

CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

HOLDREGE, NEBRASKA

JANUARY 5, 2023 – 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
DECEMBER 19, 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 December 12, 2022, and through legal publication in the Kearney Hub and Holdrege Daily Citizen on December 12, 2022, the North Platte Telegraph on December 13, 2022, and the Lexington Clipper-Herald on December 14, 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 November 30, 2022 giving the time, date, and place of this meeting.

The following Directors were present:

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

The following Directors were absent: Geoffrey K. Bogle

Also present were the following:

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

Others:

Carson Messersmith	LeRoy Sievers
Ken Christensen	Mike Placke, JEO
Bob Beduhn, HDR (via Zoom)	Pat Engelbert, HDR
Tom McDougal, RJH	

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

PUBLIC INPUT: Ken Christensen thanked the directors for their work related to the merger with Dawson PPD.

2023 EMPLOYEE BENEFITS: Rochelle Jurgens discussed the action taken by the Administration Committee at their December 13, 2022 meeting to recommend board approval of the 2023 employee benefits and wage adjustments. The list of benefit changes and recommended

increase to the wage scales was presented for review.

It was moved by Director Knoerzer and seconded by Director Mueller approve the 2023 employee benefits as presented. Upon voting on the motion, the following Directors voted therefore: Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, and Shepherd. Absent: Bogle. None voted no and the motion was declared carried.

2023 INSURANCE PREMIUMS: The bid tab for the 2023 insurance was presented along with the following:

- a. Purchase Requisition No. 15642 – Marsh USA Inc. for Property Terrorism, Boiler & Machinery (\$301,834.29)
- b. Purchase Requisition No. 15640 – FNIC for Inland Marine, General Liability, POML, Crime, Automobile, Workers Compensation, Excess Liability-1st Layer, and Excess Liability-2nd Layer (\$266,235.00)

It was moved by Director S. Olson and seconded by Director Dahlgren to approve the bid from Marsh USA for the Property Terrorism, Boiler & Machinery insurance in the amount of \$301,834.29 and the bid from FNIC for Inland Marine, General Liability, POML, Crime, Automobile, Workers Compensation, and Excess Liability 1st Layer and 2nd Layer insurance in the amount of \$266,235.00, and to approve Purchase Requisition Nos. 15642 and 15640 as presented. Upon voting on the motion, the following Directors voted therefore: Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, and Shepherd. Absent: Bogle. None voted no and the motion was declared carried.

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

ADJOURNMENT: It was moved by Director Boyle and seconded by Director Mueller to adjourn at 9:18 a.m. Upon voting on the motion, the following Directors voted therefore: Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, and Shepherd. Absent: Bogle. 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
HOLDREGE, NEBRASKA
DECEMBER 19, 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 December 12, 2022, and through legal publication in the Kearney Hub and Holdrege Daily Citizen on December 12, 2022, the North Platte Telegraph on December 13, 2022, and the Lexington Clipper-Herald on December 14, 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 November 30, 2022 giving the time, date, and place of this meeting.

The following Directors were present:

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

The following Directors were absent: Geoffrey K. Bogle

Also present were the following:

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

Others:

Carson Messersmith	LeRoy Sievers, NSIA
Ken Christensen	Mike Placke, JEO
Bob Beduhn, HDR (via Zoom)	Pat Engelbert, HDR
Tom McDougal, RJH	

* * * * *

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

At 9:18 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: One consent at Johnson Lake was approved in December, 2022.

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

Permits to Construct Approved by General Manager 12/16/2022				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
1.	Bass Bay Area Association	SE1/4 of 31-T9N-R22	Permit to Construct - Planting three rows of trees to existing windbreak	11/10/2022
Permits to Construct Approved by Land Administration Department 12/16/2022 – 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.	Norwood, Nancy	47 Mallard Beach South Bay Dr. 21	DWEL - Construct 12' wide single-story addition the entire length of the existing dwelling	11/09/2022
4.	Herrmann, Jason & Julie	52 Mallard Beach So Bay Dr.21	SWAF - Install 6'W x 47'L Parallel Sidewalk	11/10/2021 \$50.00
5.	Gappa, Dave & Julie	42 North Shore Dr. 8	DWEL - Construct new 23'8" x 28' x 12' high garage with breezeway	11/10/2022
6.	Hurst, Gail & Lauber, Carol	16 Mallard Cove Dr. 19	ECS - Bank Stabilization (Riprap) for 52 linear feet of the shoreline	11/16/2022
7.	Nelsen, Thomas	39 Lakeview Acres Dr. 14A	DWEL - Install 42" high black chain link fence	11/22/2022
8.	Nissen, Matthew & Tracy	40 Lakeview Acres Dr. 14A	DWEL - Install 42" high black chain link fence	11/22/2022
9.	Crumrine, Rodney	7 Northeast Cove Dr. 9	SWAF - Install 4'W x 128'L Dock, 5'W x 9'L Jet-Ski Lift, 12'W x 12'L Shorestation	11/29/2022 \$50.00
Permits to Construct Approved by Land Administration Department 12/16/2022 – Jeffrey Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
10.	Stillwell, Bob & Lynell	112 S. Shore Dr.	FISH - Fish Attractor placed under gangway	11/08/2022
11.	Thieszen, Todd & Shariel	120 Anchor Bay	SWAF - Install 5'W x 30'L Dock, 5'W x 10'L Dock, 5'W x 10'L Dock, 11'W x 11'L Shorestation, 11'W x 11'L Shorestation	11/15/2022 \$50.00

WATER SERVICE AGREEMENTS: Dusty Way presented 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>
<u>Water Service Agreements:</u>					
Phelps	6170604	Lots 1 & 2, S1/2NE1/4 6-6-17	WCG Land & Cattle, LLC	115	+33
		*Combined accounts 6170603 & 6170604 and added 33 acres			
Phelps	7192601	N1/2NW1/4 26-7-19	Phelps County Feeders, LLC	47	-17
		*Account completed 10-year termination and re-signed acres			

- (1) IPP Amendment to Water Service Agreement for the 2023 irrigation season accompanies new WSA.
- (2) IPP Amendment to Water Service Agreement for the 2023 irrigation season to accompany existing WSA.
- (3) Water Service Agreement terminated after 2022, 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 2022.
- (6) Water Service Agreement activation date being when CWS permit is issued by the NeDNR.

WORK ORDER/PURCHASE REQUISITION SUMMARY: Duane Cernousek presented the following:

- a. Purchase Requisition No. 15638 – L & S Electric Inc. for J2 Governor Pump Replacement and Main Distributing Valve Service (\$96,075.00)

2023 IRRIGATION SCHEDULE: Dusty Way presented the 2023 irrigation season schedule will start the week of June 5, 2023 and ends the week of August 27, 2023.

2023 WATER LEASING PROGRAM: Dusty Way reported 72 agreements were signed for 1,320 acres at \$100.00 per acre for the final year of the program.

2023 LEGAL SERVICES AGREEMENT – ANDERSON KLEIN BREWSTER & BRANDT: Devin Brundage presented a draft legal services agreement and will present the final version for approval at the January 5, 2023 Regular Business Meeting.

NEBRASKA PUBLIC AGENCY INVESTMENT TRUST (NPAIT): Rochelle Jurgens plans to have a representative from NPAIT attend an upcoming Administration or Finance Committee meeting to discuss how they would manage the recharge funds from the State and Platte Program. A resolution would be required if the District decides to use their services.

ELWOOD DAM SEEPAGE REPAIRS – CONSTRUCTION OVERSIGHT CONTRACT – RJH CONSULTANTS, INC.: Scott Dicke reported the bid deadline for the project was extended to January 18, 2023. Tom McDougal from RJH presented background on the project, a timeline indicating construction beginning in July, 2023, and a draft construction management oversight contract.

NEW E-65 SIPHON – ENGINEERING DESIGN CONTRACT – JEO CONSULTING: Mike Placke from JEO and Pat Engelbert and Bob Beduhn from HDR presented a draft contract for engineering services, a fee schedule, and a project timeline. They plan to have the design work completed by the end of 2023. Construction would commence in 2024 and be completed in 2025.

A break was taken at 10:30 a.m. The meeting resumed at 10:42 a.m.

INTEGRATION: Devin Brundage reported on the hearing held before the Power Review Board on December 16, 2022. The board voted to grant standing to the protestants and a subsequent hearing has been scheduled for January 27, 2023.

LEGISLATION: Jeff Buettner and Scott Dicke recently met with Senator Halloran about the merger. The Nebraska Power Association held their annual legislative retreat to prepare for the upcoming legislative session. Senator Bostelman's pursuit to review and edit the Chapter 70 statutes seems to have been deprioritized by him, but he is now looking to further define the term

“reliability” in statutes related to power. Governor-elect Pillen has included funding for the South Platte Canal in his proposed budget.

BOARD COMMENTS: Director David Nelson inquired about potential grant funds for the Elwood seepage project. Scott Dicke advised that \$2 million in funding has been committed for that project as part of the recharge agreement with the Platte Program, with the potential for more from the State. Director Boyle circulated an article from the North Platte Telegraph regarding a group of North Platte High School students filming a documentary about the Perkins County Canal. Director Shepherd asked to be informed by staff when accidents, fires or deaths occur at District properties.

LEGAL UPDATE: Charles Brewster discussed the next hearing before the Power Review Board and indicated the coming month will be busy with discovery related to that hearing. The District finally received the Summons in the District Court case.

MANAGEMENT REPORTS:

- a. Cory Steinke displayed photos of the completed concrete repairs at the Jeffrey 26.9 return structure. Crews are busy assembling the new dredge booster pump. He displayed photos of a vehicular accident that occurred at the siphonic spillway south of Gothenburg and another where a vehicle slid into the canal due to icy conditions. Crews will be using caution over the coming winter months by responding to emergency and maintenance callouts in pairs of two employees. He is sending letters to the Glendo Canal Companies regarding new management practices for 2023.
- b. Tyler Thulin stated Lake McConaughy is at elevation 3,223.9, 757,700 acre feet, and 43.6% capacity. Inflows to Lake McConaughy are unknown due to an iced-up gauge at Lewellen. Outflows are around 355 cfs. Snowpack in the North Platte basin are at 105% of median and the South Platte basin is at 93% of median. With frigid temperatures in the forecast, he expects icing to occur at District structures.
- c. Mike Drain reported the new recharge agreements have been executed by the State and the Platte Program. Work continues to finalize the sale of the J2 properties, but purchase agreements have been signed. It appears FERC may implement the financial assurance requirements that he previously discussed with the board. Tom McDougal commented that RJH is in the analysis phase of the Kingsley Dam seepage and slope stability study. Drain intends to present information about the District’s FERC license requirements to Dawson’s board and staff sometime soon.
- d. Scott Dicke announced Tom Minnis started today as the new Irrigation Service Specialist in Holdrege. Crews attended a utility locator training last week. Representatives from Rubicon toured most of the E65 and Phelps canals recently to help them develop an estimate to automate Central’s system.
- e. Rochelle Jurgens will receive the recharge funds from the State and Platte Program in the next few days and she will be working to consolidate and invest them. She is working to ensure the new bi-weekly payroll schedule and procedures align with Dawson’s system.
- f. Jeff Buettner announced the 2023 Water and Natural Resources tour of northeast portions of Nebraska is tentatively scheduled for June 19-21, 2023. A meeting will be held on January 23, 2023 with the marketing firm selected to handle the re-branding, logo design and website development of the Platte River Public Power and Irrigation District.
- g. Eric Hixson reported on an oil leak from the low-side bushings of the Jeffrey 115kv step-up transformer. Repairs were made on December 15, 2022, but more repairs may be required in the future.

h. Devin Brundage thanked the staff and directors for their dedication to the District and wished everyone a Merry Christmas.

PERSONNEL: This was discussed in Closed Session.

OUT OF STATE TRAVEL: The following travel was approved by the General Manager for January:

<u>Name</u>	<u>Meeting</u>	<u>Location</u>	<u>Date</u>
Scott Dicke	Four States Annual Meeting	Fort Collins, CO	January 10-13, 2023
Dusty Way	Four States Annual Meeting	Fort Collins, CO	January 10-13, 2023
Steve Osterbuhr	Four States Annual Meeting	Fort Collins, CO	January 10-13, 2023
Devin Brundage	Four States Annual Meeting	Fort Collins, CO	January 10-13, 2023

WORKSHOPS, SEMINARS AND CONFERENCES: The Four States Annual Meeting will be held January 11-12, 2023 in Fort Collins, CO.

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

The meeting adjourned at 11:49 a.m.

MINUTES OF REGULAR BUSINESS MEETING OF THE
BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
HOLDREGE, NEBRASKA
JANUARY 5, 2023 – 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 December 29, 2022, and through legal publication in the Kearney Hub, Holdrege Daily Citizen and North Platte Telegraph on December 29, 2022, and the Lexington Clipper-Herald on December 31, 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 November 30, 2022 giving the time, date, and place of this meeting.

The following Directors were present:

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

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

Others present were:

John Thorburn, Tri-Basin NRD	Carson Messersmith
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Board Vice President Mueller 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 the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: John Thorburn reported on the recent NDNR ruling on the Platte to Republican Basin Diversion Project where the objectors to the project were denied standing. The objectors will have until January 11, 2023 to file an appeal of NDNR's decision. The South Central Water Conference will be held on January 31, 2023 at 9:30 a.m. at the Phelps County Ag Center with Tom Riley of NDNR and Devin Brundage being presenters, along with others.

QUALIFICATIONS OF ELECTED DIRECTORS: The bonds and oaths of office for newly elected director, Brent Soneson, and re-elected directors, Geoffrey K. Bogle, David G. Nelson and David L. Rowe, have been signed and will be mailed to the Secretary of State's office upon obtaining the bond certificates from the insurance agency. Once received by the Office of the Secretary of State, they will remain on official file as a matter of public record.

It was moved by Director Knoerzer and seconded by Director Dahlgren to approve the Qualifications of Elected Directors for newly elected director, Brent Soneson, and re-elected directors, Geoffrey K. Bogle, David G. Nelson, and David L. Rowe as presented. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Shepherd, and Soneson. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.

APPOINTMENT OF TELLER: It was moved by Director Dahlgren and seconded by Director Dudley Nelson to appoint Charles Brewster as Teller for the election of officers. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Shepherd, and Soneson. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.

APPOINTMENT OF TEMPORARY CHAIRMAN: It was moved by Director Bogle and seconded by Director Soneson to appoint Devin Brundage as Temporary Chairman during the election of officers. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Shepherd, and Soneson. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.

ELECTION OF OFFICERS:

- a. President: Secret ballots for nomination of President were cast and tallied. Those nominated for President included Directors Rowe and Shepherd, with Rowe receiving an overwhelming majority of votes.

It was moved by Director Knoerzer and seconded by Director Dahlgren to bypass the usual process of holding a primary and general election and appoint David L. Rowe as President. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Shepherd, and Soneson. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.

- b. Vice President: Secret ballots for nomination of Vice President were cast and tallied. Those nominated for Vice President included Directors Boyle, Mueller, S. Olson, and Shepherd. A primary vote by secret ballot was then cast with Directors Mueller, S. Olson and Shepherd moving to the general election ballot. Mueller announced he would decline the office if elected and requested that his name be removed from the ballot. The general election resulted in a majority of votes being cast for Director Shepherd as Vice President.
- c. Secretary: Secret ballots for nomination of Secretary were cast and tallied. Those nominated for Secretary included Directors Boyle, Dahlgren, Knoerzer, and S. Olson. A primary vote by secret ballot was then cast with Directors Boyle, Dahlgren, Knoerzer, and S. Olson moving to the general election ballot. The general election resulted in a majority of votes being cast for Director Knoerzer as Secretary.
- d. Treasurer: Secret ballots for nomination of Treasurer were cast and tallied. Those nominated for Treasurer included Directors Bogle, David Nelson and S. Olson. A primary vote by secret ballot was then cast with Directors Bogle and S. Olson moving to the general election ballot. The general election resulted in a majority of votes being cast for Director S. Olson as Treasurer.

ASSISTANT TREASURER: It was moved by Director Bogle and seconded by Director David Nelson to reappoint Rochelle A. Jurgens as Assistant Treasurer. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Shepherd, and Soneson. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.

ASSISTANT SECRETARY: It was moved by Director Dudley Nelson and seconded by Director S. Olson to reappoint Emily J. Anderson as Assistant Secretary. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Shepherd, and Soneson. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.

AUTHORIZATION TO SIGN CHECKS – CORPORATE AUTHORIZATION RESOLUTION NO. 23-01: It was moved by Director Knoerzer and seconded by Director Mueller to approve Resolution No. 23-01 – Corporate Authorization with the following individuals authorized to sign District checks:

K. Scott Olson, Treasurer
Rochelle A. Jurgens, Controller
Meredith D. Pierce, Assistant Controller

Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Shepherd, and Soneson. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.

SUBCOMMITTEE APPOINTMENTS: Devin Brundage instructed directors to contact President Rowe if they wished to be appointed to a particular committee. The assignments will be announced later.

Newly elected Board Vice President Shepherd conducted the remainder of the meeting.

CONSENT AGENDA: Devin Brundage provided an overview of the items on the Consent Agenda which were presented and discussed at the December 19, 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 December 5, 2022**
- **Approval of Minutes of Special Meeting of the Board of Directors held December 19, 2022**
- **Approval of Minutes of Committee Meeting of the Board of Directors held December 19, 2022**
- **Approval of the January Disbursements:**

Hydro Division:

Check #s 67755, 68509, 68606, 68695, & 68766-VOID; Check #s 68764 through 68976 & 8900794 through 8900833 (Accounts Payable) \$1,058,693.29

\$601,983.34

Payroll

Kingsley Division:

Check #s 3496 through 3505 (Accounts Payable) \$362,435.08

J-2 Regulating Reservoir Construction Fund:

NONE NONE

Glendo Division:

NONE NONE

➤ **Approval of the following Water Service Agreements:**

<u>System</u>	<u>Acct. No.</u>	<u>Legal Desc.</u>	<u>Landowner</u>	<u>Contr. Acres</u>	<u>Total Acres Chg'd</u>
<u>Water Service Agreements:</u>					
Phelps	6170604	Lots 1 & 2, S1/2NE1/4 6-6-17	WCG Land & Cattle, LLC	115	+33
<i>*Combined accounts 6170603 & 6170604 and added 33 acres</i>					
Phelps	7192601	N1/2NW1/4 26-7-19	Phelps County Feeders, LLC	47	-17
<i>*Account completed 10-year termination and re-signed acres</i>					

- (1) IPP Amendment to Water Service Agreement for the 2023 irrigation season accompanies new WSA.
- (2) IPP Amendment to Water Service Agreement for the 2023 irrigation season to accompany existing WSA.
- (3) Water Service Agreement terminated after 2022, 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 2022.
- (6) Water Service Agreement activation date being when CWS permit is issued by the NeDNR.

- **Approval of Purchase Requisition No. 15638 – L & S Electric Inc. for J2 Governor Pump Replacement and Main Distributing Valve Service (\$96,075.00)**
- **Approval of the 2023 Water Leasing Program Acres (72 agreements for a total of 1,320 acres at \$100.00 per acre)**
- **Approval of Construction Services Contract with RJH Consultants, Inc. for the Elwood Dam Seepage Mitigation Project**
- **Approval of Engineering Design Contract with JEO Consulting Group Inc. for the New E-65 Siphon Project**

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

WORK ORDERS/PURCHASE REQUISITIONS:

- a. Work Order No. 107439 – Middle Phillips Boat Ramp (\$130,000.00)

It was moved by Director Dahlgren and seconded by Director Mueller to approve Work Order No. 107439 for the Middle Phillips Boat Ramp project in the amount of \$130,000.00. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Shepherd, and Soneson. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.

CONTRACT NO. 0-700 – ALLEN BLASTING AND COATING, INC. FOR PREP AND COATING OF JEFFREY PENSTOCK: A Progress Estimate No. 2 (Final) in the amount of \$107,742.00 and a contract closure letter were presented. Eric Hixson confirmed the project has been inspected and found to be satisfactory. Staff recommended final payment to Allen Blasting and Coating, Inc. and the Closure of Contract No. 0-700.

It was moved by Director Boyle and seconded by Director Soneson to approve Progress Estimate No. 2 (Final) in the amount of \$107,742.00 and the Closure of Contract No. 0-700 with Allen Blasting and Coating, Inc. for the prep and coating of the Jeffrey Penstock. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Shepherd, and Soneson. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.

CHANGE DATE OF JANUARY 27, 2023 COMMITTEE MEETING TO JANUARY 30, 2023: Due to the hearing scheduled before the Power Review Board on January 27, 2023, it was recommended to alter the date of the January committee meeting.

It was moved by Director Mueller and seconded by Director Dahlgren to hold the January Committee Meeting on January 30, 2023 at 9:00 a.m. at District Headquarters in Holdrege, NE. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Shepherd, and Soneson. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.

2023 LEGAL SERVICES AGREEMENT – ANDERSON KLEIN BREWSTER & BRANDT: Devin Brundage stated the hourly rates and all other terms remain the same as the 2022 agreement.

It was moved by Director Dudley Nelson and seconded by Director Knoerzer to approve the 2023 Legal Services Agreement with Anderson Klein Brewster & Brandt as presented. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Shepherd, and Soneson. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.

LEGISLATION: Alex Linden reported Governor Pillen will be inaugurated today. Legislators elected committee members and chairpersons yesterday and Senator John Arch of District 14 was elected Speaker of the Legislature. A luncheon will be held at the Governor’s mansion on January 12, 2023 where attendees will learn about the South Platte Canal. The NSIA and NWRA will hold a legislative reception on January 25, 2023 at the Cornhusker Hotel and Central’s annual reception will be held on March 14, 2023. |

INTEGRATION: Devin Brundage stated it is possible the hearing scheduled on January 27, 2023 before the Power Review Board could be continued to a later date. He circulated a letter that will be mailed to water users concerning the merger. He displayed an aerial photo and a drawing of a potential new office in the Ironhorse development area on the west side of Holdrege and discussed convening a power and facilities subcommittee meeting to begin considering possibilities for facility improvements.

WORKSHOPS, SEMINARS AND CONFERENCES:

- a. 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 absences of Directors R. Olson and Rowe from this meeting. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Shepherd, and Soneson. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.**

BOARD COMMENTS: David Nelson invited Neal Niedfeldt, President/CEO of Southern Public Power District, to attend the January 30, 2023 Committee Meeting of the Board to discuss their new wind energy generation.

LEGAL UPDATE: Charles Brewster stated the Power Review Board hearing scheduled for January 27, 2023 will likely be continued. A hearing on the District’s Motion to Dismiss in the Citizens Opposed to the Merger case will be held on January 19, 2023 in the Phelps County District Court.

MANAGEMENT REPORTS: The following management reports were presented:

- a. Cory Steinke reported he continues conversations with NPPD regarding the Annual Operating Plan and winter releases. He is working with the Glendo Canal companies on potential changes to their Water Service Agreements and a conjunctive management plan. Bids on the Midway Bridge project exceeded the engineer’s cost estimate, but the

District will pay just 20% of the cost, with the remainder being paid through Federal funds. No major problems were reported along the Supply Canal system during the recent weather events.

- b. Tyler Thulin reported Lake McConaughy is at elevation 3,225.0, 780,400 acre feet, and 44.7% capacity. The inflows to Lake McConaughy are approximately 925 cfs and releases are currently 150 cfs. Snowpack in the North Platte basin is 126% of average and the South Platte basin is 113% of average.
- c. Mike Drain has been busy with FERC filings and an update/reprint of the Emergency Action Plan (EAP). The sales of the J-2 properties and the leasehold interest at Johnson Lake have been finalized.
- d. Scott Dicke announced Tom Minnis was hired as the new Irrigation Service Specialist in Holdrege and he is currently interviewing for an ISS position in Bertrand. Crews will be working to reshape the ditches along the Phelps Canal, maintaining structures, and repairing equipment.
- e. Rochelle Jurgens and Meredith Pierce have been meeting with employees about recent benefit changes and the conversion to the bi-weekly payroll system. The J-2 funds were received from the State and the Platte Program and she plans to hold a Finance Committee meeting soon to discuss an investment strategy for those funds.
- f. Jeff Buettner will attend a meeting with Unanimous to begin the branding, marketing and web design for the Platte River Public Power and Irrigation District. He will continue to assist with the planning of the annual Water and Natural Resources Tour on June 20-22, 2023.
- g. Eric Hixson stated the new microwave buildings were delivered to Jeffrey and J-2. Staff conducted a successful test run of using the SCADA system from the J-2 Hydro as a control center in the event of a disaster.
- h. Alex Linden announced the eagle viewing facilities at Kingsley Dam and the J-2 Hydro will open this coming weekend through February 26, 2023.
- i. Devin Brundage will attend the meeting about the South Platte Canal at the Governor's mansion on January 12, 2023. He informed the directors of the passing of Leonard France.

ADJOURNMENT: It was moved by Director Mueller and seconded by Director Dahlgren to adjourn the Regular Business Meeting of the Board at 10:26 AM. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Shepherd, and Soneson. Absent were: R. Olson and Rowe. None voted no and the motion was declared carried.

ATTEST:

THE CENTRAL NEBRASKA PUBLIC POWER
AND IRRIGATION DISTRICT

William E. Knoerzer, Secretary

By _____
David L. Rowe, President