

CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

HOLDREGE, NEBRASKA

AUGUST 7, 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
JULY 28, 2023 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 July 25, 2023, and through legal publication in the Kearney Hub, Holdrege Daily Citizen and North Platte Telegraph on July 25, 2023, 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 e-mailed to each Director on July 25, 2023.

The following Directors were present:

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

Also present were the following:

Devin M. Brundage, General Manager	Alex Linden, Gov't and Public Relations Manager
Rochelle A. Jurgens, Controller	Tyler Thulin, Civil Engineer
Cory A. Steinke, Hydraulic Project Ops. Mgr.	Anton Hassebrook, Hydroelectric Operations Super.
Scott Dicke, Irrigation & Water Services Mgr.	Charles Brewster, Legal Counsel
Mike A. Drain, Nat. Resources & Compliance Mgr.	Emily J. Anderson, Assistant Secretary

Others:

Gwen Kautz, Dawson PPD	Dan Muhlbach, Dawson PPD
Kurth Brashear, Rembolt Ludtke LLP	Dave Schroeder, KRVN
Steve White, NTV News	Kasey Mintz, KSNB Local 4

Approximately 130 members of the public were present

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

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

PUBLIC INPUT: The following individuals made statements in opposition to the merger with Dawson Public Power District: Gary Robison, James Paulsen, Liz Mattson, Ed Schrock, Nathan Bentley, Nancy Kingsley Oertle, Ceaver Nelson, Matt Wells, Robert McCormick, Brad Lundeen, Dave Dahlgren, Doyle Reed, A.J. Dahlgren, Ron Johnson, Gale Lush, Larry "Rudy" Mattson, and Chad Robison. LeahAnn Brell commented she did not have enough information about the merger and did not understand the benefits.

RESOLUTION NO. 23-03 TO APPROVE AMENDMENT OF CHARTER TO IMPLEMENT MERGER WITH DAWSON PUBLIC POWER DISTRICT: General Manager Brundage provided a presentation reviewing work that has been done since October of 2022 when the board approved the merger. The merger process began two years and 266 days ago. District division managers presented a letter to the directors recommending approval of the resolution to amend the charter and consolidate as Platte River Public Power and Irrigation District and outlined the benefits to the District and its customers.

It was moved by Director Shepherd and seconded by Director S. Olson to approve Resolution No. 23-03 to Approve Charter Amendment No. 7 to the District's Charter.

It was moved by Director David Nelson and seconded by Director Dahlgren to table the motion for up to sixty (60) days to allow for a public open house opportunity to educate stakeholders and the general public about the merger. Upon voting on the motion to table, the following Directors voted therefore: Dahlgren, David Nelson, Dudley Nelson, R. Olson, and Soneson. Those voting no were: Bogle, Boyle, Knoerzer, Mueller, S. Olson, Rowe, and Shepherd. The motion failed.

Returning to the original motion, the following Directors voted therefore: Bogle, Boyle, Knoerzer, Mueller, S. Olson, Rowe, and Shepherd. Those voting no were: Dahlgren, David Nelson, Dudley Nelson, R. Olson, and Soneson. While the ayes were in the majority, the President noted that state law requires a 3/5 affirmative majority of all directors of the board to approve charter amendments and, therefore, filing of the petition with the Nebraska Power Review Board was not authorized. The motion failed.

DIRECTORS' ATTENDANCE: All directors were present.

ADJOURNMENT: **It was moved by Director Dahlgren and seconded by Director R. Olson to adjourn the Special Meeting of the Board at 10:11 AM. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. Motion carried.**

MINUTES OF COMMITTEE MEETING OF THE
BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
HOLDREGE, NEBRASKA
JULY 28, 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 July 25, 2023, and through legal publication in the Kearney Hub, Holdrege Daily Citizen and North Platte Telegraph on July 25, 2023, 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 July 20, 2023 giving the time, date, and place of this meeting.

The following Directors were present:

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

**entered the meeting at 10:33 a.m.*

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.	Steve Osterbuhr, Irrigation Superintendent
Cory A. Steinke, Hydraulic Project Ops. Mgr.	Dusty Way, Irrigation Operations Superintendent
Scott Dicke, Irrigation & Water Services Mgr.	Charles Brewster, Legal Counsel
Mike A. Drain, Nat. Resources & Compliance Mgr.	Emily J. Anderson, Executive Assistant
Alex Linden, Gov't and Public Relations Manager	

Others:

Gwen Kautz, Dawson PPD	Kurth Brashear, Rembolt Ludtke, LLP
Matt Wells	Richard Waller

* * * * *

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

At 10:30 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 and one consent at Plum Creek Reservoir were approved in July, 2023.

PERMIT TO CONSTRUCT SUMMARY: The following permits were approved during the month of July, 2023:

Permits to Construct Approved by General Manager 7/28/2023				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
1.	Dawson Public Power District		Install underground primary electric lines and associated junction boxes.	07/05/2023
2.	Brenden Kreutzer	SW1/4 31-7-18	Installing an electric wire encased in 2.5-inch conduit for center pivot.	07/10/2023
3.	Alan Fouts	SW1/4 24-7-19	Installing an electric wire encased in 2-inch conduit for center pivot.	07/11/2023
4.	Glenwood Telecommunications	NW1/4NW1/4 Section 25-6-18	Install underground communication cables on CNPPID property.	07/11/2023 \$680.00
Permits to Construct Approved by Land Administration Department 7/28/2023 – Johnson Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
5.	Jones, Gary & Jeanine	139 Mallard Beach Dr. 22A	ECS - Construct 3'H x 25'L Retaining wall	06/08/2023
6.	Mortgaged Acres LLC	106 Mallard Beach Dr. 22	DWEL - Construct 14'x 7' concrete half circle patio	06/15/2023
7.	Galloway Holdings LLC	49 North Shore Dr. 8	DWEL - Construct addition to existing garage	06/15/2023
8.	Dexter, Rance & Cheryl	28 East Shore Dr. 1A	DWEL - Construct new dwelling with covered porch	06/16/2023
9.	Berke, Mitch & Jackie	12 South Crappie Corner Dr. 3	Permit to Operate – Vacation Rental (Initiated prior to policy change for fee)	06/16/2023 \$250.00
10.	Riley, Kirk & Kris	110 Mallard Beach Dr. 22	SWAF - Install 12'W x 12'L Swim Platform	06/19/2023 \$50.00
11.	Wedberg, Gregg & Patricia	19 Crappie Corner Dr. 5	DWEL - Pour on grade concrete slab	06/22/2023
12.	Fago, Benjamin & Megan	18 Crappie Corner Dr. 5	DWEL - Pour extension to on grade concrete slab	06/22/2023
13.	Fouts, Alan & Rebecca	26 Perch Bay	VEG- Removal of damaged tree	06/23/2023
14.	Beckler, Charles	168 Lakeview Acres	SWAF - Install 5'W x 13'L Jet-Ski Lift	06/23/2023 \$50.00
15.	Cummins, Leona	12 Merriweather Dr. 1	SWAF - Install 4'W x 96'L Dock	06/26/2023 \$50.00
16.	Melville, Wanda	49 Mallard Beach So Bay Dr. 21	DWEL - Construct new attached garage	06/28/2023
17.	Davenport, Rocky & Jacqueline	9 Park Lane Dr. 28	DWEL - Install new replacement privacy fence	06/28/2023
18.	Potts, Jeffrey & Stacey	73 Mallard Beach Dr. 22	DWEL - Construct new 4.5' x 6' storage shed	07/05/2023

19.	Ortegren, Gail	10 South Crappie Corner Dr. 3	DWEL - Relocate new flagpole	07/05/2023
20.	Graff, Micah & Erin, Ridder, Joe & Christine	3 North Cove Dr. 10	SWAF - Install 4'W x 112'L Dock, 12'W x 26'L Shorestation	07/05/2023 \$50.00
21.	McClure, Richard & Louise	27 Sandy Point Dr. 24A	DWEL - Construct new 36" wire fence	07/07/2023
22.	Fago, Benjamin & Megan	18 Crappie Corner Dr. 5	SWAF - Construct 12'L x 5'W Vehicular Access	07/07/2023 \$50.00
23.	Wedberg, Gregg & Patricia	19 Crappie Corner Dr. 5	SWAF - 12'L x 5'W Vehicular Access	07/07/2023 \$50.00
24.	Kuhnel, Duane & Cheryl	39 Mallard Cove Dr. 19B	VEG - Trim Trees	07/10/2023
25.	Hutchens, Don	41 Mallard Cove	VEG - Trim Tree	07/10/2023
26.	Ebershacher, Darren	40 Mallard Cove	VEG - Trim Tree	07/10/2023
27.	Quinian, Michael & Melissa	71 Mallard Beach Dr. 22	DWEL - Install new 48" tall black deco fence	07/11/2023
28.	Sund, Travis	51 Mallard Beach So. Bay Dr. 21	SWAF - Install 12'W x 12'L Shorestation, 6'W x 30'L Dock, 2-5'W x 5'L Jet-Ski Lifts	07/13/2023 \$50.00
29.	Merrick, Nancy & Russell	159 Lakeview Acres Dr. 14F	SWAF - Install 12'W x 22'L Shorestation	07/13/2023 \$50.00
30.	Rye, Kenneth & Rebecca	36 Bass Bay Dr. 16	DEF - Place clean fill dirt	07/14/2023 \$50.00
31.	Mandelko, Michael & Patricia	24 Perch Bay Dr. 6	DEF - Place clean fill dirt	07/14/2023 \$50.00
32.	Rohnert, Cheryl	2 North Cove Dr. 10	VEG - Plant 2 Trees	07/17/2023
33.	Vosta, John	123 Mallard Beach Dr. 22A	SWAF - Install 8'W x 8'L Dock, 10'W x 25'L Shorestation, 4'W x 10'L Jet-Ski Lift	07/17/2023 \$50.00
34.	Fredrickson, Tamri	18 Kirby Point Dr. 2	SWAF - Install 6'W x 9'L Jet-Ski Lift, 8'W x 8'L Swim Platform, 4'W x 104'L Dock.	07/17/2023 \$50.00
35.	Butler, William & Keely	47 Lakeview Acres Dr. 14A	SWAF - Construct 3'W x 18'L Access	07/17/2023 \$50.00
36.	Horst, Dean	10 Kirby Point Dr. 2	SWAF - Install 4'W x 80'L dock	07/17/2023 \$50.00

Permits to Construct
Approved by Land Administration Department
7/28/2023 – Jeffrey Lake

<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
37.	Wall, Gary & Dorothy	7 Lakeview Rd	SWAF - Replace and Install 10'W x 10'L Shorestation	06/21/2023 \$50.00
38.	Wager, Toby	64 S Lakeview Rd.	SWAF - Install 12'W x 12'L Shorestation	06/23/2023 \$50.00

39.	Bundy, Jeff	94 Pelican Dr.	SWAF - Install 2-4'W x 13'L Jet-Ski Lift	06/27/2023 \$50.00
40.	Henning, Mary & Thomas	45 S. Lakeview Rd.	SWAF - Install 5'W x 10'L Jet-Ski Lift, 5'W x 20'L Dock, 8'W x 10'L Shorestation	06/28/2023 \$50.00
41.	Turlington Ventures LLC	37 S. Lakeview Rd	SWAF - Install 6'W x 9'L Jet-Ski Lift, 5'W x 10'L Dock	06/29/2023 \$50.00
42.	McKenna, Jack	24 Lakeview Rd.	SWAF - Install 3'W x 12'L Gangway, 6'W x 26'L Dock, 6'W Dock Anchor Pad, 10'W x 10'L Shorestation	07/05/2023 \$50.00
43.	Windrum, Steve	9 Lakeview	ECS - Bank Stabilization (Riprap) for 48 linear feet of the shoreline	07/10/2023
44.	McKenna, Jack	24 Lakeview Rd.	VEG - Tree Trimming	07/19/2023
45.	Rohach, Joe & Vicki	88 Pelican Dr.	SWAF - Install 10'W x 10'L Shorestation	07/19/2023 \$50.00
Permits to Construct Approved by Land Administration Department 7/28/2023 – Lake McConaughy				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
46.	Bieseimeier, Brandon	32 K-1	ECS - Construct 6'L x 2'T Retaining Wall	06/27/2023
Permits to Construct Approved by Land Administration Department 7/28/2023 – Midway Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
47.	Hunke, Logan	17 Paulsen Loop	SWAF - Install 12'W x 12'L Shorestation	07/05/2023 \$50.00

WATER SERVICE AGREEMENTS: None.

WORK ORDERS/PURCHASE REQUISITIONS: Tyler Thulin presented the following:

- a. Purchase Requisition No. 18774 – Dawson County Department of Roads for Project BRO-7024 (\$89,681.10)

DIVERSION DAM BOOSTER PUMP ELECTRICAL SERVICE: Anton Hasebrook presented the following:

- a. Agreement for Purchase of Power – Dawson Public Power District
- b. Purchase Requisition No. 18821 (\$47,716.82)

AGREEMENT TO PROVIDE FUNDING FOR ELWOOD RESERVOIR RECHARGE RECOVERY PROJECT – NEBRASKA DEPARTMENT OF NATURAL RESOURCES: Cory Steinke presented an agreement with the State states NDNR will pay Central 60% of the project costs, up to a total of \$2,000,000.00, from the Nebraska Water Resource Cash Fund.

WATER SERVICES COMMITTEE (6/26/23): Director Knoerzer and Scott Dicke provided a summary of the recent meeting.

LAND AND RECREATION COMMITTEE (7/11/23): Mike Drain presented the following item which the subcommittee acted on on recently:

- a. Application for Variance – 35 Bass Bay, Johnson Lake: The subcommittee voted to recommend Board approval of the variance to place a new storage shed partially within

the lot line construction setback due to the unique circumstances related to the severe weather and resulting storm damage.

- b. Application for Variance – 7 East Shore, Johnson Lake: The subcommittee voted to recommend Board approval of the variance to replace the pergola that will be located partially within the lot line construction setback due to the unique circumstances related to the severe weather and resulting storm damage.
- c. Application for Variance – 49 North Shore, Johnson Lake: The subcommittee voted to recommend Board denial of the variance for the proposed new garage due to it being in violation of Section 6.2. Lot Construction Setbacks of the Permitting Procedures.
- d. Application for Variance – 65 Mallard Beach, Johnson Lake: The subcommittee voted to recommend Board denial of the variance for the proposed new garage due to it being in violation of Sections 6.2. Lot Line Construction Setbacks and 6.4. Roadway Construction Setbacks of the Permitting Procedures, and because the lot provides a large amount of building area that could accommodate the garage in an alternate location.
- e. Application for Variance – 35 Sandy Point, Johnson Lake: The subcommittee voted to recommend Board denial of the variance due to the improper placement of the shorestation which does not comply with Section 5.2.1.1. Water-Based SWAF of the Permitting Procedures.
- f. Application for Variance – 3 Plum Creek Canyon Dr 12A, Plum Creek Lake: This item will be re-considered by the subcommittee in the coming weeks due to new information becoming available after the July 11, 2023 meeting.
- g. 1000 Plus, LLC Concession Lease Agreement for Jeffrey Island Shooting Range: The subcommittee voted to recommend Board approval of a lease extension through December 31, 2023 contingent on 1000 Plus acquiring additional insurance coverage sufficient to cover the gaps identified by the District’s legal review, and with no renewal or extension of the lease thereafter.

2024 MEDICARE PRESCRIPTION PLAN RENEWAL: Rochelle Jurgens presented the quote for the prescription plan for retirees hired prior to January 1, 2000 which will increase by approximately 4% in 2024 to \$234.86.

KINGSLEY DAM REFACING: Mike Drain provided a status update on the project and the outcome of a working group formed to evaluate the best method of refacing for the project to implement.

A break for lunch was taken at 11:35 a.m.

Director David Nelson exited the meeting following lunch.

The meeting resumed at 12:07 p.m.

IRRIGATION ON-DEMAND AUTOMATION: Scott Dicke presented cost estimates to automate the Phelps and E65 canal systems from Rubicon’s feasibility assessment. He displayed a YouTube video to demonstrate the system. Rubicon invited the directors and applicable staff to a field day on August 10, 2023 at the Frenchman Cambridge Irrigation District. He will continue to identify potential funding opportunities.

E-65 SIPHON AND ELWOOD SEEPAGE REPAIR PROJECTS: Scott Dicke continues to meet with legal counsel on landowner agreements for the E-65 Siphon project. He reported the contractor is working on mobilization plans for the Elwood Dam seepage repairs which are expected to begin in September.

CONSOLIDATION WITH DAWSON PUBLIC POWER DISTRICT: No report was given.

LEGISLATION: Alex Linden continues to follow legislative resolutions that pertain to the District's operations. He plans to attend a Legislative Summit in Ashland on August 8, 2023 and the Governor's Summit in Kearney on August 9, 2023.

BOARD COMMENTS: President Rowe will share photos he took of the progress of the Midway bridge project at the next meeting.

LEGAL UPDATE: Charles Brewster received a letter regarding potential flooding and SID issues at the Crappie Corner area of Johnson Lake. He has been reviewing contracts and working on a tax sale matter on a cabin at Johnson Lake.

PERSONNEL: None.

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

<u>Name</u>	<u>Meeting</u>	<u>Location</u>	<u>Date</u>
Tim Boyle	Four States Irrigation Tour	Wyoming	August 23-24, 2023
Scott Dicke	Four States Irrigation Tour	Wyoming	August 23-24, 2023
Steve Osterbuhr	Four States Irrigation Tour	Wyoming	August 23-24, 2023

WORKSHOPS, SEMINARS AND CONFERENCES:

- a. Tri-Basin's Board of Directors Tour, August 8, 2023
- b. 2023 Governor's Ag & Economic Development Summit, August 8-9, 2023 in Kearney
- c. 2023 NPA Annual Conference, August 22-23, 2023 in Kearney
- d. Four States Irrigation Council Summer Tour, August 23-24, 2023, Casper, Wyoming

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

MANAGEMENT REPORTS:

- a. Anton Hassebrook displayed photos of the new cooling well and piping for the J-1 generator.
- b. Cory Steinke will meet with a landowner on Monday regarding a silage pit that encroaches on District property near the Hog Farm bridge. The new booster pump for the dredge is awaiting installation.
- c. Tyler Thulin reported Lake McConaughy is at elevation 3,234.8, 965,000 acre-feet, and 55.9% capacity. Inflows to Lake McConaughy are approximately 700 cfs and outflows are around 1,875 cfs. Flows in the South Platte River have significantly decreased.
- d. Rochelle Jurgens received the employee wage survey back from the consultant and she will begin reviewing it with management.
- e. Mike Drain participated in the annual inspections with FERC last week. The FERC inspector commented about increasing the frequency of burning or mowing the dams. A landowner near Jeffrey Dam excavated into an abutment, an Asian Carp was found below the Diversion Dam, and he filed a report with FERC regarding an apparent intoxicated, naked individual discovered by District staff at the Diversion Dam. He is working with the National Hydropower Association to get federal legislation introduced to receive tax credits on large infrastructure expenditures such as the Kingsley Dam refacing project reported on earlier in this meeting.
- f. Scott Dicke announced the hiring of two new Irrigation Service Specialists. Nearly 16,000 acre feet of water was diverted for recharge since mid-May. He attended the recent NSIA board meeting and reported on their preliminary plans to hold a workshop in February.

- g. Alex attended the recent NPA board meeting and will attend their annual conference in Kearney in August. The NPA is hosting a Public Power Day at the Huskers v. Perdue football game on October 28, 2023. He has several tours coming up with JLDI, students from Colorado State University and Leadership Nebraska members.

Director S. Olson exited the meeting at 1:07 p.m.

- h. Eric Hixson continues working to negotiate the power purchase agreement. He hired a new System Control Operator for the control center in Gothenburg and he is advertising for a Purchasing Agent to replace Duane Cernousek upon his upcoming retirement. He and Rochelle Jurgens continue meeting periodically with NPPD regarding the Kingsley Hydro budget.
- i. Steve Osterbuhr reported on algae issues due to fertigation from pivots crossing over the canal system.
- j. Devin Brundage attended the recent Natural Resources Commission meeting and presented information about the merger to the Holdrege Chamber of Commerce. He and a group of Central and Dawson representatives also presented on the merger to a few state senators.

The meeting adjourned at 1:11 p.m.

MINUTES OF REGULAR BUSINESS MEETING OF THE
BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
HOLDREGE, NEBRASKA
AUGUST 7, 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 July 31, 2023, and through legal publication in the Holdrege Daily Citizen on July 31, 2023, the Kearney Hub and North Platte Telegraph on August 1, 2023, and the Lexington Clipper-Herald on August 5, 2023, 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 July 20, 2023 giving the time, date, and place of this meeting.

The following Directors were present:

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

Also present were the following:

Devin M. Brundage, General Manager	Tyler Thulin, Civil Engineer
Rochelle A. Jurgens, Controller	Luke Ritz, Senior Land Administrator
Cory A. Steinke, Hydraulic Project Ops. Mgr.	Jim Brown, Compliance Coordinator
Scott Dicke, Irrigation & Water Services Mgr.	Duane Cernousek, Purchasing Agent
Mike A. Drain, Nat. Resources & Compliance Mgr.	Charles Brewster, Legal Counsel
Eric R. Hixson, Electrical Project Ops Mgr.	Emily J. Anderson, Executive Assistant

Others:

Carson Messersmith	Remington Slama
Tom MacDougall, RJH	Jeff Buettner
John Thorburn, Tri-Basin NRD	Lonnie Meyer
Dave Dahlgren	Amy Meyer
Brad Lundeen	Reed McClymont
Shad Dahlgren	Tanner Nelson

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

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

PUBLIC INPUT: John Thorburn discussed the itinerary for Tri-Basin’s annual board tour on August 8th and thanked the District for letting them borrow the van. Lonnie Meyer from 1000 Plus stated he is working to acquire the necessary insurance coverage for the shooting range, and he has contacted a lead remediation company about their process and costs. Brad Lundeen, Dave Dahlgren and Tanner Nelson thanked the directors who voted in opposition of the Charter Amendment at the

July 28, 2023 Special Meeting of the Board.

CONSENT AGENDA: Devin Brundage provided an overview of the items on the Consent Agenda which were presented and discussed at the July 28, 2023 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. Director Bogle asked that the following item be removed from the Consent Agenda:

“Approval of the 1000 Plus, LLC Concession Lease Agreement Extension to December 31, 2023, contingent on 1000 Plus, LLC acquiring additional insurance coverage sufficient to cover the gaps identified by the District’s legal review, and with no renewal or extension of the lease thereafter”

The following items were presented:

- **Approval of Minutes of Regular Business Meeting of the Board of Directors held July 5, 2023**
- **Approval of Minutes of Special Meeting of the Board of Directors held July 28, 2023**
- **Approval of Minutes of Committee Meeting of the Board of Directors held July 28, 2023**
- **Approval of the August Disbursements:**

Hydro Division:

Check #s 70364 through 70604 & 8901024 through 8901051 (Accounts Payable) \$932,817.61

Payroll \$569,281.49

Kingsley Division:

Check #s 3559 through 3571 (Accounts Payable) \$137,200.18

Glendo Division:

Check # 1121 \$10,392.28

- **Approval of Purchase Requisition No. 18774 – Dawson County Department of Roads for Project BRO-7024 (\$89,681.10)**
- **Approval of Agreement for Purchase of Power with Dawson Public Power District for Diversion Dam Booster Pump Electrical Service**
- **Approval of Purchase Requisition No. 18821 – Diversion Dam Booster Pump Electrical Service (\$47,716.82)**
- **Approval of Agreement to Provide Funding for Elwood Reservoir Recharge Recovery Project with Nebraska Department of Natural Resources**
- **Approval of Variance Application at 35 Bass Bay, Johnson Lake to place a new storage shed partially within the lot line construction setback due to the unique circumstances related to the severe weather and resulting storm damage**
- **Approval of Variance Application at 7 East Shore, Johnson Lake to replace the pergola that will be located partially within the lot line construction setback due to the unique circumstances related to the severe weather and resulting storm damage**
- **Denial of Variance Application at 49 North Shore, Johnson Lake for the proposed new garage due to it being in violation of Section 6.2. Lot Construction Setbacks of the Permitting Procedures**

- Denial of Variance Application at 65 Mallard Beach, Johnson Lake for the proposed new garage due to it being in violation of Sections 6.2. Lot Line Construction Setbacks and 6.4. Roadway Construction Setbacks of the Permitting Procedures, and because the lot provides a large amount of building area that could accommodate the garage in an alternate location
- Denial of Variance Application at 35 Sandy Point, Johnson Lake due to the improper placement of the shorestation which does not comply with Section 5.2.1.1. Water-Based SWAF of the Permitting Procedures
- Approval of the 2024 Medicare Prescription Plan Renewal Rate of \$234.86 which represents an approximately 4% increase above the 2023 rate

It was moved by Director R. Olson and seconded by Director Mueller 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, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. None voted no and the motion was declared carried.

1000 PLUS, LLC CONCESSION LEASE AGREEMENT EXTENSION: It was moved by Director Dahlgren and seconded by Director Bogle to approve a Concession Lease Agreement Extension with 1000 Plus, LLC through December 31, 2023, contingent on them acquiring sufficient insurance coverage.

It was moved by Director Shepherd and seconded by Director David Nelson to amend the motion to approve a Concession Lease Agreement with 1000 Plus, LLC through December 31, 2023, contingent on them acquiring sufficient insurance coverage to satisfy inadequacies identified by legal counsel and provide adequate control of ingress and egress at the range, all of which are subject to legal review. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. None voted no and the motion was declared carried.

Returning to the original motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. None voted no and the motion was declared carried.

WORK ORDER/PURCHASE REQUISITION SUMMARY: None.

CONTRACT NO. 0-709 – NEBRASKA TRUCK CENTER INC. FOR TRUCK & CHASSIS WITH REAR DUMP BODY: Duane Cernousek explained the change order is for a surcharge on the equipment and delivery of the Western Star truck with Henderson rear dump body. He presented the following:

- a. Contract Change Order No. 1 (\$11,300.00)
- b. Progress Estimate No. 1 (Final) (\$170,489.00)
- c. Contract Closure Letter

It was moved by Director Dudley Nelson and seconded by Director Boyle to approve Contract Change Order No. 1 in the amount of \$11,300.00, Progress Estimate No. 1 (Final) in the amount of \$170,489.00, and the Closure of Contract No. 0-709 with Nebraska Truck Center Inc. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. None voted no and the motion was declared carried.

KINGSLEY DAM REFACING PROJECT – RJH CONSULTANTS, INC.: Tom MacDougall from RJH provided a presentation on the areas of damage on the Kingsley Dam face and discussed the systemic issues with insufficient riprap and bedding material along the entire upstream slope of the dam. He discussed repair options and project cost estimates. RJH recommends removing all the riprap and replacing it with a combination of soil cement and concrete faced soil cement which preliminary estimates indicate could cost approximately \$60 million.

Rochelle Jurgens discussed potential financing options she had prepared in anticipation of the Kingsley Dam refacing project discussion. She noted the available District reserves as of June 30, 2023 are \$88,464,000.00. She presented the following budget amendment to move some budgeted amounts within the Kingsley Upstream Slope Protection account to the contracted services subaccount:

a. 2023 Budget Amendment – Revision #6:

Hydro Division	Current Budget	Proposed Budget	Difference
<u>Ogallala Maint of Res Dams</u>			
Kingsley Upstream Slope Protection			
Other Expense 1-30-54300-501-23	\$2,000,000	\$0	(\$2,000,000)
Contracted Services 1-30-54300-501-20	\$200,000	\$2,200,000	\$2,000,000

It was moved by Director Bogle and seconded by Director R. Olson to approve Budget Revision #6 to the 2023 Budget as presented. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. None voted no and the motion was declared carried.

b. Contract with RJH Consultants, Inc.: Mike Drain presented RJH’s Proposal for Rehabilitation of the Upstream Slope Revetment at Kingsley Dam. The fees for this project will be charged on a time and materials basis at an estimated \$505,000. Drain requested authority for staff to spend up to \$600,000.

It was moved by Director Dahlgren and seconded by Director Shepherd to approve the Proposal for Rehabilitation of the Upstream Slope Revetment at Kingsley Dam with RJH Consultants, Inc. and to authorize staff to spend up to \$600,000 on said contract fees. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. None voted no and the motion was declared carried.

A break was taken at 10:20 a.m.

Charles Brewster introduced Remington Slama, a new associate with Anderson Klein Brewster & Brandt.

The meeting resumed at 10:31 a.m.

IVERS LAND AUCTION AT LAKE MCCONAUGHY: Mike Drain displayed the auction flyer and an aerial map of the Ivers land on the south side of Lake McConaughy. Luke Ritz stated there are four parcels associated with the land sale the District may have an interest in acquiring portions of for FERC boundary and erosion purposes. There was discussion about referring this to the Land and Recreation Committee for review and recommendation.

CONSOLIDATION WITH DAWSON PUBLIC POWER DISTRICT: Devin Brundage supplied directors with a copy of President Rowe’s public statement dated August 3, 2023 regarding the action taken and comments made by the public at the July 28, 2023 Special Meeting of the Board. He also reported on communications from Josh Westling from the Meadowlark project and Gary Greer, City Manager from Gothenburg. Both expressed their appreciation to the board for their work toward helping deliver carbon-free energy for the project but, given the recent vote falling short to continue the merger process, they will be working with NPPD to secure that generation going forward. Mr. Westling wanted to further express his disappointment that Meadowlark would not be able to help realize those additional shared financial benefits for Central’s project or stakeholders.

LEGISLATION: There was nothing new to report.

WORKSHOPS, SEMINARS AND CONFERENCES:

- a. 2023 Governor's Ag & Economic Development Summit, August 8-9, 2023 in Kearney
- b. 2023 NPA Annual Conference, August 22-23, 2023 in Kearney
- c. Four States Irrigation Council Summer Tour, August 23-24, 2023, Casper, Wyoming

PERSONNEL: None.

DIRECTORS' ATTENDANCE: All Directors were present.

BOARD COMMENTS: Director S. Olson inquired about whether the District's charter needs to be amended to include the statutory language regarding general obligation bonds. Brundage reported that the Power Review Board has not pressed districts whose charters lack the language to modify them immediately unless they are districts preparing to issue new bonds.

LEGAL UPDATE: Charles Brewster asked each director if they ever took notes during any closed session related to the consolidation with Dawson Public Power District. Each director stated they took no notes during any closed session.

MANAGEMENT REPORTS: The following were presented:

- a. Tyler Thulin reported Lake McConaughy is at elevation 3,233.9, 953,600 acre feet, and 54.7% capacity. The inflows to Lake McConaughy are approximately 1,050 cfs and releases are currently 1,700 cfs. Flows in the South Platte River have significantly decreased.
- b. Cory Steinke displayed photos of the Midway Bridge construction and the new Western Star dump truck. He continues working with the U.S. Army Corps of Engineers to obtain a permit to pump sediment downstream from the Diversion Dam.
- c. Rochelle Jurgens presented the year-to-date financial highlights as of June 30, 2023.
- d. Scott Dicke stated Elwood Reservoir is being drawn down by pumping water into the E-65 Canal to prepare for the dam seepage mitigation work. The contractor, BSB, is mobilizing the construction trailer and equipment this week, with work on the project beginning in early September. Several directors signed up to attend the Rubicon field day at the Frenchman Cambridge Irrigation District on August 10, 2023 and a group of District employees will participate in a similar tour on August 16, 2023. He would like to hold a Water Services Committee meeting later this month. There was discussion about holding a Water Services Committee and Finance Committee meeting on August 21, 2023.
- e. Devin Brundage reported on the basin-wide integrated management plan meeting in Scottsbluff he attended last week.

ADJOURNMENT: It was moved by Director Knoerzer and seconded by Director Dahlgren to adjourn the Regular Business Meeting of the Board at 11:40 AM. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. 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