

LOWER BIG BLUE NATURAL RESOURCES DISTRICT
BOARD MEETING
December 12, 2024
1:30 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 1:30 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 Weise.

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

Others Present: Kelli Evans, NRCS District Conservationist, Gage County; Ryan Bruns, Dana F. Cole; Kennon Meyer, BWJ Law Group.

CONSIDERATION OF EXCUSED ABSENCES

None

APPROVAL OF DECEMBER 12, 2024, CONSENT AGENDA

MOTION #1 was made by Doug Stokebrand, seconded by Duane Parde, to adopt the Consent Agenda for the December 12, 2024, board meeting, which includes: adoption of the agenda as submitted, approval of the November 14, 2024 meeting minutes, financial status report dated November 30, 2024, November 2024 revenues, and expenditures; Beatrice West and Wymore Rural Water financials. Motion Carried.

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

OPEN PUBLIC COMMENTS

None

FY 2024 AUDIT REPORT

Ryan Bruns with Dana F. Cole presented the FY 2024 audit report. He reviewed the audit with the Board, the statement of net position and other financial statements.

MOTION #2 was made by Dean Roehr, seconded by Chad Weichel, to approve the FY 2024 Audit report. Motion Carried.

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

Adam noted that the District is at the end of a 3-year audit cycle. Staff have been in contact with Dana Cole and are considering transitioning to a yearly service agreement for the annual audit, budget assistance and the completion of any special audits required.

Director Sand arrived at 1:58 P.M.

WATER COMMITTEE REPORT

Nick presented 2024 nitrate sample data to the board. Staff collected samples from 205 wells which showed a district wide median of 7.00 parts per million.

Nick presented the fall water level measurements to the Board. Staff measured 172 wells during the first week of November. District wide, changes from spring of 2024 to the fall of 2024 averaged a decline of 4.99 feet which is about 1.00 ft lower than fall 2023. Spring readings, taken in April of each year are utilized for making management decisions. Nick reviewed graphs of groundwater static water levels from several wells.

Chad Weichel reviewed the water committee minutes from December 4th. Directors reviewed the current phase status of wells in the District.

MOTION #3 was made by Steve Kelley, seconded by Rodney Skleba, to approve the Groundwater Quantity Rules and Regulations Revisions with the addition of the date upon which allocations shall become effective of January 1st, 2030, to Chapters 7, 8, and 9, and establish that these rules and regulations shall become effective on the 13th day of January 2025 and shall remain in full force and effect until revised, repealed, amended, or superseded. On that day, all previous groundwater quantity rules and regulations shall henceforth be superseded.

Discussion was held on the motion. A Director noted that he feels the six year timeframe before allocations become effective is too long. He would like to see action taken sooner in his area. The Board also had considerable discussion on whether or not district-wide flow meters was the best approach. Some Directors felt that focusing on certain sub areas first would provide the greatest benefit.

AMENDMENT #1 ON MOTION #3 was made by Doug Stokebrand, seconded by Brent Katz to amend Motion #3 for approval of the Groundwater Quantity Rules and Regulations to allow for the installation of flowmeters by sub area. The revised Motion # 3 upon Amendment #1 would read: *to approve the Groundwater Quantity Rules and Regulations Revisions with the addition of a provision that flow meters be required by sub area and addition of the date upon which allocations shall become effective of January 1st, 2030, to Chapters 7, 8, and 9, and establish that these rules and regulations shall become effective on the 13th day of January 2025 and shall remain in full force and effect until revised, repealed, amended, or superseded. On that*

day, all previous groundwater quantity rules and regulations shall henceforth be superseded.
Amendment Carried.

Discussion was held on the amendment and Motion #3 as amended. Kennon Meyer, District legal counsel, spoke on the process required to propose new rules including that substantive changes would require a new public notice and public hearing.

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

Director Sand left at 3:30 P.M.

MOTION #4 was made by Bruce Weise, seconded by Brent Katz to table motion #3. Motion Carried.

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

A special board meeting with Groundwater Quantity Rules and Regulation revisions being the only topic was requested by members of the Board. Therefore, the Lower Big Blue Natural Resources District will hold a public meeting on January 7th, 2025 at 12:00 P.M. at its office at 805 Dorsey Street, Beatrice, Nebraska, for the purpose of discussing proposed and additional changes to the District's Groundwater Quantity Rules and Regulations. The agenda of the matters to be considered at such date, time, and place is kept continually current and is available for public inspection during normal business hours at said District office.

Tyler discussed a grant opportunity from the Nebraska Department of Natural Resources. The grant for \$32,271 would outfit all the District's monitoring wells with real-time telemetry.

MOTION #5 was made by Steve Kelley, seconded by Duane Parde to approve the grant agreement. Motion Carried.

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

WATER WELL PERMITS, IRRIGATION AGREEMENTS

None

BUILDING COMMITTEE REPORT

Dean reviewed the minutes of the December 6th and 9th Building Committee meetings. Bids on the project were due on December 2nd. Bids were received from seven firms. The committee has also met with JEO to discuss construction observation services. Bids were discussed and it was noted that the committee would like to meet with the lowest bidder. The bids on the project are as follows:

Bids received December 2, 2024

Rogge General Contractors	Lincoln, NE	\$ 4,415,000.00
Genesis Contracting	Lincoln, NE	\$ 4,684,000.00
BluCor Construction Group	Lincoln, NE	\$ 4,746,057.00
Kingery Construction Co.	Lincoln, NE	\$ 4,840,000.00
Sampson Construction	Lincoln, NE	\$ 4,874,000.00
AHRS Construction	Bern, KS	\$ 5,350,000.00
Hackel Construction	Ord, NE	\$ 5,688,448.00

MOTION #6 was made by Dean Roehr, seconded by Bruce Weise to award the project to the Rogge General Contracting for the low bid of \$4,415,000.00, contingent upon satisfactory negotiations and an interview process. Motion Carried.

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

NRD ACTIVITIES

Scott reviewed current committee assignments. Those wishing to serve on different committees should let Scott or the Chairman know.

Scott also noted that Christmas falls on a Wednesday this year. He would like to close the office at noon to allow staff to be with their families. The board felt that the office should be closed on the 24th.

Directors were reminded to let Adam know if they are planning on attending Legislative Conference on January 28th & 29th.

AGENCY REPORTS

NRCS

Kelli presented to the Board stating that staff have been working to stake jobs for EQIP and NSWCP in addition to processing FY 2025 EQIP and CSP applications and CRP status reviews.

EXTENSION OFFICE

No Report

NRC

Steve reported that the next meeting will be February 19th.

NARD

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

UPCOMING MEETINGS

- December 24th-25th - Christmas Holiday – Office Closed -
- January 1st - New Years Day Holiday – Office Closed
- January 7th - Special Meeting 12:00 P.M.
- January 8th - 109th Legislative 90 Day Session Begins
- January 9th - Board Meeting 1:30 p.m.
- January 27th - I&E & NRD Managers Meetings – Lincoln
- January 28th & 29th - Legislative Conference – Lincoln

Being no further business, Chairperson Larry Barta adjourned the meeting at 4:23 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 December 12, 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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