

**LOWER BIG BLUE NATURAL RESOURCES
DISTRICTBOARD MEETING
March 14, 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 Larry Barta at 1:30 p.m.

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

Staff Present: Scott Sobotka, Manager; Adam Kimmerling, Office Administrator; Ryan Thomas, Resources Specialist, Scott Theis, Operations Supervisor; Nick Schroeder, GIS/IT/Data Specialist. Brandy Scholl, Gage County NRD Secretary, Jarrett Koch, Operations Assistant.

Directors Absent: Darrell Rains, Dean Roehr

Others Present: Jared Abraham, AGF, Randy Weise, Calvin Katz, Neal Pavlish, Kelli Evans, Darrin Weers, Justin Niederklien.

CONSIDERATION OF EXCUSED ABSENCES

Scott reported that Darrell Rains and Dean Rohr have asked to be excused from the March 14, 2024 board meeting.

MOTION #1 was made by Steve Kelley, seconded by Brent Katz, to excuse Darrell Rains and Dean Rohr from the March 14, 2024 board meeting. Motion Carried

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

APPROVAL OF MARCH 14, 2024 CONSENT AGENDA

MOTION #2 was made by Duane Parde, seconded by Chad Weichel, to adopt the Consent Agenda for the March 14, 2024, board meeting which includes: adoption of the agenda as submitted, approval of the February 8, 2024, meeting minutes, financial status report dated February 29, 2024, February 2024 bills payable, February 2024 revenues, monthly bank account summary and Beatrice West and Wymore Rural Water Financials. Motion carried.

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

OPEN PUBLIC COMMENTS

Darin Weers addressed the Board with his concerns over groundwater supplies. Darin asked that the Board consider taking action to better manage groundwater use across the District

including the use of flow meters.

WATER COMMITTEE REPORT

Chad Weichel reviewed the minutes from the March 7th Water Committee meeting. Olsson has recommended not changing any sub area boundaries at this time but has requested the AEM data to assist them with sub area delineation. Olsson has agreed to put together a scope of work to review and use the AEM data.

Jared Abraham with Aqua Geo Frameworks presented the final report of findings from last years' flight, reviewing several maps and graphics of the data interpretations with the board. Jared noted that the data has been uploaded to google earth so that staff can review available data when answering questions from the Board and the Public.

Tyler touched on how staff may be able to utilize the data, especially when reviewing the impact or placement of proposed wells.

Jared then presented information on the second flight scheduled for this summer. Data acquisition is scheduled for July or August of 2024. This project will fly to areas of concern North of Beatrice. A total of 431-line miles were originally planned. Since this project has been paired with data acquisitions in Kansas and for the Middle Republican NRD, an additional 93 bonus miles have been added.

Chad reviewed the process the Board should follow when reviewing variances. 30-day notice should be given to landowners within 6000' of the variance. After 30 days, the variance will be considered complete and can be on the agenda for consideration. Action can be taken on the complete variance however the committee recommends utilizing the 60 days allowed in the Districts' Groundwater rules and Regulations to reach a decision on variances.

WELL PERMITS, IRRIGATION AGREEMENTS

Ryan reported that five complete variances have been received. A variance for Michael Hakke in Section 11-4-1 was received last month and must be acted upon at this board meeting. Because this well is located in the 3-mile radius of a current phase 2 well and because monitoring wells around the area show water level declines from their baseline, the water committee recommended denying this variance application.

MOTION #3 was made by Steve Kelley, seconded by Duane Parde, to deny the variance application for Michael Haake in Section 11-4-1. Motion carried.

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

Ryan reviewed a variance for Justin Niederklein in section 2-4-1. This variance is requesting to add approximately 42 acres through a pivot. Justin spoke on behalf of his variance stating that he was unaware of the moratorium on expansion of acres and has purchased and installed a pivot for the project. Because the monitoring wells around the area show water level declines from their baseline, the water committee recommends denying this variance application. No action was taken on this variance.

Ryan presented a variance for Randy Wiese in section 2-3-3. This variance is requesting to add

approximately 70 acres through a pivot. The well last irrigated 42 acres in 2012. Randy spoke on behalf of his variance stating that he would like to be able to use this existing well. Because this well falls within 3 miles of a current phase 2 well and because monitoring wells around the area show declining water levels, the water committee recommends denying this variance application. No action was taken on this variance.

Ryan reviewed a variance for Calvin Katz in section 4-2-4. This variance is requesting to add approximately 125 acres through a pivot. Calvin spoke on behalf of his variance stating that the well was last used in 1997. It was originally registered in 1968 at 650 gallons per minute and irrigated 100 acres. Calvin stated that he measured the static water level at 114' feet on March 13, 2024, up 4' feet from the original static water level. Because this well falls within the 3-mile radius of several current phase 2 wells and because of monitoring wells in the area showing water level declines, the water committee recommends denying this variance application. No action was taken on this variance.

Ryan presented a variance for Neil Pavlish in section 26-6-3. This variance is requesting to add approximately 20 acres through the use of a corner system. Niel spoke on behalf of this variance stating that he purchased and installed a corner system last year while unaware on the moratorium on expansion of irrigated acres. Last season, he removed the end gun and disabled part of the system so no additional acres were added. He would like to use the full system this year. The well currently irrigates 134.46 acres. Neil also reviewed water levels noting minimal declines in his area, and stated he believes that corner systems with drop nozzles are a more efficient use of water than the additional acres irrigated by end guns. Because this well falls within the 3-mile radius of a current phase 2 well and because of concerns about the sustainability of the aquifer in sub-area 2, the water committee recommends denying this variance application. No action was taken on this variance.

Chad presented other possible variances which may come before the Board in the future.

Scott Sobotka stated that Olsson has presented a proposal for \$2,700 to review and utilize the AEM data. Discussion was held on the proposal. Some directors were concerned that the board would need to have Olsson review any future AEM data. However, some felt that if this data is useful in correctly defining sub areas, the Board should consider the proposal. It was also noted that the \$2,700 cost was minimal based on the information that may be provided.

MOTION #4 was made by Duane Parde, seconded by Chad Weichel to approve the Olsson proposal to review the AEM data. Motion carried.

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

Scott Sobotka told the Board that he was asked to include adoption of district wide flow meters on this month's agenda for the Board's consideration. Discussion was held on the issue with some directors stating that the issue was voted on last month with the vote to require flow meters by sub area.

MOTION #5 was made by Rodney Skleba, seconded by Duane Parde to require the installation of flow meters district wide. Motion carried.

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

BUILDING COMMITTEE REPORT

Scott Sobotka stated that staff need to meet with Skyline Construction to complete the project on the current building.

Scott Theis reviewed comments from the building committee meeting on February 27th.

Nick reviewed proposals to update the NRD's phone system. The current system was installed in 2011 and is obsolete for parts and repair should the need arise. Two quotes were received from Americom, who currently provides the Districts phones, and Kinetic by Windstream, the current phone and internet provider. Nick reviewed features with a Voice over Internet Protocol (VOIP) system. Staff recommended proceeding with the proposal from Americom to purchase and install phones for a maximum of \$4,835.00 and \$230.28 per month. The monthly cost is comparable to the current cost of Windstream voice services. Nick also noted that the new phones would be easily transferable to the new building.

MOTION #6 was made by Jason Sand, seconded by Rodney Skleba to approve the purchase of phones for the office for a maximum of \$4,835.00. Motion carried.

YEA: Barta, Birkett, Kelley, Lorenz, Parde, Pohlmann, Sand, Skleba, Stokebrand, Weichel.

NAY: Katz **ABSTAIN:** None.

LITTLE INDIAN WFPO PROJECT UPDATE

Scott reported on the status of the Little Indian project stating that we are waiting for comments from national review. Scott also stated that the Plum creek PIFR is progressing, and a feasibility assessment will begin on Mud Creek watershed soon.

P.L. 566 OPERATIONS & MAINTENANCE

Scott Theis reviewed the status of Cub Creek 10-C. The tube is leaking and needs to be repaired. This dam has an elbow at the riser, meaning it is not suitable for a Snap-Tite liner. A quote was obtained from Subsurface Inc to install a cast in place liner in the structure for \$53,830.00. Scott noted that the higher cost is because this tube is 144' long.

MOTION #7 was made by Doug Stokebrand, seconded by Jason Pohlmann to approve the Olsson proposal to review the AEM data. Motion carried.

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

NRD ACTIVITIES

Scott stated that a meeting for Dry Creek to discuss Atrazine concerns is planned for March 22, 2024.

The Blue River Compact meeting will be held in Manhattan Kansas on May 8th.

Scott Theis stated that the NRD has sold around 9,000 trees and he has 10 machine plant jobs.

One summer help employee has been hired.

Adam stated that he will be ordering the equipment for the rural water sample site installation soon.

Adam mentioned a recent rural water repair caused by a contractor trenching through a service line to a residence. It was discovered that this line was not on the locate list. The list has been updated.

Scott Theis stated that the NRD has been receiving calls to open rec areas due to the nice weather.

BOARD AUTHORIZATION TO ATTEND STATE ENVIROTHON

Adam stated that the State Envirothon will be held April 24th at Ponca State Park. Bob has asked to help and has asked for per diem and expenses.

MOTION #8 was made by Ryan Birkett, seconded by Steve Kelley to authorize per diem and expenses for Bob Lorenz to attend State Envirothon. Motion carried.

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

Adam presented the results of the Southeast Regional Envirothon contest. Beatrice placed first, and Tri County secured a wildcard spot. The NRD has sponsored the \$100 entry fee.

MOTION #9 was made by Doug Stokebrand, seconded by Rod Skleba to sponsor the entry fees for Beatrice and Tri County. Motion carried.

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

NEBRASKA SINGLE POOLED COLLATERAL PROGRAM

Scott reviewed a proposed change to the way NRD funds are collateralized. currently, the NRD receives pledge reports every month. The proposed change would switch to a pooled method. this would provide additional oversight of collateral for NRD funds.

TALLGRASS PRARIE PIPELINE EASEMENT

Scott reviewed a crossing of the flood pool on Big Indian 10-C. Tallgrass Energy is working with the NRD to sign an agreement to cross the easement on the structure.

LEGISLATIVE UPDATE AND NARD WASHINGTON D.C. ANNUAL MEETING

Scott updated the board on Legislative measures of interest to the NRD.

Scott Sobotka reported that Adam, Scott Theis and Doug Stokebrand will be attending the meetings in Washington D.C.

NRD/NRCS EMPLOYEE PARTNERSHIP

Scott reviewed efforts to hire a source water protection employee in partnership with NRCS. He also stated that he is hoping to bring Brandy to the NRD more days per week while also keeping a secretary at NRCS full time.

AGENCY REPORTS

NRCS

Brandy stated that field staff are still finishing jobs, weather permitting. They are also currently gathering information needed to process EQIP and CSP contracts. There is also a CRP signup going on.

EXTENSION

No report

NRC

Steve reported on the NRC meeting held February 21st.

NARD

Steve reviewed financials of the NARD Risk Pool.

Announcements, Upcoming Meetings & Activities

- March 16th-20th - NARD Annual Washington D.C Meeting
- April 11th - LBBNRD Board Meeting 7:00 p.m.
- April 24th - State Envirothon Ponca State Park

Being no further business, Chairperson Larry Barta adjourned the meeting at 4:43 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 March 14, 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