

**LOWER BIG BLUE NATURAL RESOURCES DISTRICT  
BOARD MEETING  
January 11, 2024  
1:30 PM**

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, Fairbury Journal-News and Wymore Arbor State. 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 Ryan Birkett at 1:30 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; Tyler Weishahn, Assistant Manager, Adam Kimmerling, Office Administrator; Scott Theis, Operations Supervisor; Nick Schroeder, GIS/IT/Data Specialist. Brandy Scholl, Gage County NRD Secretary

Others Present: Robert Milton

Directors Absent Chad Weichel

APPROVAL OF JANUARY 11, 2024 CONSENT AGENDA

MOTION #1 was made by Doug Stokebrand, seconded by Jason Pohlmann, to adopt the Consent Agenda for the January 11, 2024, board meeting which includes: adoption of the agenda as submitted, approval of the December 14, 2023, meeting minutes, financial status report dated December 31, 2023, December 2023 bills payable, December 2023 revenues, monthly bank account summary and Beatrice West and Wymore Rural Water Financials. Motion carried.

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

**NAY:** None **ABSTAIN:** None. **Not Present:** Parde, Sand, Weichel

OPEN PUBLIC COMMENTS

None

ELECTION OF OFFICERS FOR 2024

Election of officers is conducted by roll call vote for single nominees and secret ballot if multiple nominations are received. Scott Sobotka and Scott Theis were appointed to count the ballots.

CHAIRPERSON

Nominations were taken from the floor. Larry Barta was nominated for office of Chairperson. No other nominations were received. Barta received nine votes and will serve as Chairperson.

Newly elected chairperson Larry Barta assumed the responsibilities of the Chairperson for the remainder of the meeting.

Duane Parde arrived at 1:38 p.m.

VICE-CHAIRPERSON

Nominations were taken from the floor. Duane Parde and Chad Weichel were nominated for the office of Vice-Chairperson. Parde received six votes and Weichel received five votes. Parde will serve as Vice-Chairperson.

Jason Sand arrived at 1:48 p.m.

SECRETARY

Nominations were taken from the floor. Jason Sand was nominated for the office of Secretary. No other nominations were received. Sand received eleven votes and will serve as Secretary.

TREASURER

Nominations were taken from the floor. Dean Roehr was nominated for the office of Treasurer. No other nominations were received. Roehr received eleven votes and will serve as Treasurer.

AUTHORIZE SIGNATURES FOR BANKING ACTIVITIES

Scott stated that the new Treasurer will need to be added to the checking accounts as an authorized signor. Scott also asked to add the Secretary as a back-up to the Treasurer. The Manager is also listed as a signor. Adam will also be added as an account representative, allowing him to discuss and manage the accounts with bank personnel.

MOTION #2 was made by Doug Stokebrand, seconded by Steve Kelley, to add Treasurer, Dean Roehr, Secretary, Jason Sand and Manager, Scott Sobotka, as authorized signors on all checking accounts and add Office Administrator, Adam Kimmerling as an account representative. Motion carried.

**YEA:** Barta, Birkett, Katz, Kelley, Lorenz, Parde, Pohlmann, Rains, Roehr, Sand, Skleba, Stokebrand. **NAY:** None **ABSTAIN:** None. **Not Present:** Weichel.

NARD REPRESENTATIVE

Nominations were taken from the floor. Steve Kelley was nominated for the office of NARD Representative. No other nominations were received. Kelley received eleven votes and will serve as NARD Representative.

ALTERNATE NARD REPRESENTATIVE

Nominations were taken from the floor. Jason Sand was nominated for the office of Alternate NARD Representative. No other nominations were received. Sand received ten votes and will serve as alternate NARD representative.

LEGISLATIVE CONFERENCE VOTING DELEGATE

Nominations were taken from the floor. Larry Barta was nominated for legislative conference voting delegate. No other nominations were received. Barta received eleven votes and will serve as the legislative conference voting delegate.

LEGISLATIVE CONFERENCE ALTERNATE

Nominations were taken from the floor. Steve Kelley was nominated for legislative conference

alternate. No other nominations were received. Kelley received eleven votes and will serve as the legislative conference alternate.

COMMITTEE ASSIGNMENTS

Scott reviewed current committee assignments with the directors. Efforts were made to accommodate directors who wished to serve on certain committees. Committee assignments are listed in the table below.

2024 Committee Assignments				
<b>Larry Barta, Chair - Attends all committee meetings</b>				
Programs and Projects	Personnel and Equipment	Information and Education	Water	Building
Ryan Birkett	Steve Kelley	Brent Katz	Doug Stokebrand	Darrell Rains
Jason Pohlmann	Jason Sand	Chad Weichel	Chad Weichel	Steve Kelley
Bob Lorenz	Dean Roehr	Duane Parde	Steve Kelley	Jason Pohlmann
Darrell Rains	Rodney Skleba	Doug Stokebrand	Rodney Skleba	Dean Roehr
			Jason Pohlmann	Rodney Skleba

Scott mentioned that the federal mileage rate has increased 1.5 cents to 67 cents per mile

WATER COMMITTEE REPORT

Doug summarized the minutes from the January 10<sup>th</sup> Water Committee meeting.

Robert Milton has completed the variance process to add a corner system to a well in the SE quarter of Section 31-Township 8 North-Range 1 East in Saline County. This would result in the addition of around 24 acres.

Groundwater use reports were sent to producers who have a well drilled after 2014 or have received cost-share, requesting voluntary reporting of flow meter readings. The District anticipates this data will be helpful in understanding groundwater use going forward.

Following the last Water Committee meeting discussion of rules and regulations revisions, staff were asked to summarize potential alternatives to a districtwide flow meter installation mandate. Those alternatives are:

1. Mandatory flowmeter installation districtwide implemented over a period of time;
 

*All water wells pumping greater than fifty (50) gallons per minute or commingled wells with a combined total capacity of greater than fifty (50) gallons per minute, commingled wells described in Rule 5.13 (e.g. low-capacity livestock systems), and any water wells involved in conveying groundwater into a stream or water impoundment structure shall be equipped with a flowmeter.*
2. A lower percentage of wells at Phase 2 status than would be required to place the entire subarea into Phase 2 would trigger mandatory flowmeter installation for the subarea;
 

*Phase 2 determination for a subarea is proposed as a minimum of fifty percent (50%) of the NRD monitoring and observation wells within the subarea having spring static water level readings at five (5) feet or more below their baseline (“Phase 2 trigger”) for three (3) consecutive years. An example of this alternative might be 30% of those wells being at Phase 2 trigger for 3 consecutive years.*
3. The same percentage of wells required to place an entire subarea into Phase 2, but fewer years at Phase 2 status would trigger mandatory flowmeter installation for the subarea.
 

*Phase 2 determination for a subarea is proposed as a minimum of fifty percent (50%) of the NRD monitoring and observation wells within the subarea having spring static water level readings at five (5) feet or more below their baseline (“Phase 2 trigger”) for three (3)*

*consecutive years.* An example of this alternative might be 50% of those wells being at Phase 2 trigger for 1 or 2 consecutive years.

Tyler updated Board on the status of the first AEM project flown in the district last summer with final report delivered and presented by April, the next AEM project timeline, planning to fly around July 1<sup>st</sup>, and sought direction for pursuing future AEM projects. In discussing with staff and Aqua Geo Frameworks, it may be feasible to pursue a large Water Sustainability Fund (WSF) grant should the District wish to do so. The deadline to apply for WSF funding is March 31<sup>st</sup>.

**MOTION #3** was made by Doug Stokebrand, seconded by Steve Kelley, to allow staff to apply for a small WSF grant with assistance from Olsson. Motion carried.

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

**NAY:** Pohlmann **ABSTAIN:** None. **Not Present:** Weichel

### WELL PERMITS, IRRIGATION AGREEMENTS

Tyler reviewed the application for variance from Robert Milton requesting to expand irrigated acres through the addition of a corner system which would add approximately 24 acres to the 138.62 currently certified in the SE quarter of Section 31-Township 8 North-Range 1 East in Saline County. The well supplying groundwater to the pivot as it exists was drilled in 1969 and is registered with a rated capacity of 1,200 gallons per minute (gpm).

The study done by Olsson to delineate potential subareas by hydrogeology and development, in addition to existing NRD groundwater monitoring data, does provide the District with valuable data to use when assessing good cause shown across varying aquifer formations. The District has 60 days or until February 27, 2024, to approve or deny this variance. Approved variances are valid for 180 days from the date of approval.

The Board held a discussion on the variance including the areas ability to support added acres, and the precedent that approval of the variance would set. Tyler noted that the variance may be approved or denied based on the best information available to the Board including the information from Olsson.

**MOTION #4** was made by Jason Pohlmann, seconded by Ryan Birkett, to approve the variance request for Robert Milton to allow the addition of approximately 24 irrigated acres in the SE quarter of Section 31-Township 8 North-Range 1 East in Saline County based upon the Districts' groundwater quantity data and further study of the area provided by Olsson. Motion carried.

**YEA:** Barta, Birkett, Kelley, Lorenz, Pohlmann, Rains, Sand,. **NAY:** Katz, Parde, Skleba, Stokebrand **ABSTAIN:** Roehr. **Not Present:** Weichel.

### BUILDING COMMITTEE REPORT

The District is still waiting on the final drawings from Fakler Architects. Once received, Michael will meet with the Building Committee to review the drawings.

Adam stated that new board room chairs have been ordered and should arrive in early February.

### LITTLE INDIAN WFPO AND NEW WFPO APPLICATIONS UPDATE

The Little Indian WFPO project has been submitted to national review in Little Rock, AR. A contract modification with JEO for the next phase of the project is being developed. Scott also stated that the Plum Creek watershed PIFR has been considered a viable project by Nebraska NRCS.

LOWER BIG BLUE AND LITTLE BLUE NINE COUNTY ALL HAZARD MITIGATION PLAN

Scott stated that a kickoff meeting with county emergency managers is planned for next week. He also discussed the potential for Hazard Mitigation Planning funds to be used toward AEM data collection and application in regard to drought planning and mitigation.

PROCUREMENT: NRD EQUIPMENT, RECREATION AND P.L. 566 O&M

Scott This reviewed slated equipment purchases for FY 2024. Both Z970R mowers will be traded along with the John Deere gator. Bids for the equipment will be sent to dealers in the District. Scott also stated that staff plans to purchase a set of pallet forks for the skid loader as the current set does not fit well on the John Deere skid loader.

Scott This bid a grout hopper online and locally through Tuttle Industries. The bid from Tuttle was \$7,300 while the price from skidsteers.com was \$4,078.35.

MOTION #5 was made by Dean Roehr, seconded by Jason Pohlmann, to approve purchase of a grout hopper from skidsteers.com for \$4,078.35. Motion carried.

**YEA:** Barta, Birkett, Kelley, Lorenz, Pohlmann, Rains, Roehr, Sand,. **NAY:** Katz, Parde, Skleba, Stokebrand **ABSTAIN:** None **Not Present:** Weichel.

Scott presented proposals for playground equipment. The commercial sets are to be placed at Willard Meyer and Cub Creek recreation areas. These will replace older wood and metal play sets. The set for Cub Creek was priced at \$15,434.00. The set for Willard Meyer was priced at \$35,534.00. NRD staff will complete the installation of both sets.

MOTION #6 was made by Jason Sand, seconded by Dean Roehr, to approve purchase of a playground set for Cub Creek Recreation area for \$15,434.00 . Motion carried.

**YEA:** Barta, Birkett, Kelley, Lorenz, Pohlmann, Rains, Roehr, Sand,. **NAY:** Katz, Parde, Skleba, Stokebrand **ABSTAIN:** None **Not Present:** Weichel.

MOTION #7 was made by Brent Katz, seconded by Rodney Skleba, to approve purchase of a playground set for Willard Meyer Recreation area for \$35,534.00. Motion carried.

**YEA:** Barta, Birkett, Kelley, Lorenz, Pohlmann, Rains, Roehr, Sand,. **NAY:** Katz, Parde, Skleba, Stokebrand **ABSTAIN:** None **Not Present:** Weichel.

Scott also noted that two dam lining maintenance projects are planned for this year at Cub 17-C and Cub 10-C. The current tubes will be lined with a cast in place liner or a Snap-tite liner.

NRD ACTIVITIES

Tyler presented a year end summary of NRD programs to the board.

Scott told the board about the possibility of working with Nebraska Game and Parks on aquatic habitat projects.

CONSIDERATION OF EXCUSED ABSENCES

Scott reported that Chad Weichel has requested he be excused from the January 11<sup>th</sup> meeting.

MOTION #8 was made by Rodney Skleba, seconded by Brent Katz, to excuse Chad Weichel from the January 11, 2023 board meeting. Motion carried.

**YEA:** Barta, Birkett, Kelley, Lorenz, Pohlmann, Rains, Roehr, Sand,. **NAY:** Katz, Parde, Skleba, Stokebrand **ABSTAIN:** None **Not Present:** Weichel.

PERSONNEL SERVICES

Scott stated that January performance reviews are nearly complete. He plans to hold a Personnel and Equipment Committee meeting to review the results of those.

AGENCY REPORTS

NRCS

Brandy stated that field staff are still staking jobs, weather permitting. They are also currently gathering information needed to process EQIP and CSP contracts.

EXTENSION

No report

NRC

Steve reported that they have not met since the last NRD meeting.

NARD

Steve reported that their next meeting will be at the Legislative Conference.

Announcements, Upcoming Meetings & Activities

- January 11<sup>th</sup> - UNL Crop Production Clinic – Beatrice Holiday Inn-9:00 a.m.
- January 22<sup>nd</sup> - NRD Managers Meeting/NARD Meeting - Lincoln
- January 23<sup>th</sup> - 24<sup>th</sup> - Legislative Conference - Lincoln
- January 31<sup>st</sup> - Southeast Nebraska Farm Show – Saline Center
- Feb. 8<sup>th</sup> - NRD Board Meeting 1:30 p.m.
- Feb. 13<sup>th</sup> - Chemigation Certification – Gage County Extension – 9:00 a.m

Being no further business, Chairperson Larry Barta adjourned the meeting at 3:28 p.m.

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*Secretary, Jason Sand*

I, the undersigned, Secretary of the Lower 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 11, 2024, 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.

:amk