

CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

HOLDREGE, NEBRASKA

OCTOBER 3, 2022 – 9:00 A.M.

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MINUTES OF COMMITTEE MEETING OF THE
BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
HOLDREGE, NEBRASKA
SEPTEMBER 23, 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 September 19, 2022, and through legal publication in the Kearney Hub and Holdrege Daily Citizen on September 19, 2022, and the North Platte Telegraph and Lexington Clipper-Herald on September 17, 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 September 13, 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	K. Scott Olson
Geoffrey K. Bogle, Treasurer	David G. Nelson	Kyle Shepherd
	Dudley L. Nelson	

The following Director was absent: Robert B. Dahlgren

Also present were the following:

Devin M. Brundage, General Manager	Tyler Thulin, Civil Engineer
Rochelle A. Jurgens, Controller	Anton Hassebrook, Hydroelectric Ops. Super.
Eric R. Hixson, Electrical Project Ops. Mgr.	Dusty Way, Irrigation Operations Super.
Mike A. Drain, Nat. Resources & Compliance Mgr.	Alex Linden, Public Relations Asst.
Cory A. Steinke, Hydraulic Project Ops. Mgr.	Carson Messersmith, Legal Counsel
Scott Dicke, Irrigation & Water Services Mgr.*	Emily J. Anderson, Executive Assistant
Jeff J. Buettner, Public Relations Coord.	

**participated via Zoom*

Others:

Dave Ford

* * * * *

The Board 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. the Board Vice President announced that the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: None.

CONSENT TO ASSIGNMENT SUMMARY: One consent at Johnson Lake was approved in September, 2022.

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

Permits to Construct Approved by General Manager 9/23/2022				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
1.	Consolidated Companies, Inc.	NW1/4 28-9-23	Install fiberoptic cables under supply canal.	08/22/2022 \$1450.00
2.	Cozad Telephone Company	SE1/4 24-10-25	Install fiber cable under supply canal.	08/22/2022 \$2170.00
Permits to Construct Approved by Land Administration Department 9/23/2022 – Johnson Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
3.	Potter, Lee & Linda	19 Northeast Cove Dr. 9	SWAF - Install 4'W x 126'L Dock, 6'W x 9'L Jet-Ski Lift, 4'W x 10'L Dock, 12'W x 12'L Shorestation	04/11/2022 \$50.00
4.	Lane, Robert & Louise	33 Mallard Beach Dr. 20	ECS - Bank Stabilization (Riprap) for 40 linear feet of the shoreline	09/08/2022
5.	Lane, Robert & Louise	33 Mallard Beach Dr. 20	ECS/SWAF - Install 3'W x 12'L gangway, 16'L x 17"H retaining wall	09/08/2022 \$50.00
6.	Mandelko, Michael & Patricia	24 Perch Bay Dr. 6	DWEL - Construction of new residential home with two car garage	09/13/2022
Permits to Construct Approved by Land Administration Department 9/23/2022 – Jeffrey Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
7.	Bernero, Bradley & Diane	17 Lakeview Rd	DWEL - Construct new elevated deck	08/18/2022
8.	Richeson, Joseph & Angela	75 Pelican Dr.	SWAF VARIANCE - Install 104'L x 11'W Parallel Sidewalk	08/30/2022 \$350.00
Permits to Construct Approved by Land Administration Department 9/23/2022 – Lake McConaughy				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
9.	Tuttle, Michael & Rozanne	68 K-1 Rd	DWEL - Construct new elevated deck. 10' x 44' along lake side and 8' x 26' along southeasterly side	08/26/2022
10.	House Dr. LLC	31 K-1 Rd	DWEL - Convert attic space into loft area and vault ceiling	09/02/2022
11.	McComb, Michael & Valerie	17 K-3	VEG ATF - Removal of tree	09/15/2022 \$100.00

Permits to Construct Approved by Land Administration Department 9/23/2022 – Midway Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
12.	Payne, Forest & Joan	55 Stange Circle	SWAF - Install 12'L x 12'W shorestation	09/09/2022 \$50.00
Permits to Construct Approved by Land Administration Department 9/23/2022 – Plum Creek				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
13.	Yellow Brick Road, LLC	79143 Rd 423	SWAF - Install 4'W x 12'L Dock, 12'W x 12'L shorestation	08/30/2022 \$50.00
14.	Small, Michael & Lisa	9 Plum Creek Canyon Dr. 121	VEG - Removal of two trees	09/15/2022 \$200.00

WATER SERVICE AGREEMENTS: See the Water Services Committee agenda item below.

WORK ORDER/PURCHASE REQUISITION SUMMARY: The following was presented and discussed:

- a. Purchase Requisition No. 14515 – Van Diest Supply Co – Chemicals (\$50,501.41)

PROGRESS ESTIMATE NO. 10 (FINAL), CONTRACT NO. 0-702 – ALLEN BLASTING & COATING, INC. FOR PREPARATION AND COATING OF KINGSLEY DAM STRUCTURES (\$19,025.70): Cory Steinke reported the contractor has completed painting the Morning Glory and the final payment is due.

BID TAB – J2 GOVERNOR PUMP AND DISTRIBUTING VALVES: Anton Hassebrook presented the two bids received from L & S Electric, Inc. and American Governor Co. Staff recommends approving the low bid from L & S Electric in the amount of \$96,075.00.

WATER SERVICES COMMITTEE (9/19/22): William Knoerzer and Devin Brundage provided a summary of the discussions held at the subcommittee meeting. It was suggested that the subcommittee agenda item “Elwood Reservoir Seepage Update” be discussed in Closed Session regarding a water service agreement and real estate negotiations.

At 9:35 AM it was moved by Director David Nelson and seconded by Director Dudley Nelson to enter into Closed Session. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, and Shepherd. Absent was: Dahlgren. None voted no and the motion was declared carried. The reason for entering Closed Session was to discuss the following agenda items: Elwood Reservoir Seepage Update and Water Service Agreement. The purpose for entering Closed Session for these topics was to discuss contract negotiations, real estate negotiations, and to receive legal advice.

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

At 10:02 AM it was moved by Director Boyle and seconded by Director Knoerzer to exit Closed Session and reconvene in Regular Session. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, and Shepherd. Absent was: Dahlgren. None voted no and the motion was declared carried. President Rowe stated the agenda items discussed in Closed Session were Elwood Reservoir Seepage Update and Water Service Agreement.

A break was taken at 10:03 a.m. The meeting resumed at 10:19 a.m.

MEDICARE SUPPLEMENT RENEWAL - 2023: Rochelle Jurgens reported the 2023 renewal rate for the retiree Medicare supplement plan will be \$211.45.

KINGSLEY DAM RIP RAP MAINTENANCE: Mike Drain displayed photos of an area along the dam where riprap has shifted and the dam shell, which is comprised of sands and gravel materials, has been exposed. The issue was likely caused during the extreme wind conditions this past winter. Both NDNR and RJH have recommended keeping storage levels below the area until it can be repaired, and Drain expects FERC will advise the same upon observation during the upcoming inspections. Drain may be required to consult with RJH for more evaluation and engineering a solution to fix the areas.

AMENDMENT NO. 3 TO J2 WATER SERVICE AGREEMENT – PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM: Mike Drain provided a summary of the amendment which was already approved by the Platte Program and NDNR.

WATER RATE FOR COOLING OR OTHER POWER PURPOSES: Mike Drain stated the water service rate for cooling or other power purposes is to be reviewed annually. Since the content of Lake McConaughy is currently below 700 kaf, the service rate requires board approval pursuant to the current management authority guidelines. Staff recommends no changes to the water service rate for 2023.

DISTRICT INTEGRATION STUDY UPDATE: Devin Brundage summarized the discussions with the water users at the September 19, 2022 Water Services Committee meeting. A committee consisting of William Knoerzer, Dudley Nelson and Dave Rowe will be responsible for the negotiation phase of the process.

POWER PURCHASE PROPOSALS: There was nothing new to report.

LEGISLATION: Jeff Buettner continues to work with the South Platte group to organize the educational tour for senators of the proposed South Platte canal on September 29, 2022. The tour will include stops at District facilities. He attended the NPA meeting this week. Former NREA Government Relations Director, Kristen Gottschalk, has been appointed to the Power Review Board.

BOARD COMMENTS: David Nelson requested an update on renovations to Jeffrey Lodge. Mike Drain stated numerous repairs and updates were identified during his consultations with SHPO which might be cost-prohibitive. He plans to continue consultations with SHPO.

LEGAL UPDATE: Carson Messersmith had nothing to report.

MANAGEMENT REPORTS:

- a. Tyler Thulin stated Lake McConaughy is at elevation 3,217.3, 643,000 acre feet, and 36.6% capacity. Inflows to Lake McConaughy are around 900-1,000 cfs and there are no outflows. Kingsley Hydro will be in an outage beginning on September 26, 2022 so there will be no outflows through November.
- b. Mike Drain attended the ASDSO conference this past week in Baltimore, MD. A letter from the Lakeview Acres Lot Owners Association with their comments on the potential lease was placed on the board website for viewing along with comments from other lessees.
- c. Cory Steinke displayed 3-D photos from inside the J1 powerhouse which will be utilized by consultants to evaluate cracks within the hydro. Dredging continues at the Diversion Dam and the sand pile is substantial in size.
- d. Jeff Buettner will conduct a tour with NPPD's accounting department on September 30, 2022. He will present to a LEAD class in McCook on October 4, 2022.

- e. Rochelle Jurgens stated the irrigation bills will be mailed next week. She is starting to work on the 2023 budget.
- f. Eric Hixson reported on a successful Blackstart test that was conducted recently at Kingsley Hydro. A cyber security penetration test was conducted by a consultant and they will develop a report identifying methods to improve the District’s protection systems.
- g. Dusty Way stated a Central District Water Users membership sign-up form will be included in the irrigation bills being mailed next week. He presented the 2022 Irrigation Report. He circulated thank you cards from local FFA chapters who were provided meal tickets from the District for Husker Harvest Days.
- h. Anton Hassebrook displayed photos of the J1 penstock painting progress, and repairs to rivets and expansion joints on the Jeffrey penstock. He participated in a tour of the Loup PPD recently to view their hydros and dredging operations at their Diversion Dam.
- i. Alex Linden reminded everyone of the District’s golf tournament on September 24, 2022 in Bertrand at 10:00 a.m.
- j. Devin Brundage attended a JLDI meeting on September 20, 2022 where he discussed the District consolidation. He will visit Lake McConaughy in the coming weeks to discuss the Unified Water Plan with interested individuals and organizations.

PERSONNEL: None.

OUT OF STATE TRAVEL: The following was presented:

<u>Name</u>	<u>Meeting</u>	<u>Location</u>	<u>Date</u>
McKinley Harm	NHA – Clean Currents	Sacramento, CA	October 18-20, 2022
Anton Hassebrook	NHA – Clean Currents	Sacramento, CA	October 18-20, 2022
Scott Dicke	Tour HDPE Pipe Mfgr.	Vernal, UT	October ??
Tyler Thulin	Tour HDPE Pipe Mfgr.	Vernal, UT	October ??

WORKSHOPS, SEMINARS AND CONFERENCES: None.

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

The meeting adjourned at 11:55 a.m.

MINUTES OF REGULAR BUSINESS MEETING OF THE
BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
HOLDREGE, NEBRASKA
OCTOBER 3, 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 September 26, 2022, and through legal publication in the Kearney Hub and Holdrege Daily Citizen on September 26, 2022, the North Platte Telegraph on September 27, 2022, and the Lexington Clipper-Herald on September 28, 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 September 13, 2022 giving the time, date, and place of this meeting.

The following Directors were present:

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

**joined the meeting via Zoom (not voting)*

The following Director was absent: David G. Nelson

Also present were the following:

Devin M. Brundage, General Manager	Jeff J. Buettner, Gov't & Public Relations Mgr.
Rochelle A. Jurgens, Controller	Duane Cernousek, Purchasing Agent
Eric R. Hixson, Electrical Project Ops. Mgr.	Tyler Thulin, Civil Engineer
Mike A. Drain, Nat. Resources & Compliance Mgr.	Alex Linden, Public Relations Assistant
Cory A. Steinke, Hydraulic Project Ops. Mgr.	Charles Brewster, Legal Counsel
Scott Dicke, Irrigation & Water Services Mgr.	Emily J. Anderson, Executive Assistant

Others present were:

John Thorburn, Tri-Basin NRD	Carson Messersmith
Dave Ford	Kurth Brashear, Rembolt Ludtke LLP

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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 9:02 a.m. the Board President announced the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: John Thorburn reported on the recent 75th Rainwater Basin Conservation Day for area 8th grade students. Tri-Basin staff members are busy taking fall groundwater levels and planning for the upcoming South Central Water Conference.

CONSENT AGENDA: Devin Brundage provided an overview of the items on the Consent Agenda which were presented and discussed at the September 23, 2022 Committee Meeting of the Board.

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

- **Approval of Minutes of Regular Business Meeting of the Board of Directors held September 6, 2022**
- **Approval of Minutes of Committee Meeting of the Board of Directors held September 23, 2022**
- **Approval of the October Disbursements:**

Hydro Division:

Check #s 68128 through 68290 & 8900711 through 8900738 (Accounts Payable) \$748,585.88

Payroll \$587,585.57

Kingsley Division:

Check #s 3466 through 3473 (Accounts Payable) \$105,124.56

J-2 Regulating Reservoir Construction Fund:

NONE NONE

Glendo Division:

NONE NONE

- **Approval of Purchase Requisition No. 14515 – Van Diest Supply Co. for Chemicals (\$50,501.41)**
- **Approval of Progress Estimate No. 10 (Final), Contract No. 0-702 – Allen Blasting & Coating, Inc. for Preparation and Coating of Kingsley Dam Structures (\$19,025.70)**
- **Approval of Bid from L & S Electric, Inc. for the J2 Governor Pump and Distributing Valves in the amount of \$96,075.00**
- **Approval of the 2023 Medicare Supplement Renewal Rate of \$211.45**
- **Approval of Amendment No. 3 to J2 Water Service Agreement with the Platte River Recovery Implementation Program**

It was moved by Director S. Olson and seconded by Director Dahlgren to approve the Consent Agenda as presented. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, and Rowe. Absent: David Nelson. Shepherd present not voting. None voted no and the motion was declared carried.

WORK ORDERS/PURCHASE REQUISITIONS: Eric Hixson presented the following purchase requisition for the two refurbished microwave communication buildings:

- a. Purchase Requisition No. 14594 – CellSite Solutions LLC for Communications Buildings for Jeffrey and J2 (\$129,450.00)

It was moved by Director Bogle and seconded by Director Mueller to approve Purchase Requisition No. 14594 for the purchase of two microwave communication buildings for Jeffrey and J2 from CellSite Solutions LLC in the amount of \$129,450.00. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, and Rowe. Absent: David Nelson. Shepherd abstained. None voted no and the motion was declared carried.

CLOSURE OF CONTRACT NO. 0-702 – ALLEN BLASTING & COATING, LLC FOR PREPARATION AND COATING OF KINGSLEY DAM STRUCTURES (\$1,902,570.00): Cory Steinke reported staff has inspected the paint work on the Morning Glory and found it to be satisfactory. Staff recommended closing the contract.

It was moved by Director Knoerzer and seconded by Director Dudley Nelson to approve the Closure of Contract No. 0-702 with Allen Blasting & Coating, LLC for the preparation and coating of the Kingsley Dam structures totaling \$1,902,570.00. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, and Rowe. Absent: David Nelson. Shepherd present not voting. None voted no and the motion was declared carried.

LEGISLATION: Jeff Buettner reported on the South Platte canal tour that occurred on September 29, 2022 with state senators and representatives from various agencies.

CENTRAL/DAWSON INTEGRATION: Devin Brundage stated the negotiation committees from Dawson and Central met last Friday and mutually agreed to certain terms. It was suggested the board enter into executive session to discuss the specific details.

At 9:18 AM it was moved by Director Dahlgren and seconded by Director Dudley Nelson to enter into Closed Session. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, and Rowe. Absent: David Nelson. Shepherd present not voting. None voted no and the motion was declared carried. The reason for entering Closed Session was to discuss the following agenda item: Central/Dawson Integration. The purpose for entering into Closed Session for this topic was to discuss contract and real estate negotiations, to protect the public interest, and to receive legal advice.

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

At 11:00 AM it was moved by Director Mueller and seconded by Director Bogle to exit Closed Session and reconvene in Regular Session. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, and Rowe. Absent: David Nelson. Shepherd present not voting. None voted no and the motion was declared carried. President Rowe stated the discussions held in Closed Session were limited to the following agenda item: Central/Dawson Integration.

Devin Brundage reviewed the highlights of the negotiated terms of a potential merger, including the chartered territory, organizational structure, reserve funds, and proposed company names.

WORKSHOPS, SEMINARS AND CONFERENCES: None.

PERSONNEL: None.

DIRECTORS' ATTENDANCE: It was moved by Director Bogle and seconded by Director S. Olson to excuse the absence of Director David G. Nelson from this meeting. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, and Rowe. Absent: David Nelson. Shepherd present not voting. None voted no and the motion was declared carried.

BOARD COMMENTS: Director S. Olson commented on what an exciting time it is for the District with the potential merger with Dawson Public Power District. President Rowe thanked management for their time and effort working on the details of potential merger.

LEGAL UPDATE: None.

MANAGEMENT REPORTS: The following management reports were presented:

- a. Tyler Thulin reported Lake McConaughy is at elevation 3,218.3, 657,000 acre feet, and 37.6% capacity. The inflows to Lake McConaughy are 1,100 cfs and there are no releases. A dike was constructed below Kingsley Hydro in Lake Ogallala to allow NPPD to recoat their Keystone gates. Jeffrey Lake was lowered last week to allow for work on the Jeffrey return structure.
- b. Mike Drain participated in the FERC Part 12D independent consultant inspections of the hydros and dams at Kingsley, Jeffrey and Johnson last week. Representatives from FERC and NDNR were also present during the inspections. He continues working with RJH to investigate and design a patch to repair riprap movement identified on Kingsley Dam.
- c. Cory Steinke announced Kent Gutherless retired after 38 years of service to the District. He attended the FERC Part 12D inspections last week. Dredging at the Diversion Dam continues. Jim Brown is flying the drone over Jeffrey Lake today to identify and document additional opportunities for potential shoreline work and dredging. The drone will also be flown over Midway Lake and other areas in the near future to observe various structures while the water levels are low due to outages.
- d. Scott Dicke reported staff has been taking inventory of structures needing maintenance and reshaping the Phelps Canal banks. He announced Kevin Jauken's and Van Fastenau's retirements from the District and expressed sincere thanks for their many years of dedicated service. Steve Osterbuhr has been promoted to the Irrigation Superintendent position.
- e. Rochelle Jurgens stated the irrigation bills will go out in the next day or two. Her department has been busy setting up employee health screenings and flu shots. She has been meeting with retirees about their pensions and health insurance.
- f. Eric Hixson reported the penstock painting at J1 is complete and the contractor will start on Jeffrey next. The Kingsley penstock will be inspected this week and an area on the J2 penstock will be repaired.
- g. Jeff Buettner has a tour with NRCS employees on October 12, 2022. He congratulated Alex Linden on behalf of the District on being inducted into the Nebraska Wesleyan athletic Hall of Fame.
- h. Devin Brundage discussed the South Platte canal tour last week. He is meeting this week with stakeholders at Lake McConaughy regarding the water supply and operations. He will attend a retirement party for Tom Hayden while in Ogallala on October 5, 2022.

ADJOURNMENT: It was moved by Director Knoerzer and seconded by Director Dudley Nelson to adjourn the Regular Business Meeting of the Board at 11:23 AM. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, and Rowe. Absent: David Nelson. Shepherd abstained. 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