

CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

HOLDREGE, NEBRASKA

JULY 1, 2024 – 9:00 A.M.

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MINUTES OF COMMITTEE MEETING OF THE
BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
HOLDREGE, NEBRASKA
JUNE 21, 2024 – 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 June 17, 2024, and through legal publication in the Holdrege Daily Citizen on June 17, 2024, the Kearney Hub and North Platte Telegraph on June 18, 2024, and the Lexington Clipper-Herald on June 15, 2024, 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 June 10, 2024 giving the time, date, and place of this meeting.

The following Directors were present:

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

**participated in the meeting via Zoom*

***arrived at 9:08 a.m.*

The following Director was absent: Kyle Shepherd

Also present were the following:

Devin M. Brundage, General Manager	Tyler Thulin, Civil Engineer
Rochelle A. Jurgens, Controller	Jim Brown, Compliance Coordinator
Eric R. Hixson, Electrical Project Ops Mgr.	Anton Hassebrook, Hydroelectric Operations Super
Cory A. Steinke, Hydraulic Project Ops. Mgr.	Charles Brewster, Legal Counsel
Scott Dicke, Irrigation Division Manager	Emily J. Anderson, Assistant Secretary
Alex Linden, Gov't & Public Relations Mgr.	

Others:

Carson Messersmith	Wil Fiddelke
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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. the Board President announced that the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: None.

CONSENT TO ASSIGNMENT SUMMARY: None.

PERMIT TO CONSTRUCT SUMMARY: The following Permits to Construct were presented for June, 2024:

Permits to Construct Approved by General Manager 6/21/2024				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
1.	Trailblazer CO2 Pipeline, LLC	Section 34-9-21, Section 27-9-21, Section 4-8-21	Trailblazer is authorized to construct, operate, and maintain one pipeline and all related equipment for the purposes of transporting carbon dioxide and any associated substances.	05/10/2024 \$54,500.00
2.	Paul Johnson & Sons Cattle Co	NE1/4 15-7-20	Install 8" 100# PVC pipe a minimum of five feet under the canal at E65-23.7-4.3.	05/21/2024

Permits to Construct Approved by Land Administration Department 6/21/2024 – Johnson Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
3.	Graupner, Susan & Sands, Nancy	11 Perch Bay Dr 6	VEG- Tree Trimming	05/15/2024
4.	Goracke, Douglas & Judith	23 East Shore Dr 1A	VEG - Removal of trees	05/16/2024
5.	Tysdal, Wade	26 Kirby Point Dr 2	DWEL - Replace existing 10' x 20' deck	05/17/2024
6.	Manary, Matt & Stacy	14 Perch Bay Dr 6	DWEL - Remove existing garage and construct a 2-story addition	05/17/2024
7.	Holen, Kurt & Richele	59 Sandy Point Dr 24A	DWEL - Construct a 3' wide on grade paver walkway	05/17/2024
8.	Lonowski, Timothy & Jurado, Rosa	57 Sandy Point Dr 24A	DWEL - Construct a 3' wide on grade paver walkway	05/17/2024
9.	KI Family Roots LLC	11 Sandy Point Dr 24	DWEL - Construct new dwelling to approximate of 60' x 48' x 34'	05/20/2024
10.	Harder, James & Mary	3 Kirby Point Dr 2	ECS - Bank Stabilization (Riprap) for 67.00 linear feet of the shoreline	05/20/2024
11.	Hoffman, J.F. & Alicia, Brown, Darin & Michelle	10 & 11 North Cove Dr 10	Common Use SWAF - Install 12'W x 12'L Shorestation	05/21/2024 \$50.00
12.	Neil, Steven	13 Mallard Beach Dr 20	SWAF - Install 12'W x 12'L Shorestation	05/21/2024 \$50.00
13.	Rowe, David & Sheila	16 Bass Bay Dr 16	VEG - Tree Trimming	05/22/2024
14.	Poore, Dana & Karen	7 Mallard Cove Dr 19	SWAF - Install 40' Dock, 10' x 10' Boat Lift	05/22/2024 \$50.00
15.	Lafgreen, David	61 Sandy Point Dr 24A	SWAF - Install Dock Anchor	05/23/2024 \$50.00

16.	Moran, Michael & Susan	32 Bass Bay Dr 26	DWEL - Construct on grade 3' wide walkway	05/28/2024
17.	Harder, James & Mary	3 Kirby Point Dr 2	DWEL - Pour 9' x 16' on grade concrete patio	05/28/2024
18.	Bartruff 6	1A Crappie Corner Dr 5	SWAF - Install 4'W x 96' L Dock, 8'W x 8'L Swim Platform, 12'W x 12'L Shorestation	05/28/2024 \$50.00
19.	Harder, James & Mary	3 Kirby Point Dr 2	SWAF - Install 12'W x 12'L Boat Lift	05/28/2024 \$50.00
20.	Knapp, Penelope	7 North Point Dr 13	SWAF - Install 5' x 7' PWC Lift, 6 - 4' x 8' Dock Sections	05/28/2024 \$50.00
21.	Koinzan, Megan	17 Mallard Cove Dr. 19A	DWEL - Construct 10' x 20' storage shed	05/30/2024
22.	Rank, Samuel & Teresa	54 Mallard Beach So Bay Dr 21	DWEL - Remove existing patio and replace with new on grade paver patio	05/30/2024
23.	Helvey, Richard & Carol	7 South Crappie Corner Dr 3	SWAF - Install 10'W x 10'L Shorestation, 8'W x 16'L Swim Platform, 6'W x 9'L Jet-Ski Lift	05/30/2024 \$50.00
24.	Leevers, Christopher & Carren	5 North Shore Dr 8	SWAF - Install 12'W x 16'L Shorestation	05/31/2024 \$50.00
25.	Fagot, Mitchell & Jessica	72 Lakeview Acres Dr 14A	ECS - Bank Stabilization (RipRap) for 50' linear feet of the shoreline	06/03/2024
26.	Roth, Kenneth & Leroy	16 East Shore Dr 1A	VEG - Emergency Tree Removal	06/03/2024
27.	Waterhouse, Linda	7 East Shore Dr 1B	DWEL - Construct wooden pergola on concrete slab	06/06/2024
28.	Silva, Alberto & Polito, Beverly	8 Park Lane Dr 28	DWEL - Construct 3' wide x 19' long on grade patio paver walkway	06/06/2024
29.	Sheets, Rodney & Brenda	57 Mallard Beach Dr 21	ECS - Construct 1'6" T x 13'L Retaining wall	06/13/2024
30.	Newburn, Dana	120 Lakeview Acres Dr. 14D	VEG - Tree Planting	06/14/2024
31.	Dexter, Rance & Cheryl	28 East Shore Dr 1A	SWAF - Install 4'W x 80'L Dock, 10'W x 10'L Shorestation	06/17/2024 \$50.00
32.	Warren, Jeffrey	30 Mallard Cove Dr 19B	VEG - Removal of trees	05/14/2024
Permits to Construct Approved by Land Administration Department 6/21/2024 – Jeffrey Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
33.	Shepard, Dell & Janet	28 Lakeview Rd	DWEL - Pour new on grade concrete slab	05/14/2024

34.	Dobbs, Chet & Denise	27 Lakeview Rd	VEG - Remove two bushes	05/16/2024
35.	Fiese, Richard	58 S Lakeview Rd	ECS - Construct 4'T x 60'L Retaining Wall	05/17/2024
36.	Fiese, Richard	58 S Lakeview Rd	SWAF - Construct 4'W x 25'L Access	05/17/2024 \$50.00
37.	Fiese, Richard	58 S Lakeview Rd	DEF - Fill, Grade and Excavate	05/17/2024 \$50.00
38.	Trower, Luther & Martha	87 Pelican Dr	SWAF - Install 3'W x 24'L Dock, 10'W x 23'L Shorestation	06/04/2024 \$50.00
39.	Dilley, John	22 Lakeview Rd	VEG - Removal of trees	06/11/2024
40.	Rohach, Joe & Vicki	88 Pelican Dr	ECS - Bank Stabilization (Riprap) for 18.00 linear feet of the shoreline	06/12/2024
41.	Dobbs, Denise & Chester	27 Lakeview Rd	SWAF - Pour 2'W x 12'L On-Grade Section of Concrete	06/13/2024 \$50.00
42.	Jeff Bundy LLC	94 Pelican Dr	DEF - Grade the hillside into a level surface with a graded walking path	06/17/2024 \$50.00
43.	Shepard, Dell & Janet	28 Lakeview Rd	DWEL - Pour new on grade concrete slab	05/14/2024

Permits to Construct
Approved by Land Administration Department
6/21/2024 – Lake McConaughy

<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
44.	Koch, Daniel	31 K-1 Rd	VEG - Removal of trees	06/06/2024
45.	32 K-1 Rd	32 K-1 Rd	SWAF - Construct 6'W x 60'L Access, install 8'W x 12'L Dock, 4'W x 12'L Stairs	06/06/2024 \$50.00
46.	House Dr LLC	31 K-1 Rd	ECS - Construct 3 - 4'T x 66'L Retaining Walls	06/11/2024

Permits to Construct
Approved by Land Administration Department
6/21/2024 – Midway Lake

<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
47.	Nelson, Bruce	64 Cedar Point	ECS - Construct 50'L x 4'T Retaining wall	05/30/2024
48.	Schneider, Justin & Darcy	18 Stange Circle	SWAF - Install 10'W x 10'L Shorestation	06/05/2024 \$50.00
49.	Cornelius, Jeffrey & Susan	34 Hagadone Circle	SWAF - Install 6 - 4'W x 8'L Dock Sections, 11'W x 11'L Shorestation	06/12/2024 \$50.00
50.	Hadley, Craig & Debra	27 Stange Circle	SWAF - Install 5 - 4'W x 8'L Dock Sections, 12' x 13' Double Jet Ski Ports, 3'W x 12'L Access/Stairs	06/17/2024 \$50.00

WATER SERVICE AGREEMENTS: None.

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

- a. Purchase Requisition No. 23677 – Paulsen Inc. for Base and Surfacing the Road to Phillips Canyon Boat Ramp (\$72,500.00)
- b. Work Order No. 107487 – Replace J1 Automatic Transfer Switch (\$18,593.00)

2024 BUDGET AMENDMENT: Devin Brundage presented Amendment #7 to the 2024 Budget which corresponds with Work Order No. 107487 as follows:

Gothenburg Division – Power Plants	Current Budget	Proposed Budget	Difference
<u>Capital</u>			
J1 Automatic Transfer Switch	\$0	\$18,600	\$18,600

Director S. Olson arrived at 9:08 a.m.

BID TAB – JEFFREY 69kV TRANSFORMER: Anton Hasebrook presented three bids received for the step-up transformer from OTC Service Inc., Virginia Transformer Corp., and Pennsylvania Transformer Technology, LLC. He is comparing the bids and checking references and plans to offer a staff recommended bid at the July 1, 2024 Regular Business Meeting of the Board.

ADDITIONAL PICKUPS FROM PONY EXPRESS: Cory Steinke stated Pony Express mistakenly ordered several pickups in excess of what the District ordered as approved by the board. Steinke presented pricing to the board and reviewed the work done with Pony Express to provide an opportunity to purchase these fleet trucks at cost. He ultimately was unable to arrive at a mutually agreeable price he could recommend to the board. He noted the District does not need these trucks and it was the dealership’s error in ordering the extras.

SUMMER WATER TOUR REPORT: Director Boyle and Scott Dicke provided a summary of the highlights of the recent tour to the southeast portion of Nebraska. Some of the sights included were NRD lakes and structures, water treatment facilities, an orchard, and the Arbor Lodge. Alex Linden noted arrangements are being made to hold the 50th anniversary of the water tour in Arizona in February, 2025.

WEBSITE UPDATE: Alex Linden announced the new website will go live on Thursday, June 27, 2024. A preview of the new site and a demonstration of how board members can access their intranet was presented. Brundage suggested an online payment portal and the Colors of Water tool will be presented to the board to include on the website in the future.

A break was taken at 10:07 a.m. The meeting resumed at 10:28 a.m.

NEBRASKA GAME AND PARKS COMMISSION – WILDLIFE LEASE EXTENSION: Jim Brown reported the Wildlife Management Areas lease with the Nebraska Game and Parks Commission expires July 31, 2024. He would like to grant the NGPC a 2-year extension on the current lease to give him time to research and negotiate potential modifications to a future lease.

KINGSLEY DAM REFACING PROJECT: Cory Steinke reported on behalf of Mike Drain about a contract amendment with RJH for fees related to additional topographic surveys, coastal engineering work, and wind/wave analyses to determine if a concrete faced soil cement would be a viable option to repair the dam. The contract amendment with RJH will be presented for consideration at the July 1, 2024 Regular Business Meeting.

E-65 SIPHON AND ELWOOD SEEPAGE REPAIR PROJECTS: Scott Dicke reported the design of the E-65 Siphon Project is looking likely that 108” diameter pipe will be used. The consultants are evaluating whether steel pipe or HDPE would be the best choice. The Elwood Seepage Repair Project is proceeding but has been delayed slightly due to the weather. He expects the contractor to present a contract change order to extend the project completion date to early September, 2024.

DISTRICT BYLAWS UPDATE: The Bylaws Subcommittee will meet on June 26, 2024 at 9:00 a.m. in Holdrege. Brundage plans to have a draft of the Bylaws available for discussion at the July 26, 2024 Committee Meeting of the Board.

LEGISLATION: Alex Linden reported Senator Fischer signed on to support Senate bill S.2994, the Maintaining and Enhancing Hydroelectricity and River Restoration Act. A letter thanking Senator Fischer for her support will be mailed on behalf of the board. Linden also stated that Governor Pillen made an announcement to State Senators to prepare for a special summer session on property taxes.

BOARD COMMENTS: Director David Nelson asked for an update on the Jeffrey Island shooting range matter. Brundage reported on communications between staff and 1000 Plus, LLC to formulate an acceptable lease.

LEGAL UPDATE: Charles Brewster stated Rembolt Ludtke LLP is drafting the Jeffrey Island shooting range lease with 1000 Plus, LLC. He sent letters to four lessees in the North Shore area at Johnson Lake about their lease violations. Carson Messersmith reported on a Supreme Court case that relates to how regulatory agencies interpret Federal statutes with respect to their development of rules and regulations.

PERSONNEL: Cory Steinke conducted interviews for the two new salaried positions of Supply Canal Operations Supervisor and Supply Canal Maintenance Superintendent in Gothenburg. More discussions were held in Closed Session.

OUT OF STATE TRAVEL: Scott Dicke and Tyler Thulin may travel to South Carolina in July to tour a pipe manufacturing plant.

WORKSHOPS, SEMINARS AND CONFERENCES:

- a. 2024 Governor's Ag & Economic Development Summit – August 7-8, 2024, Kearney
- b. Nebraska Wind & Solar - October 22-23, 2024, Lincoln
- c. Nebraska Power Association Annual Conference - October 29-30, 2024, Kearney

BOARD SUB-COMMITTEE MEETINGS AND OTHER IMPORTANT UPCOMING EVENTS:

- a. Bylaws Subcommittee – June 26, 2024 at 9:00 a.m. in Holdrege
- b. Land & Recreation Committee – June 26, 2024 at 10:00 a.m. in Holdrege

MANAGEMENT REPORTS:

- a. Tyler Thulin reported Lake McConaughy is at elevation 3,239.3, 1,065,000 acre-feet, and 61.5% capacity. Inflows to Lake McConaughy are around 800 cfs and releases are around 2,700 cfs, of which 1,300 cfs are from the Environmental Account (EA). He expects the EA releases to cease on June 24, 2024. The US Fish & Wildlife Service has suspended the flow attenuation plan until the EA releases end.
- b. Cory Steinke reported on a safety inspection of an excavator that encountered a power line. Bids were sent to contractors for the hog farm bridge replacement project. He has been conducting interviews for the two new Supply Canal positions the board approved. Crews have been moving rock and dredging.
- c. Scott Dicke reported flows in the E-65 Canal are 200 cfs and 275 cfs in the Phelps Canal. Crews have been repairing pipelines and treating the canals for moss prevention. Efforts to modify the long-term recharge agreement with the State are being discussed that can incorporate Tri-Basin NRD desired locations. He presented slides from a recent presentation by the NeDNR of TriBasin's Robust Review which included an overview of their Integrated Management Plan (IMP). Dicke also discussed the positive balance many of the NRDs received through this review for their offset requirements. NeDNR slides related to TriBasin forecasted a considerable positive balance for their IMP target,

therefore no further action under their IMP is necessary for TriBasin at this time.

- d. Rochelle Jurgens stated the State of Nebraska sent a reimbursement of \$1.6M as part of their \$2M commitment to support the Elwood Seepage Repair Project.
- e. Alex Linden reported on the District's participation in the recent Swedish Days parade and the plans to participate in the upcoming Bertrand parade. He has quite a bit of interest in tours from various groups and he is working to coordinate those tour requests.
- f. Eric Hixson and Devin Brundage met with MEAN on June 7, 2024 to discuss potential partnership in projects such as battery storage, solar and low head hydro generation potential.
- g. Jim Brown displayed photos of the ongoing work being conducted at the Phillips Canyon Boat Ramp area.
- h. Anton Hassebrook introduced Wil Fiddelke who is a summer intern in Gothenburg. Fiddelke is studying electrical engineering and just completed his sophomore year at the UNL College of Engineering.
- i. Devin Brundage and staff met recently with Tom Schwarz, Central District Water Users president, about the Kingsley Dam refacing project. He discussed a letter from the Keystone-Lemoyne Fire Chief urging the Nebraska Game and Parks Commission against allowing an ATV Jamboree event this fall.

A break for lunch was taken at 11:55 a.m. The meeting resumed at 12:28 p.m.

At 12:37 PM it was moved by Director R. Olson and seconded by Director Soneson to enter into Closed Session. 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 Soneson. Absent was: Shepherd. None voted no and the motion was declared carried. President Rowe announced the reason for entering into Closed Session was for the discussion of personnel contract matters.

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

At 1:01 PM it was moved by Director R. Olson and seconded by Director S. Olson to exit Closed Session and reconvene in Regular Session. 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 Soneson. Absent was: Shepherd. None voted no and the motion was declared carried. President Rowe stated the discussion held in Closed Session was limited to personnel contract matters.

The meeting adjourned at 1:01 p.m.

MINUTES OF REGULAR BUSINESS MEETING OF THE
BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
HOLDREGE, NEBRASKA
JULY 1, 2024 – 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 June 24, 2024, and through legal publication in the Holdrege Daily Citizen, Kearney Hub and North Platte Telegraph on June 25, 2024, and the Lexington Clipper-Herald on June 29, 2024, 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 June 10, 2024 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*	

**participated via Zoom*

The following Director was absent: Brent Soneson

Also present were the following:

Devin M. Brundage, General Manager	Alex Linden, Govt & Public Relations Manager
Rochelle A. Jurgens, Controller	Haley Munson, Purchasing Agent
Eric R. Hixson, Electrical Project Ops Mgr.	Tyler Thulin, Civil Engineer
Cory A. Steinke, Hydraulic Project Ops. Mgr.	Anton Hassebrook, Hydroelectric Operations Super.
Scott Dicke, Irrigation Division Manager	Charles Brewster, Legal Counsel
Mike A. Drain, Nat. Resource & Compliance Mgr.	Emily J. Anderson, Assistant Secretary

Others present were:

Carson Messersmith	Dave Ford
Lonnie Meyer	Amy Meyer
John Thorburn, Tri-Basin NRD	Joe Bilka
Matt Wells	Nate Eckloff

* * * * *

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. Board President Rowe announced the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: John Thorburn thanked Devin Brundage for agreeing to make a presentation to the Tri-Basin NRD board about the Kingsley Dam refacing project and offering a tour of the District to their board.

CONSENT AGENDA: Devin Brundage provided an overview of the items on the Consent Agenda which were presented and discussed at the June 21, 2024 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 June 3, 2024**
- **Approval of Minutes of Committee Meeting of the Board of Directors held June 21, 2024**
- **Approval of the July Disbursements:**

Hydro Division:

Check #s 71802, 72654, 72659, & 8901341-VOID; Check #s 72739 through 72977 & 8901365 through 8901391 (Accounts Payable) \$1,122,196.04

Payroll \$664,839.15

Kingsley Division:

Check #s 3666 through 3671 (Accounts Payable) \$49,744.24

Glendo Division:

NONE \$NONE

- **Approval of Purchase Requisition No. 23677 – Paulsen Inc. for Base and Surfacing the Road to Phillips Canyon Boat Ramp (\$72,500.00)**
- **Approval of Amendment #7 to the 2024 Budget as follows:**

Gothenburg Division – Power Plants	Current Budget	Proposed Budget	Difference
<u>Capital</u>			
J1 Automatic Transfer Switch	\$0	\$18,600	\$18,600

- **Approval of Work Order No. 107487 – Replace J1 Automatic Transfer Switch (\$18,593.00)**

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

BID TAB – JEFFREY 69KV TRANSFORMER AND WORK ORDER NO. 107488: Anton Hassebrook presented a summary of the three bids received from OTC Services Inc., Virginia Transformer Corp. and Pennsylvania Transformer Technology, LLC. Following a thorough review of the specs and references from each company, he offered staff’s recommendation to accept the bid from OTC Service Inc. in the amount of \$1,463,528.09.

It was moved by Director Bogle and seconded by Director S. Olson to award the bid for the Jeffrey 69kV Transformer to OTC Service Inc. in the amount of \$1,463,528.09 and to approve Work Order No. 107488 for the Jeffrey 69kV Transformer in the amount of \$1,641,334.00. 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. Absent was: Soneson. None voted no and the motion was declared carried.

BYLAWS SUBCOMMITTEE MEETING (6/26/24): Brundage reported a meeting will be held immediately following this meeting to complete edits to the Bylaws and associated policies as identified at the June 26, 2024 meeting.

LAND AND RECREATION COMMITTEE MEETING (6/26/24): Mike Drain presented a summary of the recent meeting and presented those items the committee acted on as follows:

- a. 1000 Plus, LLC – Shooting Range, Jeffrey Island: The committee voted to recommend Board approval of a 7-year lease of the modified lease area with 1000 Plus, LLC, with no annual lease payment to accommodate eventual relocation of the range, all subject to final legal review.

It was moved by Director Dudley Nelson and seconded by Director S. Olson to approve a 7-year lease of the modified lease area with 1000 Plus, LLC, with no annual lease payment to accommodate an eventual relocation of the range, all subject to final 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, and Shepherd. Absent was: Soneson. The motion was declared carried.

- b. Application for Variance – 1 South Crappie Corner, Johnson Lake: The committee voted to recommend Board approval of the variance request by the tenants of 1 South Crappie Corner, Johnson Lake to proceed with either of their patio expansion options as presented, subject to obtaining their neighbor's consent.

It was moved by Director Bogle and seconded by Director Dudley Nelson to approve a variance request by the tenants of 1 South Crappie Corner, Johnson Lake to proceed with either patio expansion option, subject to obtaining their neighbor's consent. 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. Absent was: Soneson. The motion was declared carried.

- c. Johnson Lake Emergency Medical Service, Inc. – Lease Renewal: The committee voted to recommend Board approval of a 30-year lease with Johnson Lake Emergency Medical Service, Inc. effective March 1, 2025.

It was moved by Director R. Olson and seconded by Director Dudley Nelson to approve a 30-year lease with Johnson Lake Emergency Medical Service, Inc. effective March 1, 2025. 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. Absent was: Soneson. The motion was declared carried.

NEBRASKA GAME AND PARKS COMMISSION – WILDLIFE MANAGEMENT AREA LEASE EXTENSION: It was moved by Director Boyle and seconded by Director Knoerzer to approve a 2-year extension of the current Wildlife Management Area Lease Agreement with the Nebraska Game and Parks Commission effective August 1, 2024 through July 31, 2026. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, and Rowe. Shepherd voted no. Absent was: Soneson. The motion was declared carried.

RJH CONSULTANTS, INC. – PROPOSAL FOR ADDITIONAL SERVICES TO SUPPORT REHABILITATION OF THE UPSTREAM SLOPE REVETMENT AT KINGSLEY DAM: It was moved by Director Dahlgren and seconded by Director R. Olson to approve the Proposal for Additional Services to Support Rehabilitation of the Upstream Slope Revetment at Kingsley Dam with RJH Consultants, Inc. 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. Bogle abstained. Absent was: Soneson. The motion was declared carried.

LEGISLATION: Alex Linden reported Governor Pillen announced a special legislative session will commence on July 25, 2024 to consider property tax bills. Several staff members and directors have attended the Governor's Town Hall meetings in the area.

WORKSHOPS, SEMINARS AND CONFERENCES: President Rowe reminded the directors to let Emily Anderson know if they are interested in registering for any upcoming conferences.

PERSONNEL: A personnel action for the Supply Canal Operations Supervisor and Supply Canal Maintenance Superintendent was made available to the board through their intranet website.

It was moved by Director S. Olson and seconded by Director Knoerzer to approve the Personnel Action naming Jeremy Hendricks the Supply Canal Operations Supervisor and Chad Kolbo the Supply Canal Maintenance Superintendent, effective July 8, 2024. 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. Absent was: Soneson. The motion was declared carried.

Cory Steinke introduced Jeremy Hendricks, Chad Kolbo, Jamey Kennicutt, and Chase Smith to the directors. He stated Kennicutt will assume the role of as a primary Supply Canal Patrolman upon the retirement of Scott Wolfe later this fall. Chase Smith, currently an Equipment Operator I, will become a Supply Canal Patrolman, filling Kennicutt's previous role.

DIRECTORS' ATTENDANCE: **It was moved by Director David Nelson and seconded by Director Boyle to excuse the absence of Director Soneson from this meeting. 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. Absent was: Soneson. The motion was declared carried.**

BOARD COMMENTS: Director David Nelson commented on a real estate listing he saw for a house at Johnson Lake that is being advertised as having vacation rental potential. Mike Drain stated vacation rentals are allowed at Johnson Lake pursuant to the District's subleasing policy which requires a Permit to Sublease and an annual fee of \$500.00. Nelson further stated he doubts the District will be able to pay for the Kingsley Dam repairs without raising irrigation rates and discussed storage rights held in Lake McConaughy by NPPD for their irrigation customers and its use to generate hydropower and cool Gerald Gentleman Station. Director Knoerzer reported nearly 4" of rain fell overnight in the Elwood area.

LEGAL UPDATE: Charles Brewster continues working on Johnson Lake lease violations, reviewing contracts, and providing legal counsel on the Jeffrey Island shooting range matter.

MANAGEMENT REPORTS: The following were presented:

- a. Tyler Thulin reported Lake McConaughy is at elevation 3,237.9 and 59.9% capacity. The inflows to Lake McConaughy are approximately 800 cfs and outflows are around 2,200 cfs. Releases from the Environmental Account in Lake McConaughy ceased on June 28, 2024. The US Fish & Wildlife Service had previously suspended the Flow Attenuation Plan for Johnson Lake while the EA releases were occurring. Thulin will find out today from the US Fish & Wildlife Service if they intend to enforce the plan which would require lowering the elevation of Johnson Lake.
- b. Mike Drain reported the Supreme Court overturned the Chevron deference ruling which was a legal doctrine that required courts to defer to agencies to reasonably interpret ambiguous Federal statutes. He expects the biggest issue with this overturned ruling will be observed in agencies such as the Environmental Protection Agency or US Fish and Wildlife Service. Drain discussed the recent Rapidan Dam in Minnesota that partially failed recently. He stated the structural integrity of the dam had been in question for some time.

- c. Cory Steinke has been busy interviewing, hiring, and implementing personnel changes in Gothenburg.
- d. Scott Dicke stated Elwood Reservoir received quite a bit of rainfall overnight which will slow the construction at the dam for a couple of days. Regarding the E65 Siphon Project, engineers from JEO and HDR will be present at the July 26, 2024 Committee Meeting of the Board to discuss the Construct Management at Risk (CMAR) process which will be utilized for the project. He discussed a siphon failure on the Milk River Project which is a Bureau of Reclamation project in Montana. Estimates to repair the siphon are upwards of \$79M.
- e. Rochelle Jurgens thanked Nate Eckloff from Piper Sandler for attending the meeting today while he happened to be visiting in the area.
- f. Alex Linden stated an Omaha reporter interviewed Nate Nielsen and Devin Brundage about the Kingsley Dam Refacing Project last week. He will share the article once it is published.
- g. Devin Brundage reported the Family Farm Alliance and the Ferguson Group are working together with NHA to lobby in support of Senate bill S.2994, the Maintaining and Enhancing Hydroelectricity and River Restoration Act. The Executive Vice President of the National Water Resources Association, Dale Nellor, recently announced his resignation to take another position.

ADJOURNMENT: It was moved by Director Dahlgren and seconded by Director Knoerzer to adjourn the Regular Business Meeting of the Board at 10:37 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, and Shepherd. Absent was: Soneson. The motion was declared carried.

ATTEST:

THE CENTRAL NEBRASKA PUBLIC POWER
AND IRRIGATION DISTRICT

William E. Knoerzer, Secretary

By _____
David L. Rowe, President