD board meeting. Scott presented an updated budget. The FY 2023 budget calls for expenditures of \$3,407,926 as compared to FY 2022 of \$3,506,933. The FY 2023 expenditures include \$300,000 for the Little Indian Watershed Flood Prevention Project, \$125,000 for the Turkey Creek National Water Quality Initiative, \$200,000 for the Diller/Odell/Beatrice Environmental Trust Projects, \$128,000 for the buffer strip program, \$100,000 for NRD land treatment cost-share, \$60,000 for Water Quality Programs, \$50,000 for NRD Small Dams Program, \$100,000 for PL-566 maintenance work, \$50,000 for P.L. 566 emergency maintenance work, \$62,000 for recreation and Wildlife management area Operation and Maintenance, \$110,000 for Water Sustainability Airborne Electromagnetic Surveys, and \$23,000 for the Blue Basin Groundwater Model. The District has \$400,000 budgeted for office design and construction. Separate expenditures include \$63,293 for the Beatrice West Public Water Project and \$327,642 for the Wymore Rural Water Project. 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 asked for motions to establish funds in these amounts with the Nebraska Public Agency Investment Trust(NPAIT).

Jason Sand arrived at 9:15 a.m.

MOTION #5 was made by Doug Stokebrand, seconded by Dean Roehr, to establish a building sinking fund account in NPAIT in the amount of \$700,000.00 and to transfer any unused budgeted FY 2023 Operations Land and Building Project Funds into the designated account at the end of the fiscal year.

YEA: Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None **NOT PRESENT** McClintock.

MOTION #6 was made by Doug Stokebrand, seconded by Ryan Birkett, to redesignate the Swan Creek P.L. 566 Watershed reserve fund in NPAIT into the P.L. 556 Operation and Maintenance and Emergency Watershed Repair Sinking Fund.

YEA: Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None **NOT PRESENT** McClintock.

MOTION #7 was made by Doug Stokebrand, seconded by Ryan Birkett, to establish a P.L. 566 Operation and Maintenance and Emergency Watershed Repair sinking fund in NPAIT in the amount of \$150,000 and to transfer any unused budgeted FY 2023 Operations Emergency Watershed funds into the designated account at the end of the fiscal year.

YEA: Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None **NOT PRESENT** McClintock.

MOTION #8 was made by Jason Sand, seconded by Duane Parde, Motion to approve the FY 2023 Lower Big Blue Budget as presented, with total Expenditures of \$3,407,925.89 and Revenues of \$3,011,812.72.

YEA: Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None **NOT PRESENT** McClintock.

FY 2022 LEVY AND TAX REQUEST APPROVAL

Scott summarized the Levy and Tax Request Hearing that was held prior to the NRD board meeting. Revenues from all sources for FY 2023 are expected to be \$3,011,813 as compared to FY 2022 Revenues of \$2,124,969. The District begins FY 2023 with \$575,223, cash on hand. In FY 2023 we expect \$408,952, from state funds (FY2022 \$328,894);, including \$175,000 from the Environmental Trust, \$34,258 from the Water Quality Fund and \$130,000 for buffer strips. Federal funds are estimated to be \$335,100 (FY2022 \$315,000). Property rent will be \$16,932, customer charges for camping, tree planting, tree protectors and flags is \$76,481; Miscellaneous Revenues, \$186,542; and \$1,994,750 from property taxes. The District has \$150,000 in a P.L. 566 dam operation and maintenance and emergency watershed repair sinking fund, \$700,000 in a building sinking fund and \$116,000 in rural water project funds.

MOTION #9 was made by Steve Kelley, seconded by Jason Sand, that a resolution be adopted for the Lower Big Blue NRD Fiscal Year 2023 Tax Requirement of \$1,994,750 and a Fiscal Year 2023 Tax Levy of \$0.031665/\$100 valuation, and that said resolution is submitted to the County Clerks on or before October 15, 2022.

YEA: Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None **NOT PRESENT** McClintock.

NRD ACTIVITIES

Scott reported that the Blue River compact closed appropriations twice this season.

Nick reported on ground water levels, stating that the District received a few calls of well interference due to dry conditions and irrigation pressure. Nick showed data on several wells.

AGENCY REPORTS

NRCS

A report was distributed to the directors.

EXTENSION OFFICE

A report was distributed to the directors

FIVE RIVERS R C & D

Bob reported that there has not been a meeting since the last LBB NRD meeting.

NARD

Steve stated the next meeting will be in Kearney on September 28th.

UPCOMING MEETINGS

Sept. 14th -16th

Husker Harvest Days

Sept. 25th-27th
October 13th

NARD Annual Conference, Kearney
NRD Board Meeting, 7:00 p.m.

Being no further business, Chairperson Steve Kelley adjourned the meeting at 9:15 a.m.

Secretary, Jason Sand