

CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

HOLDREGE, NEBRASKA

SEPTEMBER 12, 2016 – 9:00 AM

INDEX

PAGE

- 19,426 MINUTES OF SPECIAL MEETING OF THE BOARD OF DIRECTORS – 08/26/16
- a. Public Input
  - b. Consider Changing the Date of the September Board Meeting from September 6, 2016 to September 12, 2016 at 9:00 a.m. and Change the Location to the Super 8 Motel, Holdrege, NE
- 19,427
- c. Central Platte Natural Resources District Water Right Transfer
  - d. Dawson Public Power District – Letter of Intent
  - e. Variance Request – 40 K-1 Rd, Lake McConaughy
  - f. CLOSED SESSION
  - g. Central Platte Natural Resources District Water Right Transfer
- 19,428
- h. Directors’ Attendance
- 19,429 MINUTES OF COMMITTEE MEETING OF THE BOARD OF DIRECTORS – 08/26/16
- a. Public Input
  - b. Consent to Assignment Summary
  - c. Permit to Construct Summary
- 19,430
- d. Permit to Construct Summary, continued
- 19,431
- e. Right of Way Transactions
  - f. 2016 Water Rights Audit
  - g. Work Order/Purchase Requisition Summary
  - h. Investment Committee (8/1/16)
  - i. Administration Committee (8/15/16)
- 19,432
- j. Power & Recreation Committee (8/22/16)
- 19,433
- k. Power & Recreation Committee, continued
- 19,434
- l. FERC Project Boundary Review
  - m. Irrigation Committee (8/24/16)
  - n. Water Service Agreement for Groundwater Recharge from Excess Flows (Elwood Reservoir) – Nebraska Community Foundation, Platte River Recovery Implementation Program and The Central Nebraska Public Power and Irrigation District
  - o. Water Service Agreement for Groundwater Recharge from Excess Flows (E65 Canal and Elwood Reservoir) – Nebraska Department of Natural Resources, Tri-Basin Natural Resources District and The Central Nebraska Public Power and Irrigation District
  - p. Amendment to Water Service Agreement – J-2 Regulating Reservoir
  - q. YTD Financials
  - r. 2016 Budget Amendments
  - s. BKD Fee Schedule Agreement
  - t. Sediment Augmentation – Jeffrey Island
  - u. Facilities Improvements
  - v. Litigation – Maloley
- 19,435
- w. Johnson Lake Leases
  - x. Johnson Lake Inlet Hydro
  - y. Republican Basin Diversion Project
  - z. Personnel
  - aa. Out of State Travel
  - bb. Legislation
  - cc. Board Comments
  - dd. Operations Report
- 19,436
- ee. Workshops, Seminars and Conferences
  - ff. CLOSED SESSION

- 19,437 MINUTES OF REGULAR BUSINESS MEETING OF THE BOARD OF DIRECTORS 09/12/16
1. Public Input
- 19,438 1. Consent Agenda
- 19,439 1. Consent Agenda, continued
2. Johnson Lake Leases
  3. CLOSED SESSION
  4. Johnson Lake Leases
  5. Change in Location of October 4, 2016 Board Meeting to the Super 8 Motel, Holdrege, NE
  6. FERC Project Boundary
- 19,440 1. Water Service Agreement for Groundwater Recharge from Excess Flows (Elwood Reservoir) – Nebraska Community Foundation, Platte River Recovery Implementation Program and The Central Nebraska Public Power and Irrigation District
2. Water Service Agreement for Groundwater Recharge from Excess Flows (Phelps Canal) – Nebraska Community Foundation, Platte River Recovery Implementation Program and The Central Nebraska Public Power and Irrigation District
  3. Water Service Agreement for Groundwater Recharge from Excess Flows (E65 Canal and Elwood Reservoir) – Nebraska Department of Natural Resources, Tri-Basin Natural Resources District and The Central Nebraska Public Power and Irrigation District
  4. Water Service Agreement for Groundwater Recharge from Excess Flows (Phelps Canal) – Nebraska Department of Natural Resources and The Central Nebraska Public Power and Irrigation District
  5. IBEW Location #2185 Union Negotiations
  6. J-2 Regulating Reservoir – Water Service Agreement Amendment
  7. Personnel
  8. Legislation
  9. Directors’ Attendance
  10. Board Comments
  11. Operations Report
- 19,441 1. CLOSED SESSION
2. Water Service Agreement for Groundwater Recharge from Excess Flows (Elwood Reservoir) – Nebraska Community Foundation, Platte River Recovery Implementation Program and The Central Nebraska Public Power and Irrigation District
- 19,442 1. Water Service Agreement for Groundwater Recharge from Excess Flows (Phelps Canal) – Nebraska Community Foundation, Platte River Recovery Implementation Program and The Central Nebraska Public Power and Irrigation District
2. Water Service Agreement for Groundwater Recharge from Excess Flows (E65 Canal and Elwood Reservoir) – Nebraska Department of Natural Resources, Tri-Basin Natural Resources District and The Central Nebraska Public Power and Irrigation District
  3. Water Service Agreement for Groundwater Recharge from Excess Flows (Phelps Canal) – Nebraska Department of Natural Resources and The Central Nebraska Public Power and Irrigation District
  4. Adjournment

MINUTES OF SPECIAL MEETING OF THE  
BOARD OF DIRECTORS  
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT  
HOLDREGE, NEBRASKA  
AUGUST 26, 2016 – 9:00 A.M.

This meeting was publicly advertised in accordance with Section 84-1411 of the Nebraska Statutes by a notice on Radio Station KUVR on August 22, 2016, giving the time, date, and place of the meeting and the information that the Agenda was available in advance at the Office of the Assistant Secretary.

Notices giving the time, date, and place of this meeting were mailed to the Directors on August 19, 2016.

The following Directors were present:

David L. Rowe, Vice President	Geoffrey K. Bogle	K. Scott Olson
Martin E. Mueller, Secretary	Ronald E. Fowler	Roger D. Olson
Robert B. Dahlgren, Treasurer	William E. Knoerzer	Robert L. Petersen

The following Directors were absent: Robert A. Garrett, Dudley L. Nelson and Gordon N. Soneson

Also present were the following:

Don D. Kraus, General Manager	Dave R. Ford, Irrigation Division Manager
Kevin M. Boyd, Gothenburg Division Mgr.	Jeff J. Buettner, Public Relations Coord.
Eric Hixson, Engineering Services Manager	Holly G. Rahmann, Public Relations Asst.
Mike A. Drain, Natural Resources Mgr.	Jim Brown, Land Administrator
Devin M. Brundage, Asst. Gothenburg Div. Mgr.	Van D. Fastenau, Customer Service Super.
Cory A. Steinke, Civil Engineer	Michael C. Klein, Legal Counsel
Rochelle A. Jurgens, Controller	Emily Anderson, Assistant Secretary

Also present were:

Dan Jensen	Deb Jensen
Kevin Cooper	Melanie Cooper
Allan McClure	Jim Hahn
Bonnie Hahn	Dick Helvey
Chuck Stone	

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In the absence of the Board President, the Vice President announced that information for the public concerning the Open Meetings Act was available for interested parties to view.

At 9:00 A.M., Board Vice President, David L. Rowe, announced the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: Deb Jensen commented that she believes the study conducted by Bioeconomics of the lake lease fees was a waste of money. Allan McClure stated the pond weed is dense all around Johnson Lake, especially in the shallow areas and around the island.

CONSIDER CHANGING THE DATE OF THE SEPTEMBER BOARD MEETING FROM SEPTEMBER 6, 2016 TO SEPTEMBER 12, 2016 AT 9:00 A.M. AND CHANGE THE LOCATION TO THE SUPER 8 MOTEL, HOLDREGE, NE: Don Kraus stated the purpose of moving the meeting date and location is due to a

scheduling conflict and to accommodate the public with a larger meeting space.

**It was moved by Director R. Olson and seconded by Director S. Olson to change the date and location of the September Board Meeting to September 12, 2016 at 9:00 a.m. at the Super 8 Motel, Holdrege, NE. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, R. Olson, S. Olson, Petersen, and Rowe. Absent was: Garrett, Nelson and Soneson. None voted no and the motion was declared carried.**

CENTRAL PLATTE NATURAL RESOURCES DISTRICT WATER RIGHT TRANSFER: This was discussed in Closed Session.

DAWSON PUBLIC POWER DISTRICT – LETTER OF INTENT: Don Kraus stated this amendment to the letter of intent will extend the effective date from September 1, 2016 to December 31, 2016.

**It was moved by Director Petersen and seconded by Director Bogle to authorize the amendment to the Dawson Public Power District – Letter of Intent to extend the effective date through December 31, 2016. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, R. Olson, S. Olson, Petersen, and Rowe. Absent was: Garrett, Nelson and Soneson. None voted no and the motion was declared carried.**

VARIANCE REQUEST – 40 K-1 RD, LAKE MCCONAUGHY: Jim Brown explained this customer is seeking a variance to replace an existing asphalt driveway with concrete. The existing road serves two lots but it is not within the boundaries of either lot. The current Permitting Procedures do not permit such activity, but Staff recommends granting this variance as it produces an undue hardship and they are making edits to the Permitting Procedures to reduce the likelihood of this occurring in the future. The Power and Recreation Committee reviewed this request on August 22, 2016 and voted to recommend Board approval of the variance and to wave the variance application fee.

**It was moved by Director Mueller and seconded by Director Dahlgren to approve the variance request to replace the existing asphalt driveway with concrete at 40 K-1 Rd, Lake McConaughy. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, R. Olson, S. Olson, Petersen, and Rowe. Absent was: Garrett, Nelson and Soneson. None voted no and the motion was declared carried.**

**At 9:09 AM it was moved by Director Knoerzer and seconded by Director Fowler, that the Board enter into Closed Session to protect the public interest and to receive legal advice. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, R. Olson, S. Olson, Petersen, and Rowe. Absent was: Garrett, Nelson and Soneson. None voted no and the motion was declared carried. Vice President Rowe stated the item to be discussed in closed session was the Central Platte Natural Resources District Water Right Transfer.**

#### C L O S E D S E S S I O N

**At 9:23 AM it was moved by Director Mueller and seconded by Director Dahlgren, that the Board exit Closed Session and reconvene in Regular Session. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, R. Olson, S. Olson, Petersen, and Rowe. Absent was: Garrett, Nelson and Soneson. None voted no and the motion was declared carried. Vice President Rowe stated that the item discussed in Closed Session was of a legal nature relating to the Central Platte Natural Resources District Water Right Transfer.**

CENTRAL PLATTE NATURAL RESOURCES DISTRICT WATER RIGHT TRANSFER: It was moved by Director S. Olson and seconded by Director Petersen to authorize staff to file to intervene in Central Platte Natural Resources District's Water Right Transfer Application. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, R. Olson, S. Olson, Petersen, and Rowe. Absent was: Garrett, Nelson and Soneson. None voted no and the motion was declared carried.

**DIRECTORS' ATTENDANCE: It was moved by Director Fowler and seconded by Director Knoerzer to excuse the absences of Robert L. Garrett, Dudley L. Nelson and Gordon N. Soneson from the Special Meeting of the Board. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, R. Olson, S. Olson, Petersen, and Rowe. Absent was: Garrett, Nelson and Soneson. None voted no and the motion was declared carried.**

The meeting adjourned at 9:25 A.M.

MINUTES OF COMMITTEE MEETING OF THE  
BOARD OF DIRECTORS  
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT  
HOLDREGE, NEBRASKA  
AUGUST 26, 2016 – 9:00 A.M.

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Individual cards giving the time, date, and place of this meeting were mailed to the Directors on August 19, 2016.

The following Directors were present:

David L. Rowe, Vice President	Geoffrey K. Bogle	K. Scott Olson
Martin E. Mueller, Secretary	Ronald E. Fowler	Roger D. Olson
Robert B. Dahlgren, Treasurer	William E. Knoerzer	Robert L. Petersen

The following Directors were absent: Robert A. Garrett, Dudley L. Nelson and Gordon N. Soneson

Also present were the following:

Don D. Kraus, General Manager	Dave R. Ford, Irrigation Division Manager
Kevin M. Boyd, Gothenburg Division Mgr.	Jeff J. Buettner, Public Relations Coord.
Eric Hixson, Engineering Services Manager	Holly G. Rahmann, Public Relations Asst.
Mike A. Drain, Natural Resources Mgr.	Jim Brown, Land Administrator
Devin M. Brundage, Asst. Gothenburg Div. Mgr.	Van D. Fastenau, Customer Service Super.
Cory A. Steinke, Civil Engineer	Michael C. Klein, Legal Counsel
Rochelle A. Jurgens, Controller	Emily Anderson, Assistant Secretary

Also present were:

Dan Jensen	Deb Jensen
Kevin Cooper	Melanie Cooper
Allan McClure	Jim Hahn
Bonnie Hahn	Dick Helvey
Chuck Stone	

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The Vice President announced that information for the public concerning the Open Meetings Act was available for interested parties to view.

At 9:25 A.M., the Board Vice President, David L. Rowe, announced that the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: None.

CONSENT TO ASSIGNMENT SUMMARY: There were five Consents to Assignment at Johnson Lake in August, 2016.

PERMIT TO CONSTRUCT SUMMARY: The following Permits to Construct were approved in the

month of August, 2016:

Permits to Construct Approved by General Manager August 26, 2016			
<u>Name</u>	<u>Description</u>	<u>Amount</u>	<u>Purpose</u>
Loomis Rural Fire District	NW1/4 20-6-19, Phelps Co.	\$0.00	PTC-Bury communications cable 2' below Central's existing concrete pipeline and install electrical service line over the top of the pipeline which will be incased in 4" steel conduit

Permits to Construct Approved by Real Estate Department August 26, 2016 – Johnson Lake & Lake McConaughy			
<u>Name</u>	<u>Description</u>	<u>Permit &amp; Purpose</u>	<u>Date Approved &amp; Fee</u>
Beisner, Eric & Diana	42 North Shore Dr 8	PTC-Construct covered and screened-in patio addition and pour 10' x 25' concrete slab	July 25, 2016-no application fee
Redding, John & Kathleen	4A East Shore Dr 2	PTC-Enclose existing porch and construct paver patio	July 25, 2016-no application fee
Sarratt, Mark & Sandra	36 North Shore Dr 8	PTC-Pour concrete in two areas	July 27, 2016-no application fee
Holen, Kurt & Richele	35 North Shore Dr 8	PTC-Pour concrete on south side of dwelling which connects to 36 North Shore to allow for water drainage	July 27, 2016-no application fee
Eshleman, Lawrence & Barbara	5 K-3 Rd	PTC-Replace septic system	July 28, 2016-no application fee
Lind, Steven & Diana	1 East Shore Dr 2	PTC-Pour a 3' x 50' sidewalk	August 2, 2016-\$50.00 application fee
Dore, Ronald	6 North Point Dr 13	PTC-Remove concrete patio and replace with paver stone patio, construct sidewalk of pavers, install water line and faucet	August 2, 2016-no application fee
Gerald Chapman & Jacqueline Tjarks	74 Mallard Beach Dr 22	PTC-Construct concrete driveway with 3" curb for drainage	August 4, 2016-no application fee
Samuelson, Kathleen & Richard	20 Bass Bay Dr 16	PTC-Construct smaller concrete patio area and plant grass	August 4, 2016-no application fee
Beckman, Deirdre	2 Northeast Cove Dr 9	PTC for Veg-Trim branches on tree	August 8, 2016-no application fee
Claypool, Ken & Beverly	8 Expressway Dr 28	PTC-Construct 10' x 12' pergola over existing patio	August 9, 2016-no application fee
Jones, Seth & Linda	2 K-3 Rd	PTC-Construct a garage with concrete approaches and parking areas	August 10-2016-no application fee
Irvine, Pamela	2 East Shore Dr 2	PTC-Construct a dwelling attached to existing garage with an elevated deck and concrete patio on the ground level	August 11, 2016-no application fee
Brandt, Tamara	26 Mallard Cove Dr 19A	PTC-Construct partially elevated deck	August 15, 2016-no application fee
Johnson, Marlin & Patricia	3 Perch Bay Dr 6	PTC (SWAF)-Construct 30" x 56" concrete dock anchor pad for existing dock	August 17, 2016-\$50.00 application fee

VandenBerge, Leon & Jodi	21 North Shore Dr 8	PTC-Construct single family residence with attached garage, concrete parking area and sidewalks	August 18, 2016-no application fee
Ochsner, Tracy & Michelle	43 East Shore Dr 1	After the Fact PTC-Construct concrete slab	August 28, 2016-\$50.00 application fee

Permits to Construct Approved by Real Estate Department August 26, 2016 – Jeffrey & Midway Lakes			
Name	Description	Permit & Purpose	Date Approved & Fee
Foster, Brien & Cynthia	85 Pelican Dr	PTC (DEF)-Place sand along shoreline	July 25, 2016-no application fee
O'Hare, James & Anita	79 Pelican Dr	PTC (ECS)-Place 18' of riprap in one area, and 60' of riprap along a vertical seawall	July 26, 2016-no application fee
Rickett, Mitchel & Lorraine	21 Lakeview Rd	PTC (SWAF)-Amend previous permit to install additional dock	July 28, 2016-no application fee
Todd, Loy & Kim	2 Paulsen Loop	PTC (SWAF)-Install dock with boat shore station with canopy	August 2, 2016-\$50.00 application fee, not paid per injunction
Todd, Loy & Kim	2 Paulsen Loop	Amended PTC (SWAF)-Amended to include installation of 8' x 12' wood walkway suspended over shoreline to the new aluminum dock	August 9, 2016-no application fee
Stienike, Harry & Connie	25 Lakeview Rd	PTC (SWAF)-Construct 50" x 72" poured concrete step/walkway to connect to existing dock walkway	August 19, 2016-no application fee
Schlake, Trent & Misty	48 S Lakeview Rd	PTC (DEF)-Excavate fill material from lakebed to be placed behind future shoreline protection	August 23, 2016-no application fee

**RIGHT OF WAY TRANSACTIONS:** Devin Brundage presented the following Right of Way Transaction for consideration which is necessary for a new sewer line:

***RIGHT-OF-WAY –Central Easements to City of Gothenburg***

E Line CNPPID Property (Gothenburg Control Center)...NE¼SE¼ of 16-11-25...City of Gothenburg...0.123

**2016 WATER RIGHTS AUDIT:** Van Fastenau and Cory Steinke presented a review of the 2016 Water Rights Audit.

**WORK ORDER/PURCHASE REQUISITION SUMMARY:**

a. Work Order No. 186539 – Phelps A38.6-0.6-3.5 to 3.8 canal lining (\$48,338.74): Dave Ford presented this work order for the lining of 1,155 feet of canal with 80 mil geosynthetic lining.

**INVESTMENT COMMITTEE (8/1/16):** Don Kraus reviewed the minutes of the August 1, 2016 Investment Committee meeting. He explained the committee decided the Administration Committee would be better suited to review the Investment Policy.

**ADMINISTRATION COMMITTEE (8/15/16):** Don Kraus reviewed the minutes of the August 15, 2016 Administration Committee meeting. He explained that drafts of the Investment Policy and Reserve Fund Policy were reviewed by the committee, and staff will continue to work towards preparing a final version for Board approval at a later date. Discussions regarding Management/Union Negotiations were held in Closed Session.



POWER & RECREATION COMMITTEE (8/22/16):

a. Request for Funding Assistance – Boat Ramp Improvement, Jeffrey Lake: The Nebraska Game and Parks Commission budgeted \$51,000 during their fiscal year 2017 for improvements at the Jeffrey Lake public boat ramp. The District's requirement under the FERC project license to provide public recreation opportunities is satisfied through various leases with the Nebraska Game and Parks Commission. The existing public boat ramp is underutilized due to its degraded condition and site constraints. Staff recommends partnering with the NGPC to improve the usability of the public boat ramp by contributing \$5,000 in monetary assistance in addition to 40 hours of maintenance crew and equipment assistance. The Committee voted to recommend Board approval of contributing \$5,000.00 from the Lake Improvement Fund towards the Jeffrey lake Public Boat Ramp Improvement Project, along with 40 hours of maintenance crew and equipment assistance for such improvements.

b. Revisit Request for Variance – 29 Mallard Cove, Johnson Lake: The committee previously reviewed and approved this customer's variance request to construct a series of retaining walls and a patio, with the size restrictions in the variance set to match the recommendation that staff would determine following their additional consideration of the recommended changes to the Permitting Procedures. The customer has since revised their variance request and desires to construct a series of retaining walls with a paved area within the 10' side lot line setback. The Revised Permitting Procedures propose the following language: "Shoreline Adjacent Patios. Within thirty feet (30') of the shoreline of a leased/subleased lot, a ground level sidewalk, ground level patio, ground level deck, or any combination thereof, may be constructed pursuant to the following specifications: 1) The combined total size of all preexisting and new construction for these types of features may not exceed a total of three hundred square feet. Permitted routes of access which lead directly to a permitted facility will not be included in this measurement, except where those routes abut or pass through a permitted patio. 2) Project features may include: a. A sidewalk, six feet wide or less, that parallels the shoreline from one side lot line to the other. Any access route lying parallel to the shoreline is included in the area calculation, b. Patios or decks which shall be located no closer than ten feet from the side lot lines, c. Permanent features measuring no more than twenty square feet and eighteen inches in height may be incorporated into the design and area calculation of a ground level patio constructed within the lakefront lot setback area, e.g. permanent fire pits, bench seating, etc. Staff does not support this request as the strict application of the LSMP and Permitting Procedures does not produce an undue hardship, the hardship is not unique to the parcel of land for which the variance is sought, and granting such a variance is not based upon reasons of demonstrable and exceptional hardship and is a variation for purposes of convenience and/or caprice." The Committee voted to recommend Board approval of a variance to the Permitting Procedures to allow the customer at 29 Mallard Cove, Johnson Lake to construct a series of retaining walls with a paved area within the 10' side lot line setback.

c. Request for Variance – 8 North Point, Johnson Lake: Customer desires to remove an existing flat roof over a patio on the lake side of the cabin and replace it with a pitched roof. Customer also requests to extend the patio and roof towards the shoreline approximately 4'. Current Permitting Procedures state for side setbacks: All buildings shall be located on the lot no closer than 4' horizontal from the side lot line, or 10% of the width of the lot at the point of construction, whichever is greater. Portions of the existing roof and patio/roof expansion are located less than 10% from the side lot line. Staff does not support this request as the strict application of the LSMP and Permitting Procedures does not produce an undue hardship, the hardship is not unique to the parcel of land for which the variance is sought, and granting such a variance is not based upon reasons of demonstrable and exceptional hardship and is a variation for purposes of convenience and/or caprice. The Committee voted to recommend Board approval of the variance to the Permitting Procedures to allow the customer at 8 North Point, Johnson Lake to remove an existing flat roof over a patio and replace it with a pitched roof, and extend the patio and roofline towards the shoreline approximately 4'.

d. Request for Variance – 49 S Lakeview Rd, Jeffrey Lake: Customer desires to increase the height of an existing 2'6" sidewalk by 12" along 74' of shoreline. Due to increasing water levels the additional height is needed to prevent waves from causing erosion of the existing lawn. Customer

will add more riprap to comply with regulations. The Permitting Procedures do not currently allow a sidewalk to be run parallel along a shoreline. The Revised Permitting Procedures propose the following language: "Shoreline Adjacent Patios. Within thirty feet (30') of the shoreline of a leased/subleased lot, a ground level sidewalk, ground level patio, ground level deck, or any combination thereof, may be constructed pursuant to the following specifications: 1) The combined total size of all preexisting and new construction for these types of features may not exceed a total of three hundred square feet. Permitted routes of access which lead directly to a permitted facility will not be included in this measurement, except where those routes abut or pass through a permitted patio. 2) Project features may include: a. A sidewalk, six feet wide or less, that parallels the shoreline from one side lot line to the other. Any access route lying parallel to the shoreline is included in the area calculation, b. Patios or decks which shall be located no closer than ten feet from the side lot lines, c. Permanent features measuring no more than twenty square feet and eighteen inches in height may be incorporated into the design and area calculation of a ground level patio constructed within the lakefront lot setback area, e.g. permanent fire pits, bench seating, etc." Staff recommends granting the variance to construct the additional height on the sidewalk using the guidelines from the proposed revisions to the permitting procedures (i.e. Patio/parallel sidewalk size not to exceed 300 ft<sup>2</sup>). The Committee voted to recommend Board approval of a variance to the Permitting Procedures to allow the customer at 49 S Lakeview Rd, Jeffrey Lake to increase the height of the existing sidewalk along the shoreline in conformance with the proposed revisions to the permitting procedures.

e. Request for Variance – 100 Pelican Dr, Jeffrey Lake: Customer constructed an 8' concrete stone patio within 30' of the shoreline which is not currently permitted. The Revised Permitting Procedures propose the following language: "Shoreline Adjacent Patios. Within thirty feet (30') of the shoreline of a leased/subleased lot, a ground level sidewalk, ground level patio, ground level deck, or any combination thereof, may be constructed pursuant to the following specifications: 1) The combined total size of all preexisting and new construction for these types of features may not exceed a total of three hundred square feet. Permitted routes of access which lead directly to a permitted facility will not be included in this measurement, except where those routes abut or pass through a permitted patio. 2) Project features may include: a. A sidewalk, six feet wide or less, that parallels the shoreline from one side lot line to the other. Any access route lying parallel to the shoreline is included in the area calculation, b. Patios or decks which shall be located no closer than ten feet from the side lot lines, c. Permanent features measuring no more than twenty square feet and eighteen inches in height may be incorporated into the design and area calculation of a ground level patio constructed within the lakefront lot setback area, e.g. permanent fire pits, bench seating, etc.." Staff recommends granting this variance as it is consistent with the proposed revisions to the Permitting Procedures. The Committee voted to recommend Board approval of a variance to the Permitting Procedures to allow the customer at 100 Pelican Dr, Jeffrey Lake to construct a concrete stone patio within 30' from the shoreline through the issuance of an after-the-fact permit.

f. Request for Variance – 37 Mallard Cove, Johnson Lake: Customer desires to construct a storage addition to the south side of the existing detached garage. The proposed 12" eave overhangs on the front and rear side would be located within the side lot line setbacks. Permitting Procedures state: "Rear and side setbacks. All buildings shall be located on the lot no closer than 20' horizontal from the rear lot line and no closer than 4' horizontal from the side lot line, or 10% of the width of the lot at the point of construction, whichever is greater." For the purpose of the Permitting Procedures, eave overhangs and gable ends are considered to be part of the building." Staff does not support this request as the strict application of the LSMP and Permitting Procedures does not produce and undue hardship and granting the variance is not based upon reasons of demonstrable and exceptional hardship and is a variation for purposes of convenience and/or caprice. The Committee voted to recommend Board approval of a variance to the Permitting Procedures to allow the customer at 37 Mallard Cove, Johnson Lake to construct a storage addition to the existing detached garage with the front and rear 12" eave overhangs located within the lot line setbacks, subject to the neighbor's written approval.

g. Revisions to Permitting Procedures: The District's Permitting Procedures have not been updated since 2008. Changes in the Land and Shoreline Management Plan and customer use have prompted staff to revise the Permitting Procedures. Staff presented several proposed changes

to the Permitting Procedures. Staff will continue to make revisions to the Permitting Procedures and present a final draft to the Board for adoption in the near future.

FERC PROJECT BOUNDARY REVIEW: This was discussed in Closed Session.

IRRIGATION COMMITTEE (8/24/16): Don Kraus reviewed the minutes of the August 24, 2016 Irrigation Committee meeting.

WATER SERVICE AGREEMENT FOR GROUNDWATER RECHARGE FROM EXCESS FLOWS (ELWOOD RESERVOIR) – NEBRASKA COMMUNITY FOUNDATION, PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM AND THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT: Cory Steinke indicated the maximum daily amount might increase above 4,500 acre feet, but he does not foresee any major changes to the document as presented.

WATER SERVICE AGREEMENT FOR GROUNDWATER RECHARGE FROM EXCESS FLOWS (E65 CANAL AND ELWOOD RESERVOIR) – NEBRASKA DEPARTMENT OF NATURAL RESOURCES, TRI-BASIN NATURAL RESOURCES DISTRICT AND THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT: Cory Steinke stated this agreement allows Central to charge a price of \$200 per day for releases from Elwood Reservoir.

AMENDMENT TO WATER SERVICE AGREEMENT – J-2 REGULATING RESERVOIR: This was discussed in Closed Session.

A break was taken at 9:53 a.m. The meeting resumed at 10:10 a.m.

YTD FINANCIALS: Rochelle Jurgens presented on the current financial status to date, with comparisons to previous years and end-of-year budget projections.

2016 BUDGET AMENDMENTS: Hydro Division Budget Revision #10 was presented as follows:

	<u>Current Budget</u>	<u>Proposed Budget</u>	<u>Difference</u>
Phelps Irrigation Capital Canal Lining A38.6-0.6-3.5 to 3.8	0	\$48,400	\$48,400
Phelps O & M Earthwork 2-38-54300-506-01	\$154,000	\$141,600	(\$12,400)
2-38-54300-506-04	\$49,700	\$46,400	(\$3,300)
2-38-54300-506-05	\$111,100	\$107,500	(\$3,600)
McConaughy Area Leases Surveying and Appraisal	\$51,000	\$61,000	\$10,000
Land & Shoreline Management 1-33-54500-545-03	\$20,000	\$10,000	(\$10,000)
<b>Net Change</b>			<b>\$29,100</b>

BKD FEE SCHEDULE AGREEMENT: Rochelle Jurgens presented an engagement letter from BKD for the 2016-2018 audits with a fee schedule as follows: 2016-\$22,100; 2017-\$22,975; and 2018-\$23,900. She recommends using BKD another three years.

SEDIMENT AUGMENTATION – JEFFREY ISLAND: Cory Steinke stated the Platte Program is working with Joe Jeffrey on a sediment augmentation project that may resolve some of the erosion problems he experiences on his property.

FACILITIES IMPROVEMENTS: The consultant’s report should be available in the next week or two. Upon receipt, staff will review the report and present it to the Board at the September Committee Meeting.

LITIGATION - MALOLEY: Mike Klein stated the discovery process continues and Mr. Maloley and Don Kraus will be deposed on September 8, 2016.

JOHNSON LAKE LEASES: This was discussed in Closed Session.

JOHNSON LAKE INLET HYDRO: Eric Hixson met with Dawson Public Power District last week and will meet with them again in September. He filed an application to the Department of Energy to determine whether the project might qualify for grant funds.

REPUBLICAN BASIN DIVERSION PROJECT: This was discussed in Closed Session.

PERSONNEL: There were no discussions.

OUT OF STATE TRAVEL: The following Out of State Travel was approved for September, 2016:

<u>Name</u>	<u>Meeting</u>	<u>Location</u>	<u>Date</u>
Kevin Boyd	American Society of Dam Safety	Philadelphia, PA	September 12-15, 2016
Jim Brown	FERC Land & Shoreline Mgmt Workshop	Lake of the Ozarks, MO	September 12-16, 2016
DeAnna Bartruff	FERC Land & Shoreline Mgmt Workshop	Lake of the Ozarks, MO	September 12-16, 2016
Matt Ostergard	FERC Land & Shoreline Mgmt Workshop	Lake of the Ozarks, MO	September 12-16, 2016
Luke Ritz	FERC Land & Shoreline Mgmt Workshop	Lake of the Ozarks, MO	September 12-16, 2016

LEGISLATION: Jeff Buettner continues to follow upcoming hearings on some interim study resolutions, some of which include the Right to Farm Act and a One Call Notification Act.

BOARD COMMENTS: Director Petersen attended a Town Hall meeting in North Platte yesterday where Governor Ricketts and Senator Groene spoke about property taxes and other issues affecting the state. Director Mueller thanked Kevin Boyd for the tour he conducted of the Diversion Dam with Bob Petersen and him on Monday.

OPERATIONS REPORT:

- a. Jeff Buettner commented the Nebraska State Fair begins today and several staff members will be tending the NPA booth again this year. On September 8, 2016 he will conduct a tour with a group of Iowa State University students from Ghana. All of the expenses related to the 75<sup>th</sup> anniversary celebration of Kingsley Dam have been paid and Buettner was pleased everything was under budget.
- b. Rochelle Jurgens reported that NPPD will begin the Kingsley audit on September 12, 2016. The accounting department has been busy implementing a new process for retirees to make their benefit payments through a direct withdrawal from their account, rather than writing a check to Central. She has started working on the 2017 budget and has been busy with the retiree drug program.
- c. Kevin Boyd reported on the FERC inspection that occurred last week. None of the five firms who were contacted showed up for the site visit of the Morning Glory which was part of the bidding requirement, so Boyd stated he will have to re-advertise for bids again. He is also planning to seek bids on the Cottonwood Bridge project next week. Work to replace the decking and some of the stringers on the Johnson Lake Outlet Bridge will commence this fall.
- d. Mike Drain indicated the revised Probable Maximum Flood study will be filed with FERC by the end of August. He reported on the need to conduct new wave run-up studies for Lake McConaughy. He will be working to address any emergency spillway inspection repair items. Several staff members attended the Nebraska Game & Parks Commission public meeting a couple weeks ago.

- e. Devin Brundage is preparing for the work this fall to replace a breaker. He attended a recent State Chamber meeting which involved a tour of the Gerald Gentleman Station and Kingsley Hydro. He has been assisting a company with the installation of laser flow meters for experimental purposes.
- f. Holly Rahmann just finished a new edition of The Communicator. She attended a summer tour wrap-up meeting and a 2017 planning meeting last week. Currently, it appears plans will be made to tour parts of Nebraska which may include several of Central's facilities. She mailed a postcard to the irrigation customers regarding Husker Harvest Days and is working on an employee directory which would be helpful for new employees.
- g. Eric Hixson is preparing for the protection relay and panel replacement at Kingsley Hydro which is scheduled for October, 2016.
- h. Cory Steinke reported that Lake McConaughy is at elevation 3,259.0 which is 1,600,000 acre feet of storage and 90% capacity. Lake McConaughy inflows have increased to 2,400 cfs, with outflows around 3,400 cfs.
- i. Van Fastenau and Dustin Way recently conducted the leased acres investigations. All 1,037 acres were in compliance, and payments can be made.
- j. Dave Ford stated staff are beginning to prepare the irrigation bills. Crews will begin work on road crossings and lining projects in the coming weeks.
- k. Jim Brown anticipates issues many shoreline protection permits due to the drawdown of Jeffrey Lake.
- l. Don Kraus stated Dave Barga and Mike Klein collaborated on a memo to the Board regarding the collection of sales tax on hunting leases. The presence of radon gas was discovered in the basement, so the two part-time employees who were working in the basement on the scanning project were moved to an office upstairs.

WORKSHOPS, SEMINARS AND CONFERENCES: None.

**At 11:17 AM it was moved by Director Mueller and seconded by Director Petersen, that the Board enter into Closed Session to protect the public interest, to receive legal advice, and to discuss contract negotiations. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, R. Olson, S. Olson, Petersen, and Rowe. Absent was: Garrett, Nelson and Soneson. None voted no and the motion was declared carried. Vice President Rowe stated that the items to be discussed in closed session were the following agenda items: Management/Union Negotiations; FERC Project Boundary Review; Amendment to Water Service Agreement-J-2 Regulating Reservoir; Johnson Lake Leases; and Platte to Republican High Flow Diversion Project.**

A break for lunch was taken at 11:40 a.m. The meeting reconvened in Closed Session at 12:15 p.m.

#### C L O S E D S E S S I O N

**At 1:15 PM it was moved by Director Petersen and seconded by Director Knoerzer, that the Board exit Closed Session and reconvene in Regular Session. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, R. Olson, S. Olson, Petersen, and Rowe. Absent was: Garrett, Nelson and Soneson. None voted no and the motion was declared carried. President Nelson stated that the items discussed in Closed Session were of a legal nature relating to the following agenda items: Management/Union Negotiations; FERC Project Boundary Review; Amendment to Water Service Agreement-J-2 Regulating Reservoir; Johnson Lake Leases; and Platte to Republican High Flow Diversion Project.**

The meeting adjourned at 1:15 PM.

MINUTES OF REGULAR BUSINESS MEETING OF THE  
BOARD OF DIRECTORS  
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT  
SUPER 8 MOTEL  
HOLDREGE, NEBRASKA  
SEPTEMBER 12, 2016 – 9:00 A.M.

This meeting was publicly advertised on September 2, 2016, giving the time, date, and place of the meeting and the information that the Agenda was available in advance at the Office of the Assistant Secretary.

Individual cards giving the time, date, and place of this meeting were mailed to the Directors on August 29, 2016.

The following Directors were present:

Dudley L. Nelson, President	Geoffrey K. Bogle	K. Scott Olson
David L. Rowe, Vice President	Ronald E. Fowler	Roger D. Olson
Martin E. Mueller, Secretary	William E. Knoerzer	Robert L. Petersen
Robert B. Dahlgren, Treasurer		Gordon N. Soneson

The following Director was absent: Robert A. Garrett

Also present were the following:

Don D. Kraus, General Manager	Dave R. Ford, Irrigation Division Mgr.
Eric R. Hixson, Engineering Services Manager	Jeff J. Buettner, Public Relations Coord.
Cory A. Steinke, Civil Engineer	Holly G. Rahmann, Public Relations Asst.
Rochelle A. Jurgens, Controller	Michael C. Klein, Legal Counsel
Mike A. Drain, Natural Resources Mgr.	Emily Anderson, Assistant Secretary
Devin Brundage, Asst. Gothenburg Division Mgr.	

Others present:

John Thorburn, Tri-Basin NRD	Dick Helvey
David Kreutz, on behalf of JLDI	Linda Aust
Dale Romatzke	Lin Romatzke
Arlyn Rieker	Sherry Tucker

\* \* \* \* \*

The President announced that information for the public concerning the Open Meetings Act was available for interested parties to view.

At 9:00 AM, the Board President, Dudley L. Nelson, announced that the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: John Thorburn reported that Tri-Basin has been preparing for the Rainwater Basin Conservation Day and a range land judging contest. They have also been taking water samples. Arlyn Rieker stated he is a new resident of Mallard Beach Dr. 22 and he was elected to the association board. He has heard comments and concerns relating to the study conducted by Bioeconomics. He asked the Board to consider the amenities and benefits offered at other lakes used in the study, and the frequency of lake level fluctuations compared to those at Johnson Lake. David Kreutz stated many

in attendance at the recent JLDI meeting expressed frustration that Central did not present the Bioeconomics study to the public at the August board meeting.

**CONSENT AGENDA:** President Nelson asked the Directors if there were items they wished to be removed from the following consent agenda, to be discussed and voted on individually.

- **Approval of Minutes of Regular Business Meeting of the Board of Directors held August 1, 2016**
- **Approval of Minutes of Special Meeting of the Board of Directors held August 26, 2016**
- **Approval of Minutes of Committee Meeting of the Board of Directors held August 26, 2016**
- **Approval of the September Disbursements:**

<i>Hydro Division:</i>	\$989,968.85
Check #s 52418 & 52657 and 8899242 through 8899261	
Check #s 9912557 through 9912664 (Payroll)	\$344,465.34
<i>Kingsley Division:</i>	\$65,458.53
Check #s 2868 through 2874 (Accounts Payable)	
<i>J-2 Regulating Reservoir Construction Fund:</i>	\$19,178.39
Check #s 1224 through 1227 (Accounts Payable)	
<i>Glendo Division:</i>	\$NONE
Check #NONE	
<i>Flex Spending Account:</i>	\$594.72
Check #s 8029 through 8034	

- **Approval of Right of Way Transaction:**

**RIGHT-OF-WAY –Central Easements to City of Gothenburg**

E Line CNPPID Property (Gothenburg Control Center)..NE¼SE¼ of 16-11-25...City of Gothenburg...0.123

- **Approval of Work Order No. 186539 – Phelps A38.6-0.6-3.5 to 3.8 canal lining (\$48,338.74)**
- **Approval of a Contribution of \$5,000.00 from the Lake Improvement Fund to the Jeffrey Lake Public Boat Ramp Improvement Project, along with 40 hours of maintenance crew and equipment assistance**
- **Approval of Variance to permit the customer at 29 Mallard Cove, Johnson Lake to construct a series of retaining walls with a paved area within the 10’ side lot line setback**
- **Approval of a Variance to permit the customer at 8 North Point, Johnson Lake to remove an existing flat roof over a patio and replace it with a pitched roof, and extend the patio and roofline towards the shoreline by approximately 4’**
- **Approval of a Variance to permit the customer at 49 S Lakeview Rd, Jeffrey Lake to increase the height of the existing sidewalk along the shoreline by 12” (in accord with the proposed revisions to the Permitting Procedures)**
- **Approval of a Variance to permit the customer at 100 Pelican Dr, Jeffrey Lake to construct a concrete stone patio within 30’ of the shoreline through the issuance of an after-the-fact permit (in accord with the proposed revisions to the Permitting Procedures)**
- **Approval of a Variance to permit the customer at 37 Mallard Cove, Johnson Lake to construct a storage addition to the existing detached garage with the front and rear 12” eave overhangs located within the lot line setbacks, subject to the neighbor’s written approval**
- **Approval of the 2016 Budget Amendment - Hydro Division Budget Revision #10 as follows:**

	<u>Current Budget</u>	<u>Proposed Budget</u>	<u>Difference</u>
Phelps Irrigation Capital	0	\$48,400	\$48,400

Canal Lining A38.6-0.6-3.5 to 3.8			
Phelps O & M Earthwork			
2-38-54300-506-01	\$154,000	\$141,600	(\$12,400)
2-38-54300-506-04	\$49,700	\$46,400	(\$3,300)
2-38-54300-506-05	\$111,100	\$107,500	(\$3,600)
McConaughy Area Leases	\$51,000	\$61,000	\$10,000
Surveying and Appraisal			
Land & Shoreline Management	\$20,000	\$10,000	(\$10,000)
1-33-54500-545-03			
<b>Net Change</b>			<b>\$29,100</b>

- **Approval of the BKD, LLP Fee Schedule Agreement with a three year quote as follows: 2016-\$22,100; 2017-\$22,975; and 2018-\$23,900**

It was moved by Director Knoerzer and seconded by Director Petersen to approve the Consent Agenda as presented. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Knoerzer, Mueller, Nelson, R. Olson, S. Olson, Petersen, Rowe, and Soneson. Fowler abstained from voting. Absent: Garrett. None voted no and the motion was declared carried.

JOHNSON LAKE LEASES: Don Kraus recommended the Board consider moving this agenda item ahead to accommodate members of the public in attendance with interest in this topic. He suggested the Board enter into Executive Session.

At 9:07 AM it was moved by Director S. Olson and seconded by Director Fowler, that the Board enter into Closed Session to protect the public interest and to receive legal advice. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, Nelson, R. Olson, S. Olson, Petersen, Rowe, and Soneson. Absent: Garrett. None voted no and the motion was declared carried. President Nelson stated that the item to be discussed in closed session was the following: Johnson Lake Leases.

C L O S E D S E S S I O N

At 9:33 AM it was moved by Director Dahlgren and seconded by Director Petersen, that the Board exit Closed Session and reconvene in Regular Session. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, Nelson, R. Olson, S. Olson, Petersen, Rowe, and Soneson. Absent: Garrett. None voted no and the motion was declared carried. President Nelson stated that the item discussed in Closed Session was of a legal nature relating to the following agenda item: Johnson Lake Leases.

JOHNSON LAKE LEASES: Don Kraus presented a document titled Schedule of Activities and copies were made available to the public in attendance. Kraus stated Staff recommends adopting the schedule which encompasses the period of September, 2016 through March 1, 2018.

It was moved by Director S. Olson and seconded by Director R. Olson to approve the Schedule of Activities – Johnson Lake Leases as presented. Upon voting on the motion, the following Directors voted therefore: Fowler, Knoerzer, Mueller, Nelson, R. Olson, S. Olson, Petersen, and Soneson. The following Directors voted no: Bogle, Dahlgren and Rowe. Absent: Garrett. The motion was declared carried.

CHANGE IN LOCATION OF OCTOBER 4, 2016 BOARD MEETING TO THE SUPER 8 MOTEL, HOLDREGE, NE: Don Kraus commented the Super 8 Motel is now known as the Rodeway Inn.

It was moved by Director Petersen and seconded by Director Knoerzer to change the location of the October 4, 2016 Board Meeting to the Rodeway Inn (formerly known as the Super 8 Motel), located at 420 Broadway Street, Holdrege, NE. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, Nelson, R. Olson, S. Olson, Petersen, Rowe, and Soneson. Absent: Garrett. None voted no and the motion was declared carried.



FERC PROJECT BOUNDARY: This was discussed in Closed Session.

WATER SERVICE AGREEMENT FOR GROUNDWATER RECHARGE FROM EXCESS FLOWS (ELWOOD RESERVOIR) – NEBRASKA COMMUNITY FOUNDATION, PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM AND THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT: This was discussed in Closed Session.

WATER SERVICE AGREEMENT FOR GROUNDWATER RECHARGE FROM EXCESS FLOWS (PHELPS CANAL) – NEBRASKA COMMUNITY FOUNDATION, PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM AND THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT: This was discussed in Closed Session.

WATER SERVICE AGREEMENT FOR GROUNDWATER RECHARGE FROM EXCESS FLOWS (E65 CANAL AND ELWOOD RESERVOIR) – NEBRASKA DEPARTMENT OF NATURAL RESOURCES, TRI-BASIN NATURAL RESOURCES DISTRICT AND THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT: This was discussed in Closed Session.

WATER SERVICE AGREEMENT FOR GROUNDWATER RECHARGE FROM EXCESS FLOWS (PHELPS CANAL) – NEBRASKA DEPARTMENT OF NATURAL RESOURCES AND THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT: This was discussed in Closed Session.

IBEW LOCAL #2185 UNION NEGOTIATIONS: This was discussed in Closed Session.

J-2 REGULATING RESERVOIR – WATER SERVICE AGREEMENT AMENDMENT: This was discussed in Closed Session.

PERSONNEL: Don Kraus stated Duane Cernousek has been selected as the new Purchasing Agent in the Holdrege office to replace Greg Ham who will retire in late September.

LEGISLATION: Jeff Buettner reported that a tentative schedule has been released and the Legislature will convene for a 90-day session on January 4, 2017.

DIRECTORS' ATTENDANCE: **It was moved by Director Petersen and seconded by Director Mueller to excuse the absence of Robert A. Garrett from this Regular Business Meeting of the Board. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, Nelson, R. Olson, S. Olson, Petersen, Rowe, and Soneson. Absent: Garrett. None voted no and the motion was declared carried.**

BOARD COMMENTS: Director Petersen thanked staff for coordinating the boat tour of the canal and Gallagher Canyon last week.

OPERATIONS REPORT: The following operations reports were presented:

- a. Dave Ford stated the head gates were closed on Friday and staff is preparing to send irrigation bills on October 1, 2016. Crews will be working on maintenance, lining projects, road crossing and siphon repairs.
- b. Eric Hixson received a reply from the Department of Energy stating a grant application for the Johnson Lake Inlet Hydro would not meet their qualifications.
- c. Devin Brundage said crews will begin their routine fall maintenance projects in October. There will be outages in October to replace the bus tie breaker at Jeffrey Hydro and replace the panels and relays at Kingsley Hydro.
- d. Cory Steinke reported that Lake McConaughy's elevation is at 3,257.1 which is 87% of capacity. Inflows have decreased to 1,900 cfs and outflows are 2,600 cfs. Jeffrey Lake levels continue to decline.

- e. Mike Drain stated the FERC inflow design study for Lake McConaughy is complete. All of the land management staff are attending a FERC Land and Shoreline Management workshop this week. Bids for the Morning Glory repairs have been re-advertised.
- f. Holly Rahmann reported a bus has been rented to transport customers to Husker Harvest Days this week.
- g. Jeff Buettner conducted an interesting tour with a group of Iowa State University students from Ghana last week and he will host a group from the Daugherty Water for Food Institute later this month.
- h. Don Kraus reported he gave a deposition last week regarding the Maloley litigation.

A break was taken at 9:48 a.m. The meeting resumed at 9:57 a.m.

**At 9:57 AM it was moved by Director R. Olson and seconded by Director Knoerzer, that the Board enter into Closed Session to protect the public interest and to receive legal advice. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, Nelson, R. Olson, S. Olson, Petersen, Rowe, and Soneson. Absent: Garrett. None voted no and the motion was declared carried. President Nelson stated that the items to be discussed in closed session were as follows: FERC Project Boundary; Water Service Agreement for Groundwater Recharge from Excess Flows (Elwood Reservoir) – Nebraska Community Foundation, Platte River Recovery Implementation Program and The Central Nebraska Public Power and Irrigation District; Water Service Agreement for Groundwater Recharge from Excess Flows (Phelps Canal) – Nebraska Community Foundation, Platte River Recovery Implementation Program and The Central Nebraska Public Power and Irrigation District; Water Service Agreement for Groundwater Recharge from Excess Flows (E65 Canal and Elwood Reservoir) – Nebraska Department of Natural Resources, Tri-Basin Natural Resources District and The Central Nebraska Public Power and Irrigation District; Water Service Agreement for Groundwater Recharge from Excess Flows (Phelps Canal) – Nebraska Department of Natural Resources and The Central Nebraska Public Power and Irrigation District; IBEW Local #2185 Union Negotiations; and J-2 Regulating Reservoir – Water Service Agreement Amendment.**

#### C L O S E D S E S S I O N

**At 11:17 AM it was moved by Director Soneson and seconded by Director Petersen, that the Board exit Closed Session and reconvene in Regular Session. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, Nelson, R. Olson, S. Olson, Petersen, Rowe, and Soneson. Absent: Garrett. None voted no and the motion was declared carried. President Nelson stated that the items discussed in Closed Session were of a legal nature relating to the following: FERC Project Boundary; Water Service Agreement for Groundwater Recharge from Excess Flows (Elwood Reservoir) – Nebraska Community Foundation, Platte River Recovery Implementation Program and The Central Nebraska Public Power and Irrigation District; Water Service Agreement for Groundwater Recharge from Excess Flows (Phelps Canal) – Nebraska Community Foundation, Platte River Recovery Implementation Program and The Central Nebraska Public Power and Irrigation District; Water Service Agreement for Groundwater Recharge from Excess Flows (E65 Canal and Elwood Reservoir) – Nebraska Department of Natural Resources, Tri-Basin Natural Resources District and The Central Nebraska Public Power and Irrigation District; Water Service Agreement for Groundwater Recharge from Excess Flows (Phelps Canal) – Nebraska Department of Natural Resources and The Central Nebraska Public Power and Irrigation District; IBEW Local #2185 Union Negotiations; and J-2 Regulating Reservoir – Water Service Agreement Amendment.**

**WATER SERVICE AGREEMENT FOR GROUNDWATER RECHARGE FROM EXCESS FLOWS (ELWOOD RESERVOIR) – NEBRASKA COMMUNITY FOUNDATION, PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM AND THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT: It was moved by Director Dahlgren and seconded by Director Fowler to approve the Water Service Agreement for Groundwater Recharge from Excess Flows (Elwood Reservoir) –**

Nebraska Community Foundation, Platte River Recovery Implementation Program and The Central Nebraska Public Power and Irrigation District, pending legal review. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, Nelson, R. Olson, S. Olson, Petersen, Rowe, and Soneson. Absent: Garrett. None voted no and the motion was declared carried.

WATER SERVICE AGREEMENT FOR GROUNDWATER RECHARGE FROM EXCESS FLOWS (PHELPS CANAL) – NEBRASKA COMMUNITY FOUNDATION, PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM AND THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT: It was moved by Director Mueller and seconded by Director Petersen to approve the Water Service Agreement for Groundwater Recharge from Excess Flows (Phelps Canal) – Nebraska Community Foundation, Platte River Recovery Implementation Program and The Central Nebraska Public Power and Irrigation District, pending legal review. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, Nelson, R. Olson, S. Olson, Petersen, Rowe, and Soneson. Absent: Garrett. None voted no and the motion was declared carried.

WATER SERVICE AGREEMENT FOR GROUNDWATER RECHARGE FROM EXCESS FLOWS (E65 CANAL AND ELWOOD RESERVOIR) – NEBRASKA DEPARTMENT OF NATURAL RESOURCES, TRI-BASIN NATURAL RESOURCES DISTRICT AND THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT: It was moved by Director Knoerzer and seconded by Director S. Olson to approve the Water Service Agreement for Groundwater Recharge from Excess Flows (E65 Canal and Elwood Reservoir) – Nebraska Department of Natural Resources, Tri-Basin Natural Resources District and The Central Nebraska Public Power and Irrigation District, pending legal review. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, Nelson, R. Olson, S. Olson, Petersen, Rowe, and Soneson. Absent: Garrett. None voted no and the motion was declared carried.

WATER SERVICE AGREEMENT FOR GROUNDWATER RECHARGE FROM EXCESS FLOWS (PHELPS CANAL) – NEBRASKA DEPARTMENT OF NATURAL RESOURCES AND THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT: It was moved by Director Knoerzer and seconded by Director S. Olson to approve the Water Service Agreement for Groundwater Recharge from Excess Flows (Phelps Canal) – Nebraska Department of Natural Resources and The Central Nebraska Public Power and Irrigation District, pending legal review. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Fowler, Knoerzer, Mueller, Nelson, R. Olson, S. Olson, Petersen, Rowe, and Soneson. Absent: Garrett. None voted no and the motion was declared carried.

The meeting adjourned at 11:22 AM.

ATTEST:

THE CENTRAL NEBRASKA PUBLIC POWER  
AND IRRIGATION DISTRICT

\_\_\_\_\_  
Martin E. Mueller, Secretary

By \_\_\_\_\_  
Dudley L. Nelson, President