

CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

HOLDREGE, NEBRASKA

MARCH 1, 2021 – 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
FEBRUARY 19, 2021 – 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 February 12, 2021, and through legal publication in the Kearney Hub and Holdrege Daily Citizen on February 12, 2021, and the North Platte Telegraph and Lexington Clipper-Herald on February 13, 2021, 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 giving the time, date, and place of this meeting was mailed to the Directors on February 10, 2021.

The following Directors were present:

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

Also present were the following:

Devin M. Brundage, General Manager	Van D. Fastenau, Irrigation Superintendent*
Rochelle A. Jurgens, Controller*	Dave Zorn, Senior Biologist*
Eric R. Hixson, Electrical Project Ops. Mgr.*	Dusty Way, Irrigation Operations Supervisor*
Mike A. Drain, Nat. Resources & Compliance Mgr.*	Duane Cernousek, Purchasing Agent*
Scott Dicke, Irrigation & Water Services Mgr.*	Meredith Pierce, Assistant Controller*
Cory A. Steinke, Hydraulic Project Ops. Mgr.*	Jim Brown, Compliance Coordinator*
Jeff J. Buettner, Govt & Public Relations Mgr.*	Alex Linden, Public Relations Specialist
Tyler Thulin, Civil Engineer*	Charles Brewster, Legal Counsel
Luke Ritz, Senior Land Administrator*	Emily Anderson, Assistant Secretary

Others present were:

Zach Gray	Bob Bergholz, NGPC*
Dave Ford*	Randall Myers
Gary Regelin	Greg Anderson, Wells Fargo*
	Bruce Remington, Wells Fargo*

**participated via Zoom*

* * * * *

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

PUBLIC INPUT: Gary Regelin stated he believes the plans to relocate and improve the boat ramp at Phillips Canyon Lake would greatly improve safety for boaters and increase usage of the lake. He asked the board to consider moving forward with the project.

CONSENT TO ASSIGNMENT SUMMARY: There were three consents at Johnson Lake and one at Lake McConaughy approved during the month of February, 2021.

PERMIT TO CONSTRUCT SUMMARY: The following permits were approved during the month of February, 2021:

Permits to Construct Approved by Land Administration Department 2/19/2021 – Johnson Lake			
<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
Kramrac, Inc.	126 Lakeview Acres Dr. 14D	SWAF- Install 4'W x 32'L Dock, 12'W x 12'L shorestation and 8'W x 8'L swim platform.	06/09/2020 \$50.00 (Pending)
Price, Andrew	91 Lakeview Acres Dr. 14C	SWAF After the fact- Extended Concrete patio, remove section of old concrete.	01/15/2021 \$100.00
Hellman, Jerry & Tami	6 East Shore Dr. 1B	SWAF- Construct new 6'W x 24'L Dock, Two 8'W x 8'L Swim Platform and 4'W x 32'L Dock.	01/15/2021 \$50.00
Schmidt, Keith	80 Mallard Beach Dr. 22	ECS- Bank Stabilization (Riprap) for 56 linear feet of the shoreline.	01/14/2021
Lambert, Joseph & Brooke	22 Mallard Cove Dr. 19A	SWAF - Install 10'W x 10'L shorestation.	01/14/2021 \$50.00
Tonniges, Brian & Dana	108 Lakeview Acres Dr. 14C	SWAF- Install New 4'W x 8'L Dock Section and 2- Floating Jet-Ski Lifts.	01/19/2021 \$50.00
Hinchman, Rebecca	58 Mallard Beach So Bay Dr. 21	SWAF- Install 4'W x 32'L Dock and 8'W x 8'L Swim Platform.	01/19/2021 \$50.00
Warren, Jeffrey & Betty	30 Mallard Cove Dr. 19B	DWEL (Amended) -Modification of an existing garage and replacement of AC Unit	10/01/2020
Butler, John & Linette	2 South Crappie Corner Dr. 3	SWAF Amended- Removal of one 8'W x 8'L Swim Platform from the original plan and add a 4'W x 8"L Dock.	01/11/2021
Kunnemann, Kevin	160 Lakeview Acres Dr. 14F	SWAF- Extending shorestation and extending the Dock.	01/27/2021 \$50.00
ATB Properties	1 Perch Bay Addn Dr. 7	SWAF- Install Two 6'W x 9'L Jet-Ski Lifts, 8'W x 8'L Swim Platform, 12'W x 12'L shorestation, 4'W x 80'L Dock, 4'W x 16'L Dock, 4'W x 24'L Dock.	02/03/2021 \$50.00
Kilpatrick, Kirk & Becky	97 Mallard Beach Dr. 22	SWAF (Variance)- Install 10'W x 15'L on-grade patio. Install 5'W x 10'L on-grade sidewalk. Variance approved 3'L x 5'W sidewalk within 10' side setback.	01/29/2021 \$50.00 (Pending) \$125.00 (Variance)
Gangwish, Sherry	13 Perch Bay Dr. 6	DWEL ATF- Existing Deck was replaced with new deck, support posts, surface decking, wood bench, two areas of steps to grade and deck railing.	01/28/2021 \$100.00
Landrigan, Donald & Charlotte	116 Mallard Beach Dr. 22	SWAF- Install 6'W x 6'L Dock Anchor Pad, 5'W x 9'L Jet-Ski Lift, 6'W x 8'L Dock, 11'W x 11'L shorestation, 4'W x 96' L Dock and 4'W x 8'L Dock.	01/19/2021 \$50.00
Heller, Sue & Aust, Linda	43 & 45 Sandy Point Dr. 24A	SWAF - Install 8'W x 8'L Swim platform, Two 12'W x 12'L shorestation, 6'W x 9'L Jet Ski Lift, 4'W x 5'L Stairs, Two 4'W x 16'L Dock, 4'W x 64'L Dock, 8'W x 16'L Dock.	02/08/2021 \$50.00
Graham, Brian & Amy	50 Mallard Beach so Bay Dr. 21	SWAF- Install 12'W x 12'L shorestation.	01/25/2021 \$50.00

Permits to Construct Approved by Land Administration Department 2/19/2021 – Jeffrey Lake			
Exstrom, Debra	100 Pelican Dr.	DWEL (After the Fact)- Install 9'W x 9'L new asphalt along the existing boat ramp. ATF 2.5'W x 4'L on-grade feature.	01/27/2021 \$100.00
Permits to Construct Approved by Land Administration Department 2/19/2021 – Plum Creek Lake			
<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
Denker, Christopher	11 Plum Creek Canyon Dr. 121	ECS- Bank Stabilization (Riprap) for 30 linear feet of the shoreline.	12/07/2020
Remmenga, Joseph & Andra	3 Plum Creek Canyon Dr. 121	SWAF- Install 6'W x 70'L Dock. Install 6'W x 20'L Dock.	02/08/2021 \$50.00

WATER SERVICE AGREEMENTS: Dusty Way presented a summary of 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	7141601	SW1/4 16-7-14 *New Account	Michael & Carol Johansen	0	126(1)
Phelps	7163003	S1/2SE1/4 30-7-16 *Re-signed acres	Beverly J. Driscoll, Trustee	105	15(1,3)
Phelps	7163203	NW1/4NW1/4 & S1/2NW1/4 32-7-16 *Re-signed acres	Beverly J. Driscoll, Trustee	98	25(1,3)
Phelps	7153308	NW1/4NW1/4 33-7-15 *New Account	Brandon Jameson	0	32(1)

- (1) IPP Amendment to Water Service Agreement for the 2021 irrigation season accompanies new WSA.
- (2) IPP Amendment to Water Service Agreement for the 2021 irrigation season to accompany existing WSA.
- (3) Water Service Agreement terminated after 2020, landowner came-back with new WSA.
- (4) Documents are currently being reviewed with landowners and/or are being signed by the landowners.

RIGHT-OF-WAY TRANSACTIONS: Dusty Way presented a summary of the following:

<u>System</u>	<u>Tract Number</u>	<u>Legal Description</u>	<u>Landowner</u>
<u>Applications for Removal of Bridge or Crossing</u>			
Phelps	E65#56	NE1/4 15-7-20	Paul Johnson & Sons Cattle, Co.
*Remove timber farm bridge, located at approximate milepost E65-23.7-4.4 on the E65 Main Irrigation canal system, that is no longer needed or used.			

WORK ORDER/PURCHASE REQUISITION SUMMARY: Devin Brundage presented an overview of the following:

- a. Purchase Requisition No. 6344 – Charles River Associates for FERC Rate Filing (\$53,497.50)
- b. Purchase Requisition No. 6374 – Van Diest Supply Co. for 2021 Chemicals (\$158,862.36)
- c. Work Order No. 186571 – Four ½ Ton Trucks (\$112,953.92)

PROGRESS PAYMENT ESTIMATE NO. 1 (FINAL), NEBRASKA CRANE, INC. FOR 2019 SMITHCO SIDE DUMP TRAILER (\$45,250.00): Devin Brundage stated this progress payment contains a typing error, and this is a 2021 SmithCo side dump trailer, not a 2019 model.

BID TAB – FRONT END LOADER (GROUP 21-11): Duane Cernousek presented the bids from Nebraska Machinery Co for a 2021 CAT, RoadBuilders for a 2021 Komatsu, Murphy Tractor for a 2021 John Deere, and Titan Machinery for a 2021 Case. Cory Steinke would like to discuss the options with staff before making a recommendation to the board at the Regular Business Meeting on March 1, 2021.

BID TAB – TRUCK CAB AND CHASSIS WITH REAR DUMP BODY (GROUP 21-12): Duane Cernousek stated the bids were just received late yesterday and he will need more time to review them. He will present staff's recommendation to the Board at the Regular Business Meeting on March 1, 2021.

LAND AND RECREATION COMMITTEE (2/1/21 and 2/18/21): Mike Drain gave an overview of the items the committee took action on at their meetings held on February 1, 2021 and February 18, 2021:

- a. Permitting Procedures and Fee Schedule Amendments: The subcommittee voted to recommend Board approval of the proposed changes to the Land-Based SWAF Side Setback, Roadway Construction Setback and Appendix C-Fee Schedule, as presented.
- b. Jeffrey Island Grazing Permit: The subcommittee voted to recommend Board approval of issuing the Jeffrey Island Grazing Permit with the existing lessee, subject to final review.
- c. Phillips Canyon Boat Ramp Improvement Project: The subcommittee voted to recommend Board approval to proceed with the Requests for Proposals and to make a commitment to the Nebraska Game & Parks Commission to pursue the project in an amount not-to-exceed \$330,000 (NGPC-\$200,000 and Central-\$130,000).

Bob Bergholz from Nebraska Game and Parks Commission joined the committee meeting virtually via Zoom and expressed the NGPC's desire to move forward with the project. The costs and benefits of the project were discussed at length. Mike Drain suggested proceeding to the design phase to attain a more accurate cost estimate.

- d. Application for Variance – 21 Bass Bay, Johnson Lake: The subcommittee voted to recommend Board approval of a variance request to allow for the replacement of the privacy fence at 21 Bass Bay, subject to the adjoining neighbors' approval stating that the uniqueness of the structure would not negatively obstruct the view of the roadway due to the lot being in a cul-de-sac area.
- e. Agricultural Lease – Dryland Farm (163 acres) – Adjacent to Johnson Lake: The subcommittee voted to recommend Board approval of authorizing staff to select the successful bid and enter into a new 5-year lease without further Board approval.
- f. Merriweather Lease Agreement Modification: The subcommittee voted to recommend Board approval of the Merriweather Lease Agreement Modification to establish a new term from April 1, 2021 through March 31, 2022.

A break was taken at 9:57 a.m. The meeting resumed at 10:13 a.m.

FINANCE COMMITTEE (2/18/21): Rochelle Jurgens presented a summary of the items the subcommittee reviewed and took action on at their meeting held yesterday.

SEMI-ANNUAL PENSION PLAN REVIEW (WELLS FARGO): Bruce Remington from Wells Fargo appeared virtually via Zoom to update the Board on his investment strategies relating to Central's defined benefit pension plan. He recommends moving away from individual bonds and purchasing

bond funds instead, which he believes will be more efficient and yield better returns. He will forward the necessary paperwork to Rochelle Jurgens to enact this change.

A break was taken at 11:40 a.m. The meeting resumed at 11:55 a.m.

ELWOOD RESERVOIR SEEPAGE INVESTIGATIONS – RJH CONSULTANTS: Tyler Thulin stated once the design work is completed by RJH Consultants, they will forward the plans to the State dam safety division for approval. A final design should be available by July and construction bids will be sought shortly thereafter.

LEGAL SERVICES AGREEMENTS: Devin Brundage presented the updated engagement letters with Baird Holm, Davis Wright Tremaine, LLP, and Rembolt Ludtke LLP. He will seek approval of the Legal Services Agreement with Anderson, Klein, Brewster & Brandt at the Regular Business Meeting on March 1, 2021.

LEGISLATION: Jeff Buettner presented an overview of the legislative bills he will follow this session.

Director David Nelson exited the meeting at 12:05 p.m.

BOARD COMMENTS: Director Scott Olson commented on the recent issues with the Southwest Power Pool implementing rolling power outages due to the ice storm in Texas. Director Rowe expressed appreciation regarding the conversation earlier this morning with the Nebraska Game & Parks Commission regarding the Phillips Canyon Boat Ramp. Director Knoerzer stated the boat ramp would be a good public relations move for Central. Director Boyle inquired as to the potential benefit of the new road with respect to access to the dam Phillips Dams.

LEGAL UPDATE: Charles Brewster commented there is still no decision from TERC. He complimented staff for drafting various legal document and sending them to him for review, rather than asking him to draft all the documents. It saves the District money and saves him time. He has been tracking down delinquent lessees. He presented his legal opinion letter dated February 18, 2021 regarding the liability of ice fishing at Johnson Lake.

MANAGEMENT REPORTS:

- a. Jeff Buettner reported Alex Linden has prepared the winter edition of The Communicator. In addition to mailing the newsletter, Linden will also e-mail it to approximately 350 customers. The Central District Water Users board will hold its annual meeting on March 1, 2021 following the Regular Business Meeting of the Board. There will be no public attendance or a meal provided this year due to COVID-19. The annual meeting will be made available for customers to view via Zoom. Lori Potter has announced her retirement from the Kearney Hub. Buettner complimented Lori Potter's accurate and conscientious reporting on Central's behalf for many years.
- b. Mike Drain stated FERC issued a notice on February 9, 2021 to accept public comments, motions to intervene, and protests in response to Central's filing of the boundary amendment application.
- c. Eric Hixson reported on lower generator bearing work on unit #1 at Jeffrey and stated the governor upgrade work on that unit should be done early next week. He reported on a brief outage at J-1 last night.
- d. Tyler Thulin reported Lake McConaughy is at elevation 3,245.8, 1,220,000 acre feet, and 70% capacity. Inflows to Lake McConaughy are 1,150 cfs and outflows are 625 cfs. The outage at J-2 has been delayed so Johnson Lake will not be lowered next week as originally planned. Snowpack is currently 69-92% of average.

- e. Cory Steinke complimented the Gothenburg crew for their work the past week during the frigid temperatures. A significant amount of knowledge and experience was gained from fighting the icing conditions.
- f. Scott Dicke reported the irrigation service specialists have been working on their irrigation schedules this past week. Crews will remove several bridges later this spring.
- g. Rochelle Jurgens and her staff have been busy with the auditors this week.
- h. Devin Brundage presented a summary of the 2021 energy emergency created as a result of the ice storm in the southern plains. PSE will conduct on-site visits of Dawson Public Power District on February 23rd, Central on February 24th, and a joint gathering will be held on February 25th in Lexington at the Holiday Inn.

PERSONNEL: None.

OUT OF STATE TRAVEL: None.

WORKSHOPS, SEMINARS AND CONFERENCES: None.

BOARD SUB-COMMITTEE MEETINGS AND OTHER IMPORTANT UPCOMING EVENTS: Devin Brundage reminded the Directors of the upcoming joint meeting with Dawson Public Power District on February 25, 2021 at 4:00 p.m. at the Holiday Inn in Lexington. He would also like to hold a Water Services Committee meeting (formerly Irrigation Committee) on March 1, 2021.

REAL ESTATE PURCHASE NEGOTIATIONS: This was discussed in Closed Session.

At 12:46 PM it was moved by Director Soneson and seconded by Director S. Olson to enter into Closed Session. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. Absent was: David Nelson. None voted no and the motion was declared carried. The reason for entering into Closed Session was to discuss the following agenda item: Real Estate Purchase Negotiations. The purpose of entering into Closed Session for this item was to discuss real estate negotiations and receive legal advice regarding the same.

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

At 1:17 PM it was moved by Director Knoerzer and seconded by Director Boyle to exit Closed Session and reconvene in Regular Session Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. Absent was: David Nelson. None voted no and the motion was declared carried. Board President Rowe stated the item discussed in Closed Session was Real Estate Purchase Negotiations.

ADJOURNMENT: It was moved by Director S. Olson and seconded by Director R. Olson to adjourn the meeting at 1:18 PM. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. Absent was: David Nelson. None voted no and the motion was declared carried.

MINUTES OF REGULAR BUSINESS MEETING OF THE
BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
HOLDREGE, NEBRASKA
MARCH 1, 2021 – 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 February 22, 2021, and through legal publication in the Kearney Hub and Holdrege Daily Citizen on February 22, 2021, the North Platte Telegraph on February 23, 2021, and the Lexington Clipper-Herald on February 24, 2021 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.

Individual cards giving the time, date, and place of this meeting were mailed to the Directors on February 10, 2021.

The following Directors were present:

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

Also present were the following:

Devin M. Brundage, General Manager	Luke Ritz, Senior Land Administrator*
Rochelle A. Jurgens, Controller*	DeAnna Bartruff, Land Administrator*
Eric R. Hixson, Electrical Project Ops. Mgr.*	Dusty Way, Irrigation Operations Supervisor*
Mike A. Drain, Nat. Resources & Compliance Mgr.*	Jim Brown, Compliance Coordinator*
Cory A. Steinke, Hydraulic Project Ops. Mgr.*	Duane Cernousek, Purchasing Agent*
Jeff J. Buettner, Govt & Public Relations Mgr.*	Alex Linden, Public Relations Specialist
Scott Dicke, Irrigation & Water Services Mgr.*	Charles Brewster, Legal Counsel
Tyler Thulin, Civil Engineer*	Emily Anderson, Assistant Secretary

Others present were:

Zach Gray	John Thorburn, Tri-Basin NRD
Deb Jensen*	Jim Hahn
Gary Regelin	Gary Nuttelman

**participated via Zoom*

* * * * *

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: John Thorburn reported on a recent meeting with the Central District Water Users where they discussed incentives to increase participation in the Water Conservation Incentive Program (WCIP), and a workshop occurred last week regarding a potential new cost-share program with the NRCS.

CONSENT AGENDA: Devin Brundage provided an overview of the items on the Consent Agenda which were previously presented and discussed at the February 19, 2021 Committee Meeting of the Board.

The Board President asked the Directors if there were items they wished to remove from the Consent Agenda to be discussed and voted on individually. Hearing none, the following items were presented for approval:

- **Approval of Minutes of Regular Business Meeting of the Board of Directors held February 1, 2021**
- **Approval of Minutes of Committee Meeting of the Board of Directors held February 19, 2021**
- **Approval of the March Disbursements:**

Hydro Division:

Check #s 64090 through 64284 and 8900246 through 8900266 (Accounts Payable)	\$1,113,687.39
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Payroll	\$497,228.10
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Kingsley Division:

Check #s 3293 through 3300 (Accounts Payable)	\$312,915.69
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J-2 Regulating Reservoir Construction Fund:

NONE	NONE
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Glendo Division:

NONE	NONE
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Flex Spending Account:

NONE	NONE
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- **Approval of the following Right-of-Way Transaction:**

System	Tract Number	Legal Description	Landowner
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Applications for Removal of Bridge or Crossing

Phelps	E65#56	NE1/4 15-7-20	Paul Johnson & Sons Cattle, Co.
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*Remove timber farm bridge, located at approximate milepost E65-23.7-4.4 on the E65 Main Irrigation canal system that is no longer needed or used.

- **Approval of Purchase Requisition No. 6344 – Charles River Associates for FERC Rate Filing (\$53,497.50)**
- **Approval of Purchase Requisition No. 6374 – Van Diest Supply Co. for 2021 Chemicals (\$158,862.36)**
- **Approval of Work Order No. 186571 – Four ½ Ton Trucks (\$112,953.92)**
- **Approval of Progress Payment Estimate No. 1 (Final), Nebraska Crane, Inc. for 2021 SmithCo Side Dump Trailer (\$45,250.00)**
- **Approval of the Permitting Procedures and Fee Schedule Amendments, including changes to the Land-Based SWAF Side Setback, Roadway Construction Setback and Appendix C-Fee Schedule**
- **Approval of the Jeffrey Island Grazing Permit**
- **Approval of a variance at 21 Bass Bay, Johnson Lake for the replacement of a privacy fence, subject to the adjoining neighbors’ approval stating that the uniqueness of the structure would not negatively impact the view of the roadway due to the lot being in a cul-de-sac area**

- Approval of staff seeking bids for the agricultural lease for 163 acres of dryland farm adjacent to Johnson Lake, and to authorize staff to select the successful bidder, and enter into a new 5-year lease without further Board approval
- Approval of the Merriweather Lease Agreement Modification to establish a new term from April 1, 2021 through March 31, 2022
- Approval of the Legal Services Agreement with Anderson, Klein, Brewster & Brandt

It was moved by Director Dudley Nelson 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, Shepherd, and Soneson. Rowe abstained. None voted no and the motion was declared carried.

WATER SERVICE AGREEMENTS: Dusty Way presented the following for consideration:

<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	7141601	SW1/4 16-7-14 *New Account	Michael & Carol Johansen	0	126(1)
Phelps	7163003	S1/2SE1/4 30-7-16 *Re-signed acres	Beverly J. Driscoll, Trustee	105	15(1,3)
Phelps	7163203	NW1/4NW1/4 & S1/2NW1/4 32-7-16 *Re-signed acres	Beverly J. Driscoll, Trustee	98	25(1,3)
Phelps	7153308	NW1/4NW1/4 33-7-15 *New Account	Brandon Jameson	0	32(1)
E65	8213605	NW1/4 36-8-21 *New Account	Myron Miller, Stacey & Troy Bracker, Alanna & Sean Armstrong, Mary Beth Roper	0	138(1)

- (1) IPP Amendment to Water Service Agreement for the 2021 irrigation season accompanies new WSA.
- (2) IPP Amendment to Water Service Agreement for the 2021 irrigation season to accompany existing WSA.
- (3) Water Service Agreement terminated after 2020, landowner came-back with new WSA.
- (4) Documents are currently being reviewed with landowners and/or are being signed by the landowners.

It was moved by Director Dahlgren and seconded by Director Knoerzer to approve the Water Service Agreements 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.

CLOSURE OF CONTRACT NO. 0-704, NEBRASKA CRANE INC. FOR 2021 SIDE DUMP TRAILER (\$45,250): Duane Cernousek reported the trailer was delivered, inspected, and found to meet the specifications as ordered. Staff recommends closing the contract.

It was moved by Director Soneson and seconded by Director R. Olson to Close Contract No. 0-704 with Nebraska Crane Inc. for the 2021 Side Dump Trailer totaling \$45,250. 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.

BID TAB – FRONT END LOADER (GROUP 21-11): Duane Cernousek presented the four bids received and stated after consulting with staff, the recommended bid is from Murphy Tractor for a 2021 John Deere in the amount of \$157,000.

It was moved by Director Shepherd and seconded by Director R. Olson to approve the bid from Murphy Tractor for a 2021 John Deere Front End Loader in the amount of \$157,000. 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.

BID TAB – TRUCK CAB AND CHASSIS WITH REAR DUMP BODY (GROUP 21-12): Duane Cernousek presented the two bids from Nebraska Truck Center Inc. for a 2022 Freightliner in the amount of \$132,670 and for a 2022 Western Star in the amount of \$141,820. Staff recommends accepting the bid for the 2022 Western Star.

It was moved by Director S. Olson and seconded by Director Soneson to approve the bid from Nebraska Truck Center Inc. for the 2022 Western Star in the amount of \$141,820. 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.

BID TAB – TWO ¾ TON CREW CAB TRUCKS (GROUP 21-4): Duane Cernousek presented the four bids received and stated staff recommends accepting the bid from Janssen & Sons Ford for two 2021 Ford F-250 crew cab trucks in an amount of \$67,890.

It was moved by Director Bogle and seconded by Director Knoerzer to approve the bid from Janssen & Sons Ford for two 2021 Ford F-250 crew cab trucks in the amount of \$67,890. 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.

OAK CREEK ENGINEERING AGREEMENTS: Cory Steinke presented agreements for the design and construction observation by Lance Harter of Oak Creek Engineering for the Schilling Bridge replacement and Plum Creek Reservoir Bridge repairs.

It was moved by Director David Nelson and seconded by Director Bogle to approve the Agreements for Professional Services with Oak Creek Engineering for the Schilling Bridge and Plum Creek Reservoir Bridge 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.

PHILLIPS CANYON BOAT RAMP PROJECT: Devin Brundage stated following good discussion about this topic at the February 19, 2021 Committee Meeting of the Board, and pursuant to the Land and Recreation Committee's recommendation from February 18, 2021, he would like the Board to consider moving forward with a commitment to partially fund the project.

It was moved by Director Dudley Nelson and seconded by Director S. Olson to proceed with a Request for Proposal and to make a commitment to the Nebraska Game & Parks Commission to pursue the project in an amount not-to exceed \$330,000 (NGPC-\$200,000 and Central-\$130,000). Discussion included committing to a not-to-exceed amount of \$130,000 from Central, with the Nebraska Game & Parks Commission contributing more, if possible.

At 9:34 AM it was moved by Director R. Olson and seconded by Director Knoerzer 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, Shepherd, and Soneson. None voted no and the motion was declared carried. The reason for entering into Closed Session was to discuss the following agenda item: Phillips Canyon Boat Ramp

Project. The purpose of entering into Closed Session for this item was to discuss real estate negotiations and to receive legal advice.

CLOSED SESSION

At 9:41 AM it was moved by Director S. Olson and seconded by Director Dahlgren 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, Shepherd, and Soneson. None voted no and the motion was declared carried. Board President Rowe stated the item discussed in Closed Session was Phillips Canyon Boat Ramp Project.

Director Dudley Nelson amended his motion as follows: approval to proceed with a Request for Proposal and to make a commitment to the Nebraska Game & Parks Commission to pursue the project with Central's contribution in an amount not-to-exceed \$130,000. The motion was seconded by Director S. Olson. Upon voting on the motion, the following Directors voted therefore: Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, and Soneson. Those voting no were: Bogle, David Nelson, Rowe, and Shepherd. The motion was declared carried.

LEGISLATION: Jeff Buettner presented an update of the bills he continues to follow.

A break was taken at 9:58 a.m. The meeting resumed at 10:11 a.m.

DISTRICT INTEGRATION STUDY UPDATE: Devin Brundage was pleased with the joint meeting held last Thursday with Dawson Public Power District and the consultant, Erik Sonju, from PSE and provided an opportunity for Directors to provide comment on that meeting.

REAL ESTATE PURCHASE NEGOTIATIONS: This was discussed in Closed Session.

DELINQUENT JOHNSON LAKE LEASE: This was discussed in Closed Session.

WORKSHOPS, SEMINARS AND CONFERENCES: None.

PERSONNEL: None.

DIRECTORS' ATTENDANCE: All directors were present.

BOARD COMMENTS: None.

LEGAL UPDATE: Charles Brewster continues to assess the District's liability related to recreational activities at the lakes.

MANAGEMENT REPORTS: The following management reports were presented:

- a. Cory Steinke reported the Gothenburg crews are cross-training on various projects. A general maintenance position in Gothenburg will be vacant soon due to a retirement. He has been preparing for the Water Services Committee meeting which will be held later today and assessing the need for renovations at Jeffrey Lodge.
- b. Tyler Thulin reported Lake McConaughy is at elevation 3,246.4, 1,235,000 acre feet, and 70.9% capacity. Inflows to Lake McConaughy are 1,050 cfs, with outflows around 425 cfs. Snowpack continues to be below normal for this time of year in both basins.
- c. Mike Drain reported on the FERC public comment period related to the District's boundary review submission and the agency's receipt of a number of comments in opposition.

- d. Jeff Buettner stated the Central District Water Users will hold their annual meeting today at 11:00 a.m., immediately following this meeting. He plans to conduct a District tour with new directors, Boyle and Shepherd, and new staff members.
- e. Scott Dicke reported the irrigation scheduling is complete. Crews are working on culverts and bridges. He has been preparing for the Water Services Committee meeting and recently attended a meeting at Tri-Basin NRD to discuss the Water Conservation Incentive Program (WCIP) and other potential incentives.
- f. Eric Hixson displayed photos of damaged concrete at the J-1 penstock due to an ice formation.
- g. Devin Brundage announced that District staff will have an opportunity to receive the COVID-19 vaccination within the next couple weeks.

At 10:29 AM it was moved by Director Bogle and seconded by Director Knoerzer 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, Shepherd, and Soneson. None voted no and the motion was declared carried. The reason for entering into Closed Session was to discuss the following agenda items: Delinquent Johnson Lake Lease and Real Estate Purchase Negotiations. The purpose of entering into Closed Session for these items was to discuss potential litigation and real estate negotiations, and to receive legal advice regarding the same.

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

At 11:10 AM it was moved by Director R. Olson and seconded by Director Knoerzer to exit Closed Session and reconvene in Regular Session Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. None voted no and the motion was declared carried. Board President Rowe stated the items discussed in Closed Session were Delinquent Johnson Lake Lease and Real Estate Purchase Negotiations.

REAL ESTATE PURCHASE NEGOTIATIONS: It was moved by Director Soneson and seconded by Director Dudley Nelson to authorize the General Manager to proceed with negotiations as discussed in 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, Shepherd, and Soneson. None voted no and the motion was declared carried.

ADJOURNMENT: It was moved by Director Knoerzer and seconded by Director Bogle to adjourn the Regular Business Meeting of the Board at 11:12 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

Robert B. Dahlgren, Secretary

By _____
David L. Rowe, President