

CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

HOLDREGE, NEBRASKA

MARCH 7, 2022 – 9:00 A.M.

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MINUTES OF SPECIAL MEETING OF THE  
BOARD OF DIRECTORS  
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT  
HOLDREGE, NEBRASKA  
FEBRUARY 25, 2022 – 9:00 A.M.

This meeting was publicly advertised in accordance with Section 84-1411 of the Nebraska Statutes by notices aired on KRVN (Lexington) and KUVR (Holdrege) radio stations on February 18, 2022, and through legal publication in the Kearney Hub and Holdrege Daily Citizen on February 18, 2022, and the North Platte Telegraph and the Lexington Clipper-Herald on February 19, 2022, 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.

A postcard was mailed to each Director on February 15, 2022 giving the time, date, and place of this meeting.

The following Directors were present:

David L. Rowe, President	Tim Boyle	Roger D. Olson
Martin E. Mueller, Vice President	William E. Knoerzer	Kyle Shepherd
Robert B. Dahlgren, Secretary	David G. Nelson	
Geoffrey K. Bogle, Treasurer	Dudley L. Nelson	

The following Director was absent: K. Scott Olson

Also present were the following:

Devin M. Brundage, General Manager	Tyler Thulin, Civil Engineer
Eric R. Hixson, Electrical Project Ops. Mgr.	Dusty Way, Irrigation Operations Supervisor
Rochelle A. Jurgens, Controller and Finance Mgr.	Duane Cernousek, Purchasing Agent
Mike A. Drain, Nat. Resources & Compliance Mgr.	Alex Linden, Public Relations Assistant
Scott Dicke, Irrigation & Water Services Mgr.	Bailey Petersen, Administrative Assistant
Cory Steinke, Hydraulic Project Ops. Mgr.	Charles Brewster, Legal Counsel
Jeff J. Buettner, Govt & Public Relations Mgr.	Emily J. Anderson, Executive Assistant

Others present were:

Carson Messersmith

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

At 9:00 a.m. the Board President announced that the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: None.

RESCIND NOTICE OF AWARD FOR BID GROUP 22-7: Duane Cernousek explained the bid previously awarded to Pony Express Chevrolet was not fulfilled due to Chevrolet Fleet ceasing to accept orders at the time the bid was awarded on December 22, 2021. Staff recommended rescinding the bid.

It was moved by Director Mueller and seconded by Director Knoerzer to approve the Notice – Rescind of Award with Pony Express Chevrolet for Bid Group 22-7. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, Rowe, and Shepherd. Absent was: S. Olson. None voted no and the motion was declared carried.

PURCHASE REQUISITION NO. 11574 – SID DILLON, TWO THREE-QUARTER TON CREW CAB PICKUPS (\$96,670.00): Duane Cernousek explained he was able to find two 2500HD Chevy Silverado trucks that meet the District’s specifications at Sid Dillon. He presented the corrected actual amount of Purchase Requisition No. 11574 which is \$98,098.00, not \$96,670.00.

It was moved by Director R. Olson and seconded by Director Dahlgren to approve Purchase Requisition No. 11574 in the amount of \$98,098.00 from Sid Dillon for two three-quarter ton crew cab Chevy Silverado pickup trucks. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, Rowe, and Shepherd. Absent was: S. Olson. None voted no and the motion was declared carried.

ONE TON DUALY CREW CAB TRUCK (GOTHENBURG BRIDGE CREW PICKUP): Cory Steinke displayed photos of the current truck that needs replaced immediately due to a need for significant repairs. He presented photos of potential truck options and associated pricing. He stated staff recommends the purchase of a 2022 Chevy 3500 HD Dually with 39 miles from Jerry Remus Chevy-Olds-Cadillac in North Platte in an amount of \$54,000. He stated a new customized box and a front grill will need to be purchased and installed which will increase the total cost. He presented the following items for consideration:

- a. 2022 Budget Amendment:

Hydro Division	Current Budget	Proposed Budget	Difference
<u>Gothenburg Supply Canal Capital</u>			
One Ton Dually Crew Cab Pickup with Customized Box	\$0	\$75,000	\$75,000

- b. Work Order No. 107427 in the amount of \$70,077.03
- c. Purchase Requisition No. 11494 – Jerry Remus Chevy-Olds-Cadillac (\$54,000.00)

It was moved by Director Bogle and seconded by Director Dudley Nelson to approve 2022 Budget Amendment with an increase to the Gothenburg Supply Canal Capital in the amount of \$75,000.00, Work Order No. 107427 in the amount of \$70,077.03, and Purchase Requisition No. 11494 in the amount of \$54,000.00. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, Rowe, and Shepherd. Absent was: S. Olson. None voted no and the motion was declared carried.

REQUESTS FOR PROPOSALS – FERC PART 12D INSPECTION AND OWNERS DAM SAFETY PLAN AUDIT: Mike Drain stated staff recommends Ayres as the consultant for the FERC Part 12D Inspection and Owners Dam Safety Plan. The contract has undergone review by legal counsel.

It was moved by Director Dudley Nelson and seconded by Director Boyle to approve the proposal from Ayres for the consulting work related to the FERC Part 12D Inspection and Owners Dam Safety Plan. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, Rowe, and Shepherd. Absent was: S. Olson. None voted no and the motion was declared carried.

DIRECTORS’ ATTENDANCE: It was moved by Director Knoerzer and seconded by Director Mueller to excuse the absence of S. Olson from this meeting. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, Rowe, and Shepherd. Absent was: S. Olson. None voted no and the motion was declared carried.

**ADJOURNMENT: It was moved by Director David Nelson and seconded by Director Mueller to adjourn the Special Meeting of the Board at 9:21 a.m. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, Rowe, and Shepherd. Absent was: S. Olson. None voted no and the motion was declared carried.**

MINUTES OF COMMITTEE MEETING OF THE  
BOARD OF DIRECTORS  
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT  
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Robert B. Dahlgren, Secretary	David G. Nelson	
Geoffrey K. Bogle, Treasurer	Dudley L. Nelson	

The following Director was absent: K. Scott Olson

Also present were the following:

Devin M. Brundage, General Manager	Tyler Thulin, Civil Engineer
Eric R. Hixson, Electrical Project Ops. Mgr.	Dusty Way, Irrigation Operations Supervisor
Rochelle A. Jurgens, Controller and Finance Mgr.	Duane Cernousek, Purchasing Agent
Mike A. Drain, Nat. Resources & Compliance Mgr.	Alex Linden, Public Relations Assistant
Scott Dicke, Irrigation & Water Services Mgr.	Bailey Petersen, Administrative Assistant
Cory Steinke, Hydraulic Project Ops. Mgr.	Charles Brewster, Legal Counsel
Jeff J. Buettner, Govt & Public Relations Mgr.	Emily J. Anderson, Executive Assistant

Others present were:

Carson Messersmith	Chandler Mazour, Prairie Food
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The Board President announced that information for the public concerning the Open Meetings Act was available for interested parties to view.

At 9:21 a.m. the Board President announced that the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: None.

CONSENT TO ASSIGNMENT SUMMARY: There were three consents approved at Johnson Lake during the month of February, 2022.

PERMIT TO CONSTRUCT SUMMARY: The following permits were approved during the month of February, 2022:

Permits to Construct Approved by General Manager 2/25/2022			
<u>Name</u>	<u>Description</u>	<u>Permit &amp; Purpose</u>	<u>Date Approved &amp; Fee</u>
ATC Communications	SE1/4SE1/4 11-6-20, SE1/4NE1/4 14-6-20, NW1/4NW1/4 11-6-20, NE1/4NE1/4 10-6-20, NE1/4NE1/4 27-8-20, SW1/4SW1/4 2-7-19, NE1/4NW1/4 & NW1/4NE1/4 13-7-19	Install a 24-fiber cable in 1-inch conduit below canals, laterals, and buried pipelines in 10 different locations.	02/02/2022 \$1,110.00
Lumen DBA CenturyLink Communications	NE1/4SE1/4 16-6-16	Bore a conduit with 75 pair telephone line on Central property.	02/02/2022 \$ 370.00
Glenwood Telecommunications	SW1/4 19-15-38	Reroute a buried communications cable and install 3 new handholes on District property.	02/08/2022

Permits to Construct Approved by Land Administration Department 2/25/2022 – Johnson Lake			
Pristine Rentals LLC	31 North Shore Dr. 8	Vacation Rental Permit to Operate	01/20/2022 \$ 200.00
Lecher, Colleen	4 Mallard Cove Dr. 19	Vacation Rental Permit to Operate	01/20/2022 \$ 200.00
Bonnie J. Marshall Trust	14 Mallard Beach	Vacation Rental Permit to Operate	01/31/2022 \$ 200.00
Moseley, James & Theresa	40 Park Lane Dr. 28	Vacation Rental Permit to Operate	01/31/2022 \$200.00
Jonas, Andy	111 Mallard Beach Dr. 22	DWEL ATF - Install buried propane tank	02/01/2022 \$ 100.00
Phantom Farms, LLC	28 Mallard Beach Dr. 20	Vacation Rental Permit to Operate	02/14/2022 \$ 200.00
North Point Area Association	Lot 44 and 45 NE1/4 31-T9-R22 – Common Area	Permit to Construct ATF- Cutting and removal of vegetation	02/15/2022 \$ 100.00
Grosshans, Kurt, MacDonald, Lori & Benfeldt, Brenda	101 & 102 Mallard Beach Dr. 22	SWAF - 10'L x 4'W Dock, 12'W x 12'L Shorestation, 6'W x 9'L Jet-ski lift, 3'W x 100'L Dock	02/15/2022 \$ 50.00

Permits to Construct Approved by Land Administration Department 2/25/2022 – Jeffrey Lake			
Thieszen, Todd & Shariel	120 Anchor Bay Dr.	ECS - Construct 40'L x 4'6" H Retaining wall	02/07/2022
Thieszen, Todd & Shariel	120 Anchor Bay Dr.	DEF Permit - Excavation and Fill	02/07/2022 \$ 50.00
Thieszen, Todd & Shariel	120 Anchor Bay Dr.	SWAF - Construct 12'W x 12'L On-Grade Patio, 6'W Access to shoreline and 6'W set of stairs	02/07/2022 \$ 50.00

Spillman, Ed & Jean	119 Anchor Bay Dr.	ECS - 115'L x 4'6"H Retaining wall	02/08/2022
Spillman, Ed & Jean	119 Anchor Bay Dr.	DEF - Excavation and fill work	02/08/2022 \$ 50.00
Spillman, Ed & Jean	119 Anchor Bay Dr.	SWAF - 5'W x 40'L Access	02/08/2022 \$ 50.00
Sneller, Robert	39 S. Lakeview Rd	FHA - Install fish attractor	02/17/2022
Permits to Construct Approved by Land Administration Department 2/25/2022 – Lake McConaughy			
<u>Name</u>	<u>Description</u>	<u>Permit &amp; Purpose</u>	<u>Date Approved &amp; Fee</u>
Welsh, Michael & Karen	11 K-3 Rd	VEG ATF - Trees planted 10' from the lot line	01/10/2022 \$ 100.00
Clanton, Shelly Ann	51 K-1 Rd	DWEL - Construct three staggered 2'Wx18'Lx3'T rock walls	01/27/2022
Clanton, Shelly Ann	51 K-1 Rd	VEG - Plant five fruit trees	01/27/2022
Permits to Construct Approved by Land Administration Department 2/25/2022 – Plum Creek			
<u>Name</u>	<u>Description</u>	<u>Permit &amp; Purpose</u>	<u>Date Approved &amp; Fee</u>
Bean, David & Patricia	2 Plum Creek Canyon Dr. 12G	ECS - Construct 4'6"T Retaining wall	01/20/2022
Bean, Dave & Patricia	2 Plum Creek Canyon Dr. 12G	ECS - Bank Stabilization (Riprap) for 224 linear feet of the shoreline	02/07/2022
Killion, Debra & Galen	5 Plum Paradise Estates Sub.	ECS - Bank Stabilization (Riprap) for 100 linear feet of the shoreline	02/08/2022
Bean, David & Patricia	2 Plum Creek Canyon Dr. 12G	DEF - 1080 FT <sup>2</sup> to be graded and vegetated	01/20/2022 \$250.00
Bean, David & Patricia	2 Plum Creek Canyon Dr. 12G	SWAF - Install 8'W x 6'L Deep Dock Anchor Pad	01/20/2022 \$400.00

WATER SERVICE AGREEMENTS: Dusty Way presented aerial photos showing the location of each of the following:

<u>System</u>	<u>Acct. No.</u>	<u>Legal Desc.</u>	<u>Landowner</u>	<u>Contr. Acres</u>	<u>Total Acres Chg'd</u>
<b><u>Water Service Agreements:</u></b>					
E65	6190803	E1/2SW1/4 8-6-19	Jean H. Harris, Trustee	40	20(1)
		<i>*Transfer 20 Acres to Account 7192602</i>			
Phelps	7192602	NE1/4 & S1/2SE1/4 26-7-19	Jean H. Harris, Trustee	61	81(1)
		<i>*Add 20 Acres from Account 6190803</i>			
E65	7200103	SW1/4 1-7-20	Kenneth and Jalayne Reining	82	132(1)
		<i>*Combine with Account 7200104 and Add 50 Acres from 82035021</i>			
E65	8203502	W1/2SW1/4 35-8-20	L. James Drahota, Trustee	100	50(1)
		<i>*Transfer 50 Acres to Account 7200103</i>			



Phelps	6172306	NW1/4SE1/4 23-6-17	James and Mariliss Erickson, Trustee:	0	10(1)
		<b>*New Account</b>			
Phelps	7191101	E1/2SW1/4 & SE1/4 11-7-19	Mark J. & Amy J. Mattson	140	213(1)
		<b>*Add 73 Acres to Existing Account</b>			
Phelps	8193007	NW1/4 30-8-19	South Central Feeders, Inc.	80	110(1)
		<b>*Add 30 Acres to Existing Account</b>			
Phelps	8202502	SE1/4NE1/4, SE1/4SW1/4, SE1/4 25-8-20	South Central Feeders, Inc.	125	150(1)
		<b>*Add 25 Acres to Existing Account</b>			
E65	8202501	NW1/4 & N1/2SW1/4 25-8-20	South Central Feeders, Inc.	85	85(1)
		<b>*New Pivot Irrigating Acres in N1/2SW1/4, Updating WSA</b>			
E65	8203601	E1/2NW1/4 & E1/2SW1/4 36-8-20	South Central Feeders, Inc.	86	86(1)
		<b>*Combine with Account 8203602</b>			
Phelps	7163506	S1/2SE1/4 35-7-16	Mathew Wells	0	65(1,4)
		<b>*New Account, 65 Acres Added from 7163303</b>			
Phelps	7163303	Pt. S1/2 of SW1/4NE1/4 & NW1/4SE1/4 33-7-16	Celeste Wells Trustee, Sheree Bacus, Stacy Osborn	90	25(1,4)
		<b>*Transfer 65 Acres to Account 7163506</b>			
Supply Canal	12280803	E1/2SW1/4 8-12-28	Russell & Rhonda Tobey	0	10(1)
		<b>*New Account</b>			

- (1) IPP Amendment to Water Service Agreement for the 2022 irrigation season accompanies new WSA.
- (2) IPP Amendment to Water Service Agreement for the 2022 irrigation season to accompany existing WSA.
- (3) Water Service Agreement terminated after 2021, landowner came-back with new WSA.
- (4) Documents are currently being reviewed with landowners and/or are being signed by the landowners.
- (5) Water Service Agreement immediately terminated after 2021.
- (6) Water Service Agreement activation date being when CWS permit is issued by the NeDNR.

**PLUM CREEK WATER SERVICE AGREEMENTS:** Dusty Way presented aerial photos showing the location of each of the following:

<u>System</u>	<u>Acct. No.</u>	<u>Legal Desc.</u>	<u>Landowner</u>	<u>Contr. Acres</u>	<u>Total Acres Chg'd</u>
<b><u>Water Service Agreements:</u></b>					
E65	8212901	SE1/4 29-8-21	4:13 Farms, LLC	0	120(1,6)
		<b>*New Account on Plum Creek</b>			
E65	8213302	NW1/4 33-8-21	M. Doyle & Carol Benson, Trustees	0	132(1,6)
		<b>*New Account on Plum Creek</b>			
E65	8213201	N1/2NW1/4 & NE1/4 32-8-21	Kimberli & Robert Dawson	0	120(1,6)
		<b>*New Account on Plum Creek</b>			

- (1) IPP Amendment to Water Service Agreement for the 2022 irrigation season accompanies new WSA.
- (2) IPP Amendment to Water Service Agreement for the 2022 irrigation season to accompany existing WSA.
- (3) Water Service Agreement terminated after 2021, landowner came-back with new WSA.
- (4) Documents are currently being reviewed with landowners and/or are being signed by the landowners.
- (5) Water Service Agreement immediately terminated after 2021.
- (6) Water Service Agreement activation date being when CWS permit is issued by the NeDNR.

Way commented the Plum Creek Water Service Agreements will require a Conduct Water permit from the Nebraska Department of Natural Resources and the agreements will be contingent upon approval by NDNR.

**WORK ORDER/PURCHASE REQUISITION SUMMARY:** The following were presented for review and discussion:

- a. Work Order No. 186581 – CAT Loader/Backhoe (\$85,181.00)
- b. Purchase Requisition No. 11541 – Landmark Implement, Holdrege for John Deere 6135E (\$82,677.55)
- c. Purchase Requisition No. 11542 – Landmark Implement, Holdrege for John Deere 6135E (\$92,972.12)

CONTRACT NO. 0-706 – NEBRASKA TRUCK CENTER INC. FOR 2021 WESTERN STAR WITH HENDERSON REAR DUMP BODY: Duane Cernousek reported the equipment was received and inspected and found to be in satisfactory condition. Staff recommends final payment on Progress Estimate No. 1 (Final) in the amount of \$141,820.00 and closure of the contract.

CONTRACT NO. 0-707 – TENCATE GEOSYNTHETICS FOR GEOSYNTHETIC TUBE MATERIAL: Duane Cernousek stated the geosynthetic tube material was received and inspected and found to be in satisfactory condition. Staff recommends final payment on Progress Estimate No. 2 (Final) in the amount of \$149,570.84 and closure of the contract. Cory Steinke reported the installation process should commence in the coming weeks, once weather allows.

LAND AND RECREATION COMMITTEE (2/22/22): Mike Drain presented a summary of the items the subcommittee recommended action as follows:

- a. Application for Variance/Variance Amendment Request – 131 Mallard Beach, Johnson Lake: The subcommittee recommends Board approval of a new after-the-fact variance with an administrative fee of \$500 with the following conditions: i. All non-conforming structures included in both of the approved variances will be allowed to remain until such time they are no longer needed by the Laubys or their immediate family; and ii. All non-conforming structures included in both of the approved variances will be required to be removed prior to any sale or transfer of the lease.
- b. Application for Variance – 3 North Point, Johnson Lake: The subcommittee recommends Board approval of the variance request for the extended eave/overhang being 16” into the setback, conditional upon the consent by the neighbor(s).
- c. Variance Amendment Request – 64 Mallard Beach, Johnson Lake: The subcommittee recommends Board denial of the request to amend the variance that was previously approved by the Board of Directors on November 1, 2021.
- d. Lease Agreement – Chuck & Sheila Leffler, East Midway Lake: The subcommittee recommends Board approval of a new 30-year term lease agreement with a rental amount beginning at \$268.80 and increasing 3% per year for the duration of the lease.
- e. Chipper Co., The Nautical Rose and Lakeshore Marina Paving Request – Johnson Lake: The subcommittee recommends Board approval of the use of Lake Improvement Funds in the amount of \$35,056.00 for concrete paving in the A (portion of the east entry road) and B (public parking for trucks with boat trailers) areas on the aerial photo as presented.

A break was taken at 10:06 a.m. The meeting resumed at 10:24 a.m.

DISTRICT INTEGRATION STUDY UPDATE: Devin Brundage reported there will be a brief Ad Hoc meeting later today to discuss the that committee’s assistance on portions of Phase III components of the study.

POWER PURCHASE PROPOSALS: Eric Hixson is awaiting an updated proposal from one bidder.

BOARD SUBCOMMITTEES – 2022: Devin Brundage suggested the subcommittee vacancies resulting from Gordon Soneson’s death should be filled. He also discussed the option of reducing the number of members on each subcommittee to four or five, rather than six, to reduce the time commitment for some.

LEGISLATION: Jeff Buettner presented his 2022 Legislative watch list and gave an overview of the legislative bills that could impact Central.

BOARD COMMENTS: David Nelson plans to hold a Public Relations committee meeting soon. He also stated a representative from KAAPA would like to speak at an upcoming meeting. Kyle Shepherd received an invitation from Dawson PPD regarding an irrigation meeting on March 8, 2022 at 10:30 a.m.

LEGAL UPDATE: Charles Brewster has been busy communicating with staff, and reviewing various contracts and real estate documents.

SOIL SCIENCE: Chandler Mazour was present to provide education about advances in soil biology. He does research for Prairie Food, a product applied to the soil made of cow manure, wet distillers grain and water that is processed using technology that converts biomass to micro-carbons.

Lunch was taken at 12:05 p.m.

Directors Dahlgren and David Nelson exited the meeting at 12:22 p.m.

The meeting resumed at 12:30 p.m.

MANAGEMENT REPORTS:

- a. Mike Drain reported the 90% design phase report of the Phillips Canyon Boat Ramp project is complete and staff is working with the Nebraska Game & Parks Commission to finalize the necessary documents and design plans. He and Jim Brown have been working with the City of North Platte regarding the annexation process around North Platte including the Diversion Dam. He and Jim Brown attended a recent Lake McConaughy stakeholder meeting where the Nebraska Game & Parks Commission and stakeholders reported the new camping reservation system was successful with more permits sold, fuller hotels, and an increase in tax revenues. Negotiations continue with NPPD regarding an Annual Operating Plan (AOP) for 2022.
- b. Cory Steinke presented photos of the Hiles Canyon dike and culvert. He attended Governor Ricketts' "Water and Taxes" town hall meeting in Ogallala on February 15, 2022 with Directors Boyle, Mueller and Dudley Nelson. The geosynthetic tube installation in the Mako Chi Mni area at Lake McConaughy will start in the coming weeks, or as soon as the ice is off the lake.
- c. Tyler Thulin reported Lake McConaughy is at elevation 3,242.3, 1,138,900 acre feet, and 65.3% capacity. Inflows to Lake McConaughy are around 750 cfs and outflows are around 600 cfs, which he expects to decrease to 400 soon. Snowpack in the North Platte Basin is 93% of median and 100% of median in the South Platte Basin.
- d. Scott Dicke reported staff concluded their water scheduling for the upcoming season and post cards will be mailed out to irrigators soon. Staff recently attended an 811 Diggers Hotline safety meeting in Lincoln where equipment operator, Cory Ellis, was one of the top 4 finalists in an excavator operation competition. He continues to work on the E65 Siphon Project RFPs and attended a recent Tri-Basin NRD IMP meeting.
- e. Jeff Buettner is already starting to schedule tours for the upcoming season. A tour of Kingsley and the Diversion Dam/Jeffrey Hydro will be offered to attendees of an event hosted by the Nebraska College of Technical Agriculture on March 31, 2022.
- f. Rochelle Jurgens reported on the recent audit by BKD and informed the Directors that BKD had to increase their fees slightly for this year due to unforeseen costs associated with the audit. BKD notified her they have merged with another nationally known accounting firm. On February 22, 2022, the retirement accounts held by Wells Fargo were migrated to the Principal platform.
- g. Eric Hixson informed the Directors of an ice build-up on the grates at J-1 Hydro which caused a shut-down lasting several hours the morning of February 23, 2022. A meeting with management and union representatives was held on February 15, 2022. He is hiring

for a Hydro Mechanic/Electrical Specialist to replace Ken Beck when he retires.

- h. Alex Linder advised this is the final weekend for the eagle viewing facilities at J-2 Hydro and Lake Ogallala.
- i. Devin Brundage has been working on the merger project and reported on the recent 2-day Platte River Recovery Implementation Program science meeting.

PERSONNEL: None.

OUT OF STATE TRAVEL: None.

WORKSHOPS, SEMINARS AND CONFERENCES: None.

BOARD SUB-COMMITTEE MEETINGS AND OTHER IMPORTANT UPCOMING EVENTS: None.

ADJOURNMENT: It was moved by Director R. Olson and seconded by Director Mueller to adjourn the Committee Meeting of the Board at 1:08 p.m. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Mueller, Dudley Nelson, R. Olson, Rowe, and Shepherd. Absent was: Dahlgren, David Nelson and S. Olson. None voted no and the motion was declared carried.

THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

HOLDREGE, NEBRASKA

MARCH 7, 2022 – 9:00 A.M.

This meeting was publicly advertised in accordance with Section 84-1411 of the Nebraska Statutes by notices aired on KRVN (Lexington) and KUVR (Holdrege) radio stations on February 28, 2022, and through legal publication in the Kearney Hub and Holdrege Daily Citizen on February 28, 2022, the North Platte Telegraph on March 1, 2022, and the Lexington Clipper-Herald on March 2, 2022 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.

A postcard was mailed to each Director on February 15, 2022 giving the time, date, and place of this meeting.

The following Directors were present:

Robert B. Dahlgren, Secretary	Tim Boyle	K. Scott Olson
Geoffrey K. Bogle, Treasurer	William E. Knoerzer	Roger D. Olson
	Dudley L. Nelson	Kyle Shepherd

The following Directors were absent: Martin E. Mueller, David G. Nelson and David L. Rowe

Also present were the following:

Devin M. Brundage, General Manager	Jeff J. Buettner, Govt & Public Relations Mgr.
Eric R. Hixson, Electrical Project Ops. Mgr.	Tyler Thulin, Civil Engineer
Rochelle A. Jurgens, Controller and Finance Mgr.	Duane Cernousek, Purchasing Agent
Mike A. Drain, Nat. Resources & Compliance Mgr.	Alex Linden, Public Relations Assistant
Scott Dicke, Irrigation & Water Services Mgr.	Charles Brewster, Legal Counsel
Cory Steinke, Hydraulic Project Ops. Mgr.	Emily J. Anderson, Executive Assistant

Others present were:

John Thorburn, Tri-Basin NRD	Zach Gray
Greg Heiden	Carson Messersmith
Mark Nelson	Dave Ford

\* \* \* \* \*

Due to the absences of the Board President, David L. Rowe, and Board Vice President, Martin E. Mueller, Devin Brundage asked the Directors in attendance to appoint a Chairman Pro Tem pursuant to Article X of Robert's Rules of Order.

**It was moved by Director Bogle and seconded by Director Boyle to appoint Robert B. Dahlgren as the Chairman Pro Tem for this meeting. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Dudley Nelson, R. Olson, S. Olson, and Shepherd. Absent were: Mueller, David Nelson and Rowe. None voted no and the motion was declared carried.**

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

At 9:04 a.m. the Chairman Pro Tem announced the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: John Thorburn announced a joint meeting of Tri-Basin and Central's Water Services Committee will be held on March 15, 2022 at 2:00 p.m. at Tri-Basin's offices. Mark Nelson identified himself as a water user who is concerned about future water issues and the potential merger with Dawson Public Power District. Greg Heiden looks forward to upcoming educational meetings to learn more about the potential merger.

CONSENT AGENDA: Devin Brundage provided an overview of the items on the Consent Agenda which were presented and discussed at the February 25, 2022 Committee Meeting of the Board.

The Chairman Pro Tem asked the Directors if there were items they wished to remove from the Consent Agenda for individual discussion and voting. Hearing none, the following items were presented:

- **Approval of Minutes of Regular Business Meeting of the Board of Directors held February 7, 2022**
- **Approval of Minutes of Special Meeting of the Board of Directors held February 25, 2022**
- **Approval of Minutes of Committee Meeting of the Board of Directors held February 25, 2022**
- **Approval of the March Disbursements:**

*Hydro Division:*

Check # 66566-VOID; Check #s 66624 through 66795 & 8900533 through 8900556 (Accounts Payable) \$1,107,396.19

Payroll \$505,705.62

*Kingsley Division:*

Check #s 3397 through 3408 (Accounts Payable) \$312,646.31

*J-2 Regulating Reservoir Construction Fund:*

NONE NONE

*Glendo Division:*

Check # 1118 \$1,317.31

*Flex Spending Account:*

Check #s 8702356 & 1176399574 \$1,416.98

- **Approval of Work Order No. 186581 – CAT Loader/Backhoe (\$85,181.00)**
- **Approval of Purchase Requisition No. 11541 – Landmark Implement, Holdrege for John Deere 6135E (\$82,677.55)**
- **Approval of Purchase Requisition No. 11542 – Landmark Implement, Holdrege for John Deere 6135E (\$92,972.12)**
- **Approval of Progress Estimate No. 1 (Final), Contract No. 0-706 – Nebraska Truck Center Inc. for 2021 Western Star w/ Henderson Rear Dump Body (\$141,820.00)**
- **Approval of Closure of Contract No. 0-706 – Nebraska Truck Center Inc.**
- **Approval of Progress Estimate No. 2 (Final), Contract No. 0-707 – Tencate Geosynthetics for Geosynthetic Tube Material (\$149,570.84)**
- **Approval of Closure of Contract No. 0-707 – Tencate Geosynthetics**
- **Approval of Plum Creek Water Service Agreements as follows:**

<u>System</u>	<u>Acct. No.</u>	<u>Legal Desc.</u>	<u>Landowner</u>	<u>Contr. Acres</u>	<u>Total Acres Chg'd</u>
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Water Service Agreements:

E65	8212901	SE1/4 29-8-21 <i>*New Account on Plum Creek</i>	4:13 Farms, LLC	0	120(1,6)
E65	8213302	NW1/4 33-8-21 <i>*New Account on Plum Creek</i>	M. Doyle & Carol Benson Trustees	0	132(1,6)
E65	8213201	N1/2NW1/4 & NE1/4 32-8-21 <i>*New Account on Plum Creek</i>	Kimberli & Robert Dawson	0	120(1,6)

- (1) IPP Amendment to Water Service Agreement for the 2022 irrigation season accompanies new WSA.
- (2) IPP Amendment to Water Service Agreement for the 2022 irrigation season to accompany existing WSA.
- (3) Water Service Agreement terminated after 2021, landowner came-back with new WSA.
- (4) Documents are currently being reviewed with landowners and/or are being signed by the landowners.
- (5) Water Service Agreement immediately terminated after 2021.
- (6) Water Service Agreement activation date being when CWS permit is issued by the NeDNR.

**It was moved by Director S. Olson and seconded by Director R. Olson to approve the Consent Agenda as presented. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Dudley Nelson, R. Olson, S. Olson, and Shepherd. Absent were: Mueller, David Nelson and Rowe. None voted no and the motion was declared carried.**

**APPLICATION FOR VARIANCE/VARIANCE AMENDMENT REQUEST – 131 MALLARD BEACH, JOHNSON LAKE: It was moved by Director Shepherd and seconded by Director S. Olson to approve a new after-the-fact variance with an administrative fee of \$500 with the following conditions: i. All non-conforming structures included in both of the approved variances will be allowed to remain until such time they are no longer needed by the Laubys or their immediate family; and ii. All non-conforming structures included in both of the approved variances will be required to be removed prior to any sale or transfer of the lease. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Dudley Nelson, R. Olson, S. Olson, and Shepherd. Absent were: Mueller, David Nelson and Rowe. None voted no and the motion was declared carried.**

**APPLICATION FOR VARIANCE – 3 NORTH POINT, JOHNSON LAKE: It was moved by Director Dudley Nelson and seconded by Director Bogle to approve the variance request for the extended eave/overhang being 16” into the setback, conditional upon the consent by the neighbor(s). Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Dudley Nelson, R. Olson, S. Olson, and Shepherd. Absent were: Mueller, David Nelson and Rowe. None voted no and the motion was declared carried.**

**VARIANCE AMENDMENT REQUEST – 64 MALLARD BEACH, JOHNSON LAKE: It was moved by Director Bogle and seconded by Director Shepherd to deny the request to amend the variance previously approved by the Board of Directors on November 1, 2021. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Dudley Nelson, S. Olson, and Shepherd. Voting no was R. Olson. Absent were: Mueller, David Nelson and Rowe. The motion was declared carried.**

**LEASE AGREEMENT – CHUCK & SHEILA LEFFLER, EAST MIDWAY LAKE: It was moved by Director Boyle and seconded by Director Knoerzer to approve a new 30-year term lease agreement with a rental amount beginning at \$268.80 and increasing 3% per year for the duration of the lease. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Dudley Nelson, R. Olson, S. Olson, and Shepherd. Absent were: Mueller, David Nelson and Rowe. None voted no and the motion was declared carried.**

**CHIPPER CO., THE NAUTICAL ROSE AND LAKESHORE MARINA PAVING REQUEST – JOHNSON LAKE: It was moved by Director Dudley Nelson and seconded by Director S. Olson to approve the use of Lake Improvement Funds in the amount of \$35,056.00 for concrete paving in the A (portion**

of the east entry road) and B (public parking for trucks with boat trailers) areas as presented. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Dudley Nelson, R. Olson, S. Olson, and Shepherd. Absent were: Mueller, David Nelson and Rowe. None voted no and the motion was declared carried.

WATER SERVICE AGREEMENTS: The following were presented for consideration:

<u>System</u>	<u>Acct. No.</u>	<u>Legal Desc.</u>	<u>Landowner</u>	<u>Contr. Acres</u>	<u>Total Acres Chg'd</u>
<b><u>Water Service Agreements:</u></b>					
E65	6190803	E1/2SW1/4 8-6-19	Jean H. Harris, Trustee	40	20(1)
		*Transfer 20 Acres to Account 7192602			
Phelps	7192602	NE1/4 & S1/2SE1/4 26-7-19	Jean H. Harris, Trustee	61	81(1)
		*Add 20 Acres from Account 6190803			
Phelps	6172306	NW1/4SE1/4 23-6-17	James and Mariliss Erickson, Trustees	0	10(1)
		*New Account			
Phelps	7191101	E1/2SW1/4 & SE1/4 11-7-19	Mark J. & Amy J. Mattson	140	213(1)
		*Add 73 Acres to Existing Account			
Phelps	8193007	NW1/4 30-8-19	South Central Feeders, Inc.	80	110(1)
		*Add 30 Acres to Existing Account			
Phelps	8202502	SE1/4NE1/4, SE1/4SW1/4, SE1/4 25-8-20	South Central Feeders, Inc.	125	150(1)
		*Add 25 Acres to Existing Account			
E65	8202501	NW1/4 & N1/2SW1/4 25-8-20	South Central Feeders, Inc.	85	85(1)
		*New Pivot Irrigating Acres in N1/2SW1/4, <b>Updating WSA</b>			
E65	8203601	E1/2NW1/4 & E1/2SW1/4 36-8-20	South Central Feeders, Inc.	86	86(1)
		*Combine with Account 8203602			
Phelps	7163506	S1/2SE1/4 35-7-16	Mathew Wells	0	65(1,4)
		*New Account, 65 Acres Added from 7163303			
Phelps	7163303	Pt. S1/2 of SW1/4NE1/4 & NW1/4SE1/4 33-7-16	Celeste Wells Trustee, Sheree Bacus, Stacy Osborn	90	25(1,4)
		*Transfer 65 Acres to Account 7163506			
Supply Canal	12280803	E1/2SW1/4 8-12-28	Russell & Rhonda Tobey	0	10(1)
		*New Account			

- (1) IPP Amendment to Water Service Agreement for the 2022 irrigation season accompanies new WSA.
- (2) IPP Amendment to Water Service Agreement for the 2022 irrigation season to accompany existing WSA.
- (3) Water Service Agreement terminated after 2021, landowner came-back with new WSA.
- (4) Documents are currently being reviewed with landowners and/or are being signed by the landowners.
- (5) Water Service Agreement immediately terminated after 2021.
- (6) Water Service Agreement activation date being when CWS permit is issued by the NeDNR.

**It was moved by Director Knoerzer and seconded by Director R. Olson to approve the Water Service Agreements as presented. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Dudley Nelson, R. Olson, S. Olson, and Shepherd. Absent were: Mueller, David Nelson and Rowe. None voted no and the motion was declared carried.**

LEGISLATION: Jeff Buettner provided an update of the bills he is currently following. There was substantial discussion regarding the Perkins County Canal.



DISTRICT INTEGRATION STUDY UPDATE: Devin Brundage is coordinating several upcoming educational opportunities for water users and the public to learn more about the potential project.

POWER PURCHASE PROPOSALS: There was nothing new to report.

WORKSHOPS, SEMINARS AND CONFERENCES: None.

PERSONNEL: None.

DIRECTORS' ATTENDANCE: **It was moved by Director R. Olson and seconded by Director Knoerzer to excuse the absences of directors Mueller, David Nelson and Rowe from this meeting. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Dudley Nelson, R. Olson, S. Olson, and Shepherd. Absent were: Mueller, David Nelson and Rowe. None voted no and the motion was declared carried.**

BOARD COMMENTS: None.

LEGAL UPDATE: None.

MANAGEMENT REPORTS: The following management reports were presented:

- a. Cory Steinke starts interviews this week for a general maintenance position in Gothenburg.
- b. Tyler Thulin reported Lake McConaughy is at elevation 3,242.8, 1,150,300 acre feet, and 66% capacity. The inflows to Lake McConaughy are 1,000 cfs and releases are around 500 cfs. Snowpack in the North Platte basin is 93% of median and the South Platte basin is 101% of median.
- c. Mike Drain announced the lot sale of 21 North Point at Johnson Lake will be listed for bids this week. He has a meeting with the City of North Platte this week regarding the annexation and zoning matter. No public comments were received about the Land and Shoreline Management Plan (LSMP) updates by the March 4, 2022 deadline. He will present the updated LSMP to the Land and Recreation Committee later this month and to the full board at the March committee meeting.
- d. Alex Linden reported the following visitor totals for the Eagle Viewing Facilities this season: 1,000 at J-2 and 960 at Lake Ogallala.
- e. Scott Dicke reported crews have been performing maintenance projects in anticipation for the upcoming season. Educational meetings with water users regarding the potential merger will be held in Holdrege as follows: March 14, 2022 at 9:00 a.m. and 1:30 p.m., March 15, 2022 at 9:00 a.m., March 17, 2022 at 1:30 p.m., and April 20, 2022 at 9:00 a.m. and 1:30 p.m. He presented photos from the recent 811 Diggers Hotline safety training meeting. The E65 Canal will start filling on March 31, 2022 and the Phelps Canal will start filling around April 14, 2022.
- f. Rochelle Jurgens and the accounting department are busy finalizing audit requests and reports.
- g. Devin Brundage announced Rochelle Jurgens is a recent graduate of Class XIII of Leadership Nebraska. He will attend the PRRIP Governance Committee meeting in Kearney this week.

ADJOURNMENT: **It was moved by Director R. Olson and seconded by Director Knoerzer to adjourn the Regular Business Meeting of the Board at 10:34 AM. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Dudley Nelson, R. Olson,**

**S. Olson, and Shepherd. Absent were: Mueller, David Nelson and Rowe. None voted no and the motion was declared carried.**

ATTEST:

THE CENTRAL NEBRASKA PUBLIC POWER  
AND IRRIGATION DISTRICT

\_\_\_\_\_  
Robert B. Dahlgren, Secretary

By \_\_\_\_\_  
David L. Rowe, President