

**LOWER BIG BLUE NATURAL RESOURCES DISTRICT  
BOARD MEETING  
April 13, 2023**

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 7:00 p.m.

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

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

Directors Absent: Darrell Rains

Others Present: Jim Schneider, Olsson

CONSIDERATION OF EXCUSED ABSENCES

Darrell Rains has requested an excused absence from the April 13<sup>th</sup> meeting.

MOTION #1 was made by Doug Stokebrand, seconded by Dean Roehr, to excuse Darrell Rains from the April 13<sup>th</sup>, 2023 meeting.

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

APPROVAL OF APRIL 13, 2023, CONSENT AGENDA

MOTION #2 was made by Brent Katz, seconded by Duane Parde, to adopt the Consent Agenda for the April 13, 2023, board meeting which includes: adoption of the agenda as submitted, approval of the March 9, 2023, meeting minutes, financial status report dated March 31, 2023, March 2023 bills payable, March 2023 revenues, monthly bank account summary and Beatrice West and Wymore Rural Water Financials. Motion carried.

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

OPEN PUBLIC COMMENTS

Scott told the Board that longtime director Franklin Damrow passed away on March 22<sup>nd</sup>. Franklin was a member of the Big Indian Watershed Conservancy District Board and one of the original NRD directors, serving from 1972 to 1997.

Scott congratulated Bob Lorenz on receiving a Quilt of Valor from the Crete American Legion. Bob Served in the National Guard from 1967-1972.

## WATER PERMITS, IRRIGATION AGREEMENTS

Tyler presented comments made by the District on two proposed animal feeding operations. NRD's are allowed to comment on confined animal feeding operations (CAFOs). An additional public comment period will take place in the future.

## WATER COMMITTEE REPORT

Doug reviewed the minutes of the water committee meeting held April 11, 2023. Those minutes are attached as official record to these minutes.

Nick reviewed the results of spring water level readings conducted the first week in April. 171 wells were measured. District wide, average declines were seen at 1.24'. Nick explained that recharge numbers appear higher this spring due to the duration and timing of last year's irrigation season. Nick reviewed the historical trends of several wells, noting that declines in the past two years were similar to those in 2012-2015. Current wells meeting the criteria for Phase II Management Areas were shown and the Phase II triggers were reviewed.

Jim Schneider with Olsson reviewed the status of the project to date. He noted that the variability of the district presents a management challenge. Jim reviewed the process to delineate sub areas including mapping of the district based on known transmissivity, test hole data, and well density. Two different sub area maps, broken down by section were shown. Each show 9 areas based on the data analysis. Option 1 utilizes a minimum mean transmissivity of 12,000 gallons per day per foot while option 2 utilizes a minimum mean transmissivity of 30,000 gallons per day per foot. A map of the average score of each section was also shown. If the sub areas were adopted, rules revisions would be made to manage individual areas. Jason Pohlmann asked to see current irrigation and Phase II wells overlaid onto the sub area map.

Scott talked about the options for the current moratorium which expires June 6<sup>th</sup>. A public meeting will be needed to continue the stay beyond June 6<sup>th</sup>. Discussion on how to proceed was held with the consensus being that the stay needs to be continued in order to make appropriate decisions regarding future management. Possible dates for a public hearing were discussed.

MOTION #3 was made by Doug Stokebrand, seconded by Brent Katz, to hold a public hearing, as required by Nebraska Revised Statute 46-707(2), on May 18<sup>th</sup> at 7:00 PM at the DeWitt Community Building for the Board to hear public comment on extending the District's current temporary 180-day moratorium on the construction of new water wells and increase of irrigated acres.

Motion carried.

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

## WFPO UPDATE

Scott updated the board on the Little Indian WFPO project. Cultural resources investigations have been completed. A final agency review of the plan environmental assessment has been scheduled for May 11<sup>th</sup>.

## URBAN CONSERVATION PROGRAM DISCUSSION

Scott reviewed proposed changes to the District's urban conservation assistance program for FY 2024. Those changes include expected program funding of \$75,000 annually, adding ranking criteria

if applications over \$75,000 are received, and the addition of development or improvement of recreation as a project category.

Steve Kelley mentioned that many cities have different fiscal years than the NRD which creates a short window for application. Scott stated that while construction must begin within one fiscal year of approval, funds could be carried over to a subsequent NRD fiscal year if necessary.

MOTION #4 was made by Dean Roehr, seconded by Larry Barta, to approve the FY 2024 urban conservation assistance program. Motion carried.

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

#### WASHINGTON D.C. MEETING REPORT AND LEGISLATIVE UPDATE

Nick presented pictures of the Washington D.C. trip attended by Dean, Duane and himself. Nick stated that staff was able to meet with NRCS representatives regarding the importance of the WFPO program.

Scott updated the board on the current Legislative session. Filibusters will reduce the number of bills which the legislature can take up this session.

Scott also presented a memo sent by the NARD to the chairman of the Appropriations Committee outlining the current water quality sampling efforts of NRD's across the state.

#### NRD ACTIVITIES

Scott stated that all LBBNRD recreation areas, with the exception of Cub Creek, opened on March 31<sup>st</sup>. Cub creek will open once renovations are complete.

Staff may consider a burn ban due to dry conditions.

Scott informed the board of dam assessments to be conducted by the state this year.

Tyler spoke about the Phase II certification meetings. Around 70 producers attended.

Tyler also told the board that an he has submitted the application to the water sustainability fund for additional AEM line miles.

Adam stated that the fishing derby is scheduled for May 20<sup>th</sup>. He has reached out to the National Guard to hold an aircraft display as they did in 2016. Nebraska Department of Environment and Energy has also agreed to present their flood plain model table.

Adam presented a summary of this year's tree sales.

Adam mentioned that the NRD will plant a tree on Arbor Day at the Veterans Memorial Park in Beatrice at 10:00 A.M.

Scott told the Board that this years' GMDA conference will be held in Santa Fe, New Mexico July 10-13<sup>th</sup>.

Adam stated that the Department of Natural Resources has extended the reverse osmosis rebate program on a monthly basis as there are still unallocated funds. The program will provide rebates up to \$4,000 on reverse osmosis systems.

BUILDING COMMITTEE REPORT

Scott reviewed the building committee minutes from April 11, 2023. Those minutes are attached as official record to these minutes.

Scott presented information received from the mechanical engineer regarding a geothermal system. Clean energy credits could potentially provide up to a 40% cost savings on that type of system. Discussion on the system was held. Scott stated that a study of the cost and energy savings would be \$2,500.

MOTION #5 was made by Dean Roehr, seconded by Steve Kelley, to conduct a study of the geothermal system for \$2,500. Motion carried.

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

Scott stated that he spoke with Anthony with Skyline construction on Tuesday. Insurance has approved replacing all of the siding on the office.

PERSONNEL SERVICES

Brandy Scholl, NRD Clerk, Gage County, introduced herself to the board.

Scott stated that Jarrett Koch has been hired as the Assistant Operations Supervisor.

Scott also noted that four college students, Megan Tinsley, Quinn Palmer, Logan Edwards and Zach Zimmerman, have been hired to work this summer.

ACTION ON NRD INVOLVEMENT WITH FIVER RIVERS RC&D

The Board discussed the status of the Five Rivers RC&D organization. Due to concerns with the operations of of the Five Rivers RC&D it is recommended that the NRD withdraw from all involvement, membership, and association with Five Rivers RC&D.

MOTION #6 was made by Bob Lorenz, seconded by Chad Weichel, to withdraw the Lower Big Blue NRD from all involvement, membership and association with Five Rivers RC&D effective April 13, 2023. Motion carried.

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

AGENCY REPORTS

NRCS

A report was distributed to the directors.

EXTENSION OFFICE

No Report

NRC

Steve reported on dollar amounts available in various programs overseen by the Commission. He also noted that the Commission currently has two vacancies. Any farmer or ag businessperson can apply to be appointed by the governor.

NARD

Steve reported that their next meeting will be at the basin tour hosted by Central Platte NRD on June 12<sup>th</sup>-13<sup>th</sup>. Directors interested in attending should let Adam know at the May board meeting.

Announcements, Upcoming Meetings & Activities

May 11 <sup>th</sup>	NRD Board Meeting
May 18 <sup>th</sup>	Public Hearing 7 P.M. DeWitt Community Center
May 20 <sup>th</sup>	NRD Fishing Derby
June 12-13 <sup>th</sup>	NARD Basin Tour- Central Platte NRD

Being no further business, Chairperson Ryan Birkett adjourned the meeting at 8:53 p.m.

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*Secretary, Jason Sand*

# **Water Committee Meeting Minutes**

**April 11, 2023, 2:00PM**  
**Lower Big Blue NRD Office**

Committee Members Present: Ryan Birkett, Steve Kelley, Jason Pohlmann, Doug Stokebrand, Chad Weichel

Others Present: Larry Barta, Scott Sobotka, Tyler Weishahn, Nick Schroeder, Ryan Thomas, Adam Kimmerling, Mallory Morton, and Jim Schneider, Olsson.

Committee Members Absent: Rodney Skleba

Chairman: Doug Stokebrand; Vice-Chairman: Chad Weichel

## **Minutes from last meeting**

Ryan reviewed the minutes from the previous water committee meeting on March 7, 2023.

Motion made by Jason Pohlmann, seconded by Ryan Birkett to approve the minutes from March 7, 2023. Motion carried.

**YEA:** Birkett, Pohlmann, Stokebrand, Wiechel **NAY:** None. **ABSTAIN:** Kelley **NOT PRESENT:** Skleba.

## **Spring 2023 Water Levels**

Nick reviewed the results of spring water level readings conducted the first week in April. 171 wells were measured. District wide, average declines were seen at 1.24'. Nick explained that recharge numbers are deceptively high this spring due to the duration and timing of last year's irrigation season. Nick reviewed the historical trends of several wells, noting that declines this year were similar to those in 2012-2015. Current wells meeting the criteria for Phase II Management Areas were shown and the Phase II triggers were reviewed.

## **Olsson Update on Groundwater Management Sub Areas**

Mallory Morton with Olsson reviewed the status of the project to date. She noted that the variability of the district presents a management challenge. Mallory reviewed the process to delineate sub areas including mapping of the district based on known transmissivity, test hole data, and well density. Two different sub area maps were shown to the committee. Each show 9 areas based on the data. Option 1 utilizes a minimum transmissivity of 12,000 gallons per day per foot while option 2 utilizes a minimum transmissivity of 30,000 gallons per day per foot. A map of the average score of each section was also shown. If the sub areas were adopted, rules revisions would be made to manage individual areas. Jason asked to see current irrigation wells overlaid onto the sub area map.

## **Temporary Moratorium Discussion**

Scott talked about the options for the current moratorium which expires June 6<sup>th</sup>. If the stay is allowed to expire, certification of acres and or points adjustments could be used to manage development in marginal areas. A public meeting will be needed to continue the stay beyond June 6<sup>th</sup>. Discussion on how to proceed was held with the consensus being that the stay needs to be continued in order to make appropriate decisions regarding future management.

Motion made by Doug Stokebrand, seconded by Steve Kelley to recommend to the board that the stay be continued to allow for the development of appropriate management of future development. Motion carried.

**YEA:** Birkett, Kelley, Pohlmann, Stokebrand, Wiechel **NAY:** None. **ABSTAIN:** None **NOT PRESENT:** Skleba.

Nick demoed the NRD App. Data migration has been completed and the app is available for staff to use at this time.

## **Other Business**

Scott updated the committee on the building plans, including the possibility of using a geothermal system for heating and cooling.

Scott reviewed proposed updates to the Urban Conservation program including methods to limit applications to the total program budget of \$75,000.

Scott stated that legal counsel has recommended withdrawing the NRD from all involvement with the Five Rivers RC&D. The organization has largely dissolved. Continuation of the events Five Rivers provided may be evaluated in the future.

Scott told the committee that an Operations Assistant has been hired.

## **Building Committee Meeting Minutes**

**April 11, 2023, 4:00PM**

**Lower Big Blue NRD Office**

Committee Members Present: Dean Roehr, Steve Kelley, Jason Pohlmann

Others Present: Ryan Birkett, Scott Sobotka, Tyler Weishahn, Nick Schroeder, Adam Kimmerling, Michael Fakler, Fakler Architects, Pat Feist, City of Beatrice.

Committee Members Absent: Rodney Skleba, Darrell Rains

### **Building Design Update**

Scott presented information received from the mechanical engineer regarding a geothermal system. Clean energy credits could potentially provide up to a 40% cost savings on that type of system. Pat Feist with the City of Beatrice spoke about the geothermal system at the City service center and his experience with systems of various sizes and applications within Beatrice.

### **Building Design Schedule Update**

Michael Fakler was available to answer questions regarding how the implementation of a geothermal system would affect the design schedule.

### **June 6<sup>th</sup> Storm Damage**

Scott stated that he spoke with Anthony with skyline construction today. Insurance has approved replacing all of the siding on the office.

## **Other Business**

Scott informed the committee that the water committee recommend to the board that the stay be continued to allow for the time to develop appropriate management methods.

Scott reviewed proposed updates to the Urban Conservation program including methods to limit applications to the total program budget of \$75,000.

Scott stated that legal counsel has recommended withdrawing the NRD from all involvement with the Five Rivers RC&D. The organization has largely dissolved. Continuation of the events Five Rivers provided may be evaluated in the future.

Scott told the committee that an Operations Assistant has been hired.