

LOWER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD MEETING
October 10, 2024
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 Larry Barta at 7:00 P.M.

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

Staff Present: Scott Sobotka, Manager; Tyler Weishahn, Assistant Manager; Adam Kimmerling, Office Administrator; Nick Schroeder, GIS/IT/Data Specialist; Brandy Scholl, Gage County NRD Secretary, Programs Assistant.

Others Present: Kennon Meyer, BWJ Law Group, Doug Pieper and Randy Wiese, Applicants for Sub- District two Director.

APPROVAL OF OCTOBER 10, 2024, CONSENT AGENDA

MOTION #1 was made by Doug Stokebrand, seconded by Duane Parde, to adopt the Consent Agenda for the October 10, 2024, board meeting, which includes: adoption of the agenda as submitted, approval of the September 19, 2024 meeting minutes, financial status report dated September 30, 2024, September 2024 revenues, and expenditures; Beatrice West and Wymore Rural Water financials.

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

OPEN PUBLIC COMMENTS

None

APPOINTMENT OF SUB-DISTRICT TWO DIRECTOR

Scott reviewed the vacancy in sub-district two. The vacancy was advertised, and two applications were received. Bruce Wiese and Doug Pieper were present at the meeting to answer questions from the Board.

The directors requested that the applicants voluntarily leave the room so the board could discuss the applicants. Upon the return of the applicants, a voice vote was taken to reach a majority vote.

VOTE: Barta, Birkett, Lorenz, Parde, Sand, Skleba, Stokebrand voted for Bruce Wiese; Kelley, Roehr, Weichel voted for Doug Pieper.

Scott administered the Oath of Office to Bruce Wiese.

Director Katz arrived at 7:18 p.m.

GROUNDWATER QUALITY RULES AND REGULATIONS

Nick updated the Board on the process of updating groundwater rules and regulations. DNR has confirmed receipt of the proposed rules and regulations and will provide comment at the public hearing on November 6th.

Nick summarized the proposed changes and noted that the notice of public hearing will be sent to the Beatrice Daily Sun, Wilber Republican, Fairbury Journal News and Pawnee Republican.

Director Pohlmann arrived at 7:24 p.m.

Kennon Meyer addressed the board regarding the legal basis for proposed changes to the groundwater rules and regulations. Discussion was held on proposed changes to provisions for large water users. Kennon recommended changes to 5.18.1.1 to reflect that applicants who wish to use over 400 acre feet annually would be required to pay for a hydrogeologic evaluation with a minimum 20 year impact calculation of the effects of such use. Applicants would be notified of the estimated cost of such evaluation prior to the evaluation being conducted.

MOTION #2 was made by Jason Pohlmann, seconded by Chad Weichel, amend 5.18.1.1 to reflect that applicants who wish to use over 400 acre feet annually would be required to pay for a hydrogeologic evaluation with a minimum 20 year impact calculation of the effects of such use. Applicants would be notified of the estimated cost of such evaluation prior to the evaluation being conducted.

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

Kennon also recommended that 5.18.2, 5.18.2.1 and 16.3 be removed from the proposed rules. These rules would place a cap on large water users. In lieu of these rules, Kennon stated that a better approach would be to impose specific conditions on a permit if the Board feels it is warranted by the results of the required hydrogeologic evaluation.

MOTION #3 was made by Doug Stokebrand, seconded by Jason Sand to remove 5.18.2, 5.18.2.1 and 16.3 from the proposed groundwater rules and regulations revisions.

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

Kennon provided an update on the enforcement process for individuals who violate a cease-and-desist order issued by the Board.

Tyler told the Board that the staff continues to work on a possible grant for flowmeter funding with the Bureau of Reclamation.

WATER WELL PERMITS, IRRIGATION AGREEMENTS

None

BEATRICE WEST RURAL WATER METER REPLACEMENT

Adam stated that he sought quotes from three meter suppliers for the project. Bids were received for both cellular and drive by systems. A cellular system was bid from Municipal Supply for \$22,210.40. The bid includes replacement of 48 meters, cellular infrastructure and setup. The current meters on Beatrice West are 20+ years old and are in need of replacement.

MOTION #4 was made by Brent Katz, seconded by Rod Skleba to approve meter replacement on Beatrice West through Municipal Supply.

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

Nick reviewed a recent valve replacement in the pump house at Wymore. A failed butterfly and check valves had been allowing water to leak back through the system.

Tyler told the Board that 5 dedicated sampling sites have been completed on the Wymore Rural Water Project.

URBAN CONSERVATION

Scott told the Board that he was recently contacted by the Village of Cortland to inquire about changing their urban conservation project for this year. Scott has let them know that any unapproved changes at this point will not be eligible for cost share. He also reminded the Board of what items are eligible for cost share under the current program.

CONSIDERATION OF EXCUSED ABSENCES

None

LITTLE INDIAN WFPO PROJECT

Scott gave a brief history of the Little Indian WFPO project. The next step in the process is to hold a public hearing. Scott recommended having the public hearing in Pickrell since it is a central location in the watershed.

MOTION #5 was made by Duane Parde, seconded by Steve Kelley, to hold a public hearing for the Little Indian WFPO Project on November 14th from 4-6 p.m. at the Pickrell Community Center, 311 Austin St. Pickrell, NE 68422.

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

2025 NRD TREE PROGRAM REVIEW

Adam reviewed proposed changes to the NRD tree program for 2025. Nanking Cherry will be removed as it is becoming harder to find from nurseries. American Sycamore will be added. No other changes are proposed.

MOTION #6 was made by Rodney Skleba, seconded by Duane Parde, to approve the tree program for 2025.

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

Scott stated that it is time to approve a new tree interlocal agreement with the NARD. The most notable change increases the amount sent to the NARD from \$.03/tree to \$.06/tree.

MOTION #7 was made by Jason Pohlmann, seconded by Dean Roehr, to approve the new tree interlocal agreement as presented.

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

BUILDING COMMITTEE REPORT

Dean reviewed progress on the new office and shop design. He noted that Ayers and Ayers has started working on the road extension at the NRD's property in the Northgate addition. Dean stated that he is hopeful that bid specifications will be sent to contractors soon. Bids are expected to for review and possible action at the December meeting.

NRD ACTIVITIES

Scott told the Board that the budget was submitted to the State on September 27th. He also reviewed the audit report and noted that Ryan with Dana Cole will present to the Board at a future meeting. Bids for the next audit cycle will be sent in the next few weeks.

Scott informed the board that the Nebraska Dam Safety Division will be hosting a dam owners workshop soon. He asked any directors interested in attending to let him know.

Scott has been contacted by Senator Bosselman regarding residents of Plum 4-F asking to have the lake filled.

A burn ban has been put in place at all LBBNRD areas.

Staff is working with an aerial spraying service to price spraying of Sericea lespedeza and phragmites.

Scott noted that the NRD was able to purchase several more playground sets from the Beatrice Public Schools auctions.

Nick has been working on groundwater level measurements in the District's dedicated monitoring wells.

Scott spoke about the Turkey Creek Stream Gage and a possible funding partnership with DNR for its continued operation.

Scott stated that the Homestead Conservation and Trail Association has contacted the NRD regarding another possible water hookup at Blue Springs. The NRD worked with the association in the past to facilitate providing water to the trailhead at Blue Springs.

AGENCY REPORTS

NRCS

Brandy reported that NRCS staff are busy designing and staking fall jobs, however, they have been notified that several areas may be too dry for work to be completed. She also reviewed the civil rights and responsibilities agreement with NRCS partners.

EXTENSION OFFICE

No Report

NRC

Steve reported that he attended the NRC meeting on October 2nd. Their next meeting will be February 19th

NARD

Steve reported that the committee met at the annual conference in Kearney. Steve reviewed the current financial status of the NARD and NARD Risk Pool.

UPCOMING MEETINGS

- October 14th - Office Closed - Columbus Day
- October 29th-30th - Managers Meeting NNRD
- November 4th - NARD meeting – MNNRD
- November 6th - Groundwater Quantity Rules and Regulations Public Hearing
Gage County Fair Grounds 6:00 p.m.
- November 11th - Office Closed – Veterans Day
- November 14th - Board Meeting 1:30 p.m.

Being no further business, Chairperson Larry Barta adjourned the meeting at 9:48 P.M.

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 October 10, 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.

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