

CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

HOLDREGE, NEBRASKA

NOVEMBER 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
ELWOOD CIVIC CENTER
104 ROCKFORD STREET, ELWOOD, NE
OCTOBER 24, 2022 at 3:00 P.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 October 17, 2022, and through legal publication in the Kearney Hub and Holdrege Daily Citizen on October 17, 2022, in the North Platte Telegraph on October 18, 2022, and in the Lexington Clipper-Herald on October 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 notice giving the time, date, and place of this meeting was mailed to each Director on October 10, 2022.

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	David G. Nelson	Kyle Shepherd
Geoffrey K. Bogle, Treasurer	Dudley L. Nelson	

Also present were the following:

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

Present from the Dawson Public Power District Board were:

Don Batie	Brad Brodine
Dave Dwiggin	Pat Hecox II
Bill Henry	Joe Jeffrey
Bob Kennicutt	Dan Muhlbach
Page Peterson	Rodger White
Craig Wietjes	

Others:

Gwen Kautz, General Manager DPPD
Kurth Brashear, Rembolt Ludtke LLP
Carson Messersmith, Anderson Klein Brewster & Brandt
Ellen Kreifels, Blankenau Wilmoth Jarecke LLP
Several employees of Dawson Public Power District
Several employees of The Central Nebraska Public Power and Irrigation District
Approximately 90 members of the public and media

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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 3:00 p.m. the Board President announced that the meeting was open for business and proceeded with roll call. Dawson's board then proceed with roll call.

REPORT OF THE GENERAL MANAGERS: Devin Brundage and Gwen Kautz provided an overview of the plan to consolidate. They announced the boards selected a proposed name of Platte River Public Power & Irrigation District for a merged entity. They reviewed the project's history, the study findings, a proposed financial and organization structure, and discussed the chartered and represented territories.

PUBLIC INPUT: The following individuals spoke in support of the merger: Michelle High and Kevin Boyd.

The following individuals spoke in opposition of the merger: Rook Thorell, Gary Robison, Robert McCormick, Greg Heiden, Dave Dahlgren, Larry Wilcox, Ron Johnson, Ed Schrock, Tom Schwarz, Reed McClymont, Tim Hock, and Tanner Nelson.

Larry Reynolds spoke on behalf of Tri-Basin NRD and conveyed the NRD would work cooperatively with a merged entity towards common goals.

PLAN OF CONSOLIDATION:

It was moved by Director Dudley Nelson and seconded by Director Knoerzer to approve Resolution No. 22-03 to effectuate the Plan of Consolidation of Dawson Public Power District and The Central Nebraska Public Power and Irrigation District as presented.

It was moved by Director Dahlgren and seconded by R. Olson to table this matter for a period of ninety (90) days. Upon voting on the motion, the following voted therefore: Dahlgren and R. Olson. Those voting no were: Bogle, Boyle, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Rowe, and Shepherd. Motion failed.

Upon voting on the original motion above to approve Resolution No. 22-03 to effectuate the Plan of Consolidation, the following Directors voted therefore: Bogle, Boyle, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Rowe, and Shepherd. Those voting no were: Dahlgren and R. Olson. The motion was declared carried.

Dawson Public Power District's board voted 7 – 4 in favor of approving the Plan of Consolidation.

PETITION TO AMEND CHARTER OF THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT:

It was moved by Director Knoerzer and seconded by Director Dudley Nelson to approve Resolution No. 22-04 to authorize the Petition to Amend the Charter (Charter Amendment #6) of The Central Nebraska Public Power and Irrigation District as presented. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Rowe, and Shepherd. Those voting no were: Dahlgren and R. Olson. The motion was declared carried by a 9-3 vote, with 11 directors present and 1 board office vacant.

PETITION TO DISSOLVE DAWSON PUBLIC POWER DISTRICT: Dawson Public Power District's board voted 8 – 3 in favor of approving the Petition to Dissolve.

DIRECTORS' ATTENDANCE: All directors were present.

ADJOURNMENT: It was moved by Director Mueller and seconded by Director S. Olson to adjourn the Special Meeting of the Board at 4:10 PM. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, and Shepherd. None voted no and the motion was declared carried.

MINUTES OF SPECIAL MEETING OF THE
BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
HOLDREGE, NEBRASKA
OCTOBER 28, 2022 at 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 October 24, 2022, and through legal publication in the Kearney Hub and Holdrege Daily Citizen on October 24, 2022, and the North Platte Telegraph and Lexington Clipper-Herald on October 22, 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 notice giving the time, date, and place of this meeting was mailed to each Director on October 17, 2022.

The following Directors were present:

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

**arrived at 9:03 a.m.*

The following Directors were absent: Roger D. Olson and David L. Rowe

Also present were the following:

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

Others:

Carson Messersmith	Dave Ford
Dave Pierce	Brett David
Ken Christensen	

* * * * *

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

At 9:01 a.m. the Board Vice President announced that the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: Brett David, IBEW Union 2185 President, expressed thanks and support on behalf of the union members and employees for the board's decision to merge with Dawson Public Power District, and stated the union is taking steps to dissolve.

Director Dahlgren entered the meeting at 9:03 a.m.

PROPOSAL FOR EVALUATION AND REMEDIATION FOR EROSION OF UPSTREAM SLOPE PROTECTION AT KINGSLEY DAM – RJH CONSULTANTS, INC.:

It was moved by Director David Nelson and seconded by Director Dudley Nelson to approve the Proposal for Evaluation and Remediation for Erosion of Upstream Slope Protection at Kingsley Dam with RJH Consultants, Inc. in an amount not-to-exceed \$109,700, subject to legal review. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, and Shepherd. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.

VEHICLE PURCHASES: Scott Dicke discussed the inability for Dodge to fulfill the fleet-priced trucks ordered earlier this year. Staff recommended rescinding the bid previously awarded to Gene Steffy and ordering Chevy double cab trucks now that they have opened fleet pricing.

It was moved by Director Shepherd and seconded by Director Dudley Nelson to approve rescinding the bids from Gene Steffy Chrysler for six Dodge trucks and order eleven Chevy double cab trucks at fleet pricing. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, and Shepherd. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.

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

The meeting adjourned at 9:23 a.m.

MINUTES OF COMMITTEE MEETING OF THE
BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
HOLDREGE, NEBRASKA
OCTOBER 28, 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 October 31, 2022, and through legal publication in the Kearney Hub and Holdrege Daily Citizen on October 31, 2022, the North Platte Telegraph on November 1, 2022, and the Lexington Clipper-Herald on November 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 October 17, 2022 giving the time, date, and place of this meeting.

The following Directors were present:

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

The following Directors were absent: Roger D. Olson and David L. Rowe

Also present were the following:

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

Others:

Carson Messersmith	Dave Ford
Dave Pierce	Brett David
Ken Christensen	Bruce Remington, Principal (at 11:00 a.m.)

* * * * *

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

At 9:23 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 Plum Creek and four at Johnson Lake were approved in October, 2022.

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

Permits to Construct Approved by General Manager 10/28/2022				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
1.	Lorence & Carol Bill	SW1/4NW1/4& NW1/4SW1/4 16-6-15	After the fact permit. Underground electrical line to a pivot panel was damaged with a backhoe and now has been installed 3 feet below the bottom of our culvert.	09/20/2022
Permits to Construct Approved by Land Administration Department 10/28/2022 – Johnson Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
2.	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
3.	Chipper Co. LLC	6 Lakeview Acres	SWAF - Install 12'W x 12'L shorestation	09/19/2022 \$50.00
4.	Danaher, Daniel & Sharon	8 North Point Dr. 13	SWAF - Install 11'W x 11'L shorestation, 4'W x 56'L Dock, 4'W x 16'L Dock Section, 8'W x 8'L Swim Platform	09/19/2022 \$50.00
5.	Fast, Robert & Marlene	18 Mallard Cove Dr. 19	ECS - Bank Stabilization (Riprap) for 52 linear feet of the shoreline	09/20/2022
6.	Houghtelling, Jason & Marcie	88 Lakeview Acres Dr. 14C	ECS - Bank Stabilization (Riprap) for 75 linear feet of the shoreline	09/26/2022
7.	Zoul, Zachary	9 Mallard Cove Dr. 19	ECS - Bank Stabilization (Riprap) for 55 linear feet of the shoreline	09/27/2022
8.	Silva, Alberto & Polito, Beverly	8 Park Lane Dr. 28	DWEL - Construct 5'4" extension to existing elevated deck and on grade patio fire pit area	09/27/2022
9.	Hurst, Gail & Lauber, Carol	16 Mallard Cove Dr. 19	SWAF - Install 4'W x 22'L Access, 6'L x 4'W stairs, 4'W x 6'L Dock Anchor Pad	09/29/2022 \$50.00
10.	Herrmann, Jason & Julie	52 Mallard Beach So. Bay Dr. 21	ECS - Bank Stabilization (Riprap) for 47 linear feet of the shoreline	09/30/2022
11.	Mandelko, Michael & Patricia	24 Perch Bay Dr. 6	SWAF - Install 8'W x 6'L Dock Anchor Pad	10/04/2022 \$50.00
12.	Schnell, James	87 Lakeview Acres Dr. 14C	ECS - Bank Stabilization (Riprap) for 50 linear feet of the shoreline2	10/06/2022
13.	Knuth, Steven & Janet	87 Mallard Beach Dr. 22	SAWF - Install 4'W x 15'L On-grade patio	10/06/2022 \$50.00

Permits to Construct Approved by Land Administration Department 10/28/2022 – Jeffrey Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
14.	Pell, Danville & Kathryn	111 S. Shore Dr.	FHA - Placement of fish attractors, cedar trees.	09/19/2022
15.	Allison, Scott & Cynthia	110 S. Shore Dr.	FHA - Install 6 fish attractors, cedar trees	09/20/2022
16.	Richeson, Joseph & Angela	75 Pelican Dr.	DEF - Level and widen path	09/21/2022 \$50.00
17.	Aden, James & Lichelle	43 S. Lakeview Rd.	ECS - Bank Stabilization (Riprap) for 90 linear feet of the shoreline	09/26/2022
18.	Aden, James & Lichelle	43 S. Lakeview Rd	SWAF - Install 5'W x 45'L Parallel Sidewalk, 6'W x 27'L Access, 8'W x 6'L Dock Anchor Pad, 16" x 45' Cap for Seawall	10/06/2022 \$50.00
Permits to Construct Approved by Land Administration Department 10/28/2022 – Lake McConaughy				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
19.	Vieselmeier, Verdis & Pamela	33 K-1 Rd.	SWAF - Construct 4'W x 16'L Access, 4'W x 24'L Access, 6'W x 12'L Access	09/26/2022 \$50.00
Permits to Construct Approved by Land Administration Department 10/28/2022 – Plum Creek				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
20.	Denker, Chris	11 Plum Creek Canyon Dr. 12l	VEG - Tree removal	10/06/2022 \$200.00 Adjacent Landowner

WORK ORDER/PURCHASE REQUISITION SUMMARY: Eric Hixson presented and discussed the following:

- a. Purchase Requisition 14873 – Survalent Technology for Silver SCADA Support Plan (\$63,735.00)

PHELPS CANAL 30.4 LATERAL CLOSURE (MP 6.3-6.6): Dusty Way presented an aerial map of the location and an Application to Close Lateral with landowner, Kathleen R. Larson.

VEHICLE PURCHASES: This item was covered in the Special Meeting held earlier today.

JEFFREY RETURN STRUCTURE: Cory Steinke presented photos of the 26.9 structure downstream of the Jeffrey Hydro showing a crack in the concrete. Paulsen, Inc. has agreed to assist with the concrete repairs at the cost of time and materials. Steinke will obtain a time and materials estimate for presentation to the board at the November 7, 2022 Regular Business Meeting.

LAND AND RECREATION COMMITTEE MEETING (10/25/22): Mike Drain provided a summary of the minutes and actions taken by the subcommittee meeting, including:

- a. Johnson Lake Development, Inc. – 2023 Services Agreement: The subcommittee voted to recommend Board approval of the 2023 Services Agreement with Johnson Lake Development, Inc. with a contribution amount of \$58,925.00.
- b. Application for Variance – 47 Mallard Beach, Johnson Lake: The subcommittee voted to recommend Board approval of the variance request for the new addition that would extend approximately 3 into the Lot Line Construction Setback, subject to written approval of the adjacent tenant (48 Mallard Beach).
- c. Application for Variance – 36 Mallard Cove, Johnson Lake: The subcommittee voted to recommend Board approval of the variance request for the placement of a new utility shed to extend approximately 3’ into the Lot Line Construction Setback and 4’ into the Roadway Construction Setback due to the unique situation of the adjacent roadway is not providing any through access and ending at the garage areas of both Lots 35 and 36 Mallard Cove, and the shed not creating any visual obstruction or safety issues with regard to roadway traffic, subject to written approval of the adjacent tenants (35 Mallard Cove and 37 Mallard Cove).
- d. Application for Variance – 14 K-3, Lake McConaughy: The subcommittee voted to recommend Board approval for the after-the-fact placement of a corn crib, utilized as a covered patio, to extend approximately 5’ into the Lot Line Construction Setback.
- e. Application for Variance – 58 Lakeview Acres, Johnson Lake: The subcommittee voted to recommend Board denial of the variance request for the after-the-fact replacement of and major repair to the deck.
- f. District Rental House Rates: The subcommittee voted to recommend Board approval of the 2023 rates for District rental houses as follows:
 - J1-1 – Norma Lacy – increase from \$430 to \$445 for 2023
 - Diversion – Bob Flock – no change from current rent of \$260 for 2023
 - Kingsley -1 – no change from current rent of \$150 for 2023
 - Kingsley-2 – no change from current rent of \$150 for 2023
 - Kingsley-3 – no change from current rent of \$150 for 2023

A break was taken at 9:54 a.m. The meeting resumed at 10:10 a.m.

2023 BUDGET: Rochelle Jurgens presented a preliminary overview of the budget.

RESERVE FUND REPORT: Rochelle Jurgens presented the Reserve Fund balances as of September 30, 2022.

INTEGRATION: Devin Brundage explained the next step in the Dawson integration process will be filing the Petition to Amend the Charter with the Power Review Board (PRB). A hearing by the PRB will likely occur in mid-December. He and management staff are continuing public outreach and education efforts.

POWER PURCHASE PROPOSALS: Eric Hixson reported he and Brundage will meet with the selected entity next week to discuss a power purchase agreement.

LEGISLATION: Jeff Buettner is working with the South Platte group to organize an educational tour with newly elected senators following the November 8, 2022 election. Mike Drain is working with the National Hydropower Association to help develop potential hydropower tax credit legislation.

BOARD COMMENTS: Director Mueller reported he and Jeff Buettner met with Jeff Headley, Keith County News publisher, yesterday who is writing an article about the merger. Director S. Olson complimented staff on the format and efficiency of the Special Meeting held on October 24, 2022 in Elwood.

LEGAL UPDATE: Charles Brewster has been busy working with staff on the merger. He advised the directors of a Freedom of Information Act (FOIA) request received. He advised directors to compile copies of applicable correspondence they may have sent or received since late 2020 regarding the merger and deliver it to Emily Anderson to fulfill the FOIA requirements.

MANAGEMENT REPORTS:

- a. Tyler Thulin stated Lake McConaughy is at elevation 3,220.8, 705,000 acre feet, and 40.2% capacity. Inflows to Lake McConaughy are 950 cfs and there are no outflows. Kingsley Hydro is in an outage to allow NPPD to paint the gates at Keystone. Outflows from Lake McConaughy will remain at zero through approximately November 20, 2022. Jeffrey Lake will plan to be lowered in the coming weeks prior to the concrete repairs on the structure below the return.
- b. Cory Steinke is beginning discussions with NPPD about the Annual Operating Plan and inflows to Lake McConaughy. He will attend a meeting on Monday about the Unified Water Plan. Dredging continues at the Diversion Dam and crews have been busy with routine fall projects.
- c. Scott Dicke reported bid specs will be sent out to contractors on November 2, 2022 for the Elwood Reservoir Seepage Repair project, with a bid opening deadline of December 2, 2022. He displayed photos of his recent trip with Tyler Thulin to Vernal, UT where they observed the installation of HDPE pipe similar what will be used in the E65 Siphon Project. He stated staff is not recommending a change to the current irrigation rates for 2023 and does not intend to hold a Water Services Committee meeting to discuss the 2023 rates unless any directors object.
- d. Rochelle Jurgens and the accounting department have been busy with the merger, 2023 budgeting, employee health screenings and flu shots, retiree insurance meetings, and employee benefit renewals.
- e. Eric Hixson reported a transmission line fault distance and type of fault reporting was added for sharing with NPPD's System Control Center.
- f. Jeff Buettner has reached out to various media outlets to request the opportunity to provide more education about the merger.
- g. Anton Hasebrook displayed photos of a newly repainted penstock at J-1, the progress of the painting and excavation work around the Jeffrey penstock, and the previously repaired area inside the J-1 penstock. There will be outages at the hydros this fall for the following purposes: routine inspections of all 6 units, a 5-year inspection of the Kingsley outlet tower and penstock, epoxy repairs to unit 2 at J-1, Jeffrey penstock expansion joint packing, Supply Canal 26.9 investigation, and dive inspections at all hydros.
- h. Mike Drain continues to work with the consultants on the Kingsley Inflow Design Flood study. He anticipates a potential contract amendment with Mead & Hunt to compensation them for work performed above the prior amendment. Construction of the Phillips Canyon boat ramp will begin soon. The lands acquired for the J-2 Regulating Reservoir are being sold back to the original owners or going up for bids. There was a vehicle accident at the siphonic spillway near North Platte which he reported to FERC. He will be busy through the end of the year with various FERC reporting requirements.
- i. Devin Brundage thanked the staff and directors for their efforts and leadership related to the merger.

PERSONNEL: None.

OUT OF STATE TRAVEL: None.

WORKSHOPS, SEMINARS AND CONFERENCES: The annual NWRA/NSIA Joint Convention will be held November 20-22, 2022 in Kearney. Those interested in attending should contact Emily Anderson to register.

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

SEMI-ANNUAL PENSION PLAN (DEFINED BENEFIT) REVIEW – PRINCIPAL (FORMERLY WELLS FARGO): Bruce Remington from Principal was present to update the Board on his investment strategies relating to Central's defined benefit pension plan.

The meeting adjourned at 12:08 p.m.

MINUTES OF REGULAR BUSINESS MEETING OF THE
BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
HOLDREGE, NEBRASKA
NOVEMBER 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 October 31, 2022, and through legal publication in the Kearney Hub and Holdrege Daily Citizen on October 31, 2022, the North Platte Telegraph on November 1, 2022, and the Lexington Clipper-Herald on November 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 October 17, 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		

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	

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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 the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: John Thorburn reported on the recent wildfire in the Halsey National Forest, but stated the tree nursey was irrigated, leaving sufficient amounts of trees available through the NRD. Tri-Basin will participate in the Gateway Farm Expo in Kearney on November 16-17, 2022.

CONSENT AGENDA: Devin Brundage provided an overview of the items on the Consent Agenda which were presented and discussed at the October 28, 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 October 3, 2022**
- **Approval of Minutes of Special Meeting of the Board of Directors held October 24, 2022**
- **Approval of Minutes of Special Meeting of the Board of Directors held October 28, 2022**
- **Approval of Minutes of Committee Meeting of the Board of Directors held October 28, 2022**
- **Approval of the November Disbursements:**
 - Hydro Division:*
 - Check #s 68291 through 68592 & 8900739 through 8900768 (Accounts Payable) \$1,458,959.76
 - Payroll \$552,597.63
 - Kingsley Division:*
 - Check #s 3474 through 3487 (Accounts Payable) \$55,283.73
 - J-2 Regulating Reservoir Construction Fund:*
 - NONE NONE
 - Glendo Division:*
 - NONE NONE
- **Approval of Purchase Requisition No. 14873 – Survalent Technology for Silver SCADA Support Plan (\$63,735.00)**
- **Approval of the 2023 Services Agreement with Johnson Lake Development, Inc. with a contribution amount of \$58,925.00**
- **Approval of a Variance at 47 Mallard Beach, Johnson Lake for the new addition that would extend approximately 3’ into the Lot Line Construction Setback, subject to written approval of the adjacent tenant at 48 Mallard Beach**
- **Approval of a Variance at 36 Mallard Cove, Johnson Lake for the placement of a new utility shed to extend approximately 3’ into the Lot Line Construction Setback and 4’ into the Roadway Construction Setback due to the unique situation of the adjacent roadway is not providing any through access and ending at the garage areas of both Lots 35 and 36 Mallard Cove, and the shed not creating any visual obstruction or safety issues with regard to roadway traffic, subject to written approval of the adjacent tenants (35 Mallard Cove and 37 Mallard Cove)**
- **Approval of a Variance at 14 K-3, Lake McConaughy for the after-the-fact placement of a corn crib, utilized as a covered patio, to extend approximately 5’ into the Lot Line Construction Setback (tenant has already submitted adjacent tenant’s written approval with no objection to the placement of the corn crib)**
- **Denial of a Variance at 58 Lakeview Acres, Johnson Lake for the after-the-fact replacement of and major repair to the deck**
- **Approval of the 2023 rates for District rental houses as follows:**
 - **J1-1 – Norma Lacy – increase from \$430 to \$445 for 2023**
 - **Diversion – Bob Flock – no change from current rent of \$260 for 2023**
 - **Kingsley -1 – no change from current rent of \$150 for 2023**
 - **Kingsley-2 – no change from current rent of \$150 for 2023**
 - **Kingsley-3 – no change from current rent of \$150 for 2023**

It was moved by Director Dudley Nelson and seconded by Director Bogle 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, Rowe, and Shepherd. Absent: David Nelson. None voted no and the motion was declared carried.

WORK ORDERS/PURCHASE REQUISITIONS:

- a. Work Order No. 107455 – Three 1/2 Ton 2023 Chevy Silverados (\$138,137.21)
- b. Work Order No. 186582 – Eight 1/2 Ton 2023 Chevy Silverados (\$344,267.20)

It was moved by Director Knoerzer and seconded by Director R. Olson to approve Work Order No. 107455 for the purchase of three half-ton 2023 Chevy Silverados totaling \$138,137.21 and Work Order No. 186582 for the purchase of eight half-ton 2023 Chevy Silverados totaling \$344,267.20. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, Rowe, and Shepherd. Absent: David Nelson. None voted no and the motion was declared carried.

APPLICATION TO CLOSE LATERAL ON PHELPS CANAL 30.4 AT MILEPOST 6.3-6.6 (LANDOWNER, KATHLEEN R. LARSON):

It was moved by Director Dahlgren and seconded by Director R. Olson to approve the Application to Close Lateral on Phelps Canal 30.4 at Milepost 6.3-6.6 with Landowner, Kathleen R. Larson. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, Rowe, and Shepherd. S. Olson abstained. Absent: David Nelson. None voted no and the motion was declared carried.

JEFFREY RETURN STRUCTURE (SUPPLY CANAL 26.9) COST ESTIMATE: Cory Steinke presented an estimate from Paulsen Inc. for labor and equipment to assist with the necessary repairs to the structure.

STATE OF NEBRASKA AMENDED AND RESTATED WATER SERVICE AGREEMENT, PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM RECHARGE AGREEMENT AND PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM CREDITING AGREEMENT: Mike Drain provided a summary of all three proposed agreements which are consistent with earlier actions to unwind the J-2 project and part of Central's proposal for a Unified Water Plan. Staff recommended granting management the authority to finalize negotiations with the State and the Platte Program to enter into the agreements, subject to legal review.

It was moved by Director Shepherd and seconded by Director Boyle to grant management the authority to finalize negotiations with the State of Nebraska and the Platte River Recovery Implementation Program for the Water Service Agreement, Recharge Agreement and Program Crediting Agreement, subject to legal review. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, Rowe, and Shepherd. Absent: David Nelson. None voted no and the motion was declared carried.

LEGISLATION: Jeff Buettner will meet again this week with the South Platte working group. He believes they will likely postpone their plans to conduct a tour of the proposed South Platte canal with newly elected senators in mid-November due to probable scheduling conflicts.

INTEGRATION: Devin Brundage announced a hearing on the Petition to Amend the Charter will be held on December 16, 2022 at 9:30 a.m. before the Power Review Board in Lincoln.

WORKSHOPS, SEMINARS AND CONFERENCES:

- a. NWRA/NSIA Joint Convention – November 20-22, 2022, Kearney
- b. Four States Annual Meeting – January 11-12, 2023, Fort Collins, CO

PERSONNEL: None.

DIRECTORS' ATTENDANCE: It was moved by Director Mueller and seconded by Director Dahlgren 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, Rowe, and Shepherd. Absent: David Nelson. None voted no and the motion was declared carried.

BOARD COMMENTS: Dudley Nelson stated an individual is campaigning in Kearney County as a write-in candidate.

LEGAL UPDATE: This was discussed in Closed Session.

MANAGEMENT REPORTS: The following management reports were presented:

- a. Cory Steinke is working on year-end reports and meeting with NPPD about the Annual Operating Plan. Work on the Jeffrey return structure will likely begin the week of November 28, 2022. The new booster pump for the Diversion Dam dredge is being assembled.
- b. Tyler Thulin reported Lake McConaughy is at elevation 3,221.8, 718,700 acre feet, and 41.2% capacity. The inflows to Lake McConaughy are between 1,000-1,100 cfs and there are no releases. NPPD continues the work to recoat their Keystone gates, which will continue through at least November 20, 2022. J-2 hydrocycling will end on November 10, 2022.
- c. Mike Drain stated the leasehold interest of 21 North Point, Johnson Lake sold at auction for \$305,000.00. A commission of 4.5% will be paid to Marshall Land Brokers for promoting and holding the online auction. A joint EAP meeting will be held at NPPD's offices in North Platte on November 9, 2022.
- d. Scott Dicke reported the bid specs were publicized and sent out to contractors on November 2, 2022 for the Elwood Reservoir Seepage Repair project. A pre-bid meeting will be conducted with contractors on November 29, 2022, with a bid opening deadline of December 12, 2022. Crews continue to reshape the banks along the Phelps Canal, repair road crossings and prepare for recharge. Mark Rupe was promoted to the Irrigation Work Coordinator position in Holdrege and there is an Irrigation Service Specialist vacancy in Bertrand.
- e. Jeff Buettner is participating with Dawson staff members to identify a firm to create a new logo, brand and website for the merged entity.
- f. Rochelle Jurgens will contact directors to schedule a Finance committee meeting.
- g. Devin Brundage discussed staff's activities related to the merger.

At 9:52 AM it was moved by Director Knoerzer and seconded by Director Boyle 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, Rowe, and Shepherd. Absent: David Nelson. None voted no and the motion was declared carried. The reason for entering Closed Session was to discuss the following agenda item: Legal Update. The purpose for entering into Closed Session for this topic was to discuss pending or threatened litigation and to receive legal advice.

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

At 10:38 AM it was moved by Director Mueller 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, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, Rowe, and Shepherd. Absent: David Nelson. None voted no and the motion was declared

carried. President Rowe stated the discussion held in Closed Session was limited to the following agenda item: Legal Update.

ADJOURNMENT: It was moved by Director Dahlgren and seconded by Director Dudley Nelson to adjourn the Regular Business Meeting of the Board at 10:39 AM. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, Rowe, and Shepherd. Absent: David Nelson. 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