

CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

HOLDREGE, NEBRASKA

APRIL 3, 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
MARCH 24, 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 March 21, 2023, and through legal publication in the Kearney Hub, Holdrege Daily Citizen and North Platte Telegraph on March 21, 2023, and the Lexington Clipper-Herald on March 22, 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 March 20, 2023.

The following Directors were present:

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

The following Directors were absent: Tim Boyle and Martin E. Mueller

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.	Steve Osterbuhr, Irrigation Superintendent
Scott Dicke, Irrigation & Water Services Mgr.	Dusty Way, Irrigation Operations Super.
Mike A. Drain, Nat. Resources & Compliance Mgr.	Charles Brewster, Legal Counsel
Alex Linden, Public Relations Assistant	Emily J. Anderson, Executive Assistant

Others:

Carson Messersmith

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

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

PUBLIC INPUT: None.

PONY EXPRESS CHEVROLET: A Progress Payment Estimate No. 2 (Final) in the amount of \$250,680.00 and a contract closure letter for Bid Group 23-1 for eleven Chevrolet pickups were presented. Staff confirmed the trucks have been received, found to be in satisfactory condition, and recommended final payment and closure of the contract.

It was moved by Director Dudley Nelson and seconded by Director Soneson to approve Progress Payment Estimate No. 2 (Final) in the amount of \$250,680.00 and to close the contract with Pony Express Chevrolet for eleven Chevrolet pickups. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Knoerzer, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. Absent was: Boyle and Mueller. The motion was declared carried.

DRAGLINE (WORK ORDER NO. 107458): Cory Steinke reported the District was the successful bidder during the recent online auction for the dragline. Staff was able to purchase the dragline for \$100,000.00 which they had previously sent employees to Georgia to inspect. He presented Work Order No. 107458 in the amount of \$153,200.00 for the 2003 Link Belt 108H dragline, which includes a transaction fee, documentation fee, shipping/delivery, and tax.

It was moved by Director Shepherd and seconded by Director R. Olson to approve Work Order No. 107458 for the 2003 Link Belt 108H Dragline in the amount of \$153,200.00. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Knoerzer, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. Absent was: Boyle and Mueller. The motion was declared carried.

PHILLIPS CANYON LAKE LAND ACQUISITION: At 9:11 AM it was moved by Director Bogle and seconded by Director David Nelson to enter into Closed Session. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Knoerzer, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. Absent was: Boyle and Mueller. None voted no and the motion was declared carried. The reason for entering Closed Session was to discuss the following agenda item: Phillips Canyon Lake Land Acquisition. The purpose for entering into Closed Session for these topics was to discuss real estate negotiations and to receive legal advice.

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

At 9:38 AM it was moved by Director R. 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, Dahlgren, Knoerzer, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. Absent was: Boyle and Mueller. None voted no and the motion was declared carried. President Rowe stated the discussion held in Closed Session was limited to the following agenda items: Phillips Canyon Lake Land Acquisition.

It was moved by Director Shepherd and seconded by Director S. Olson to authorize staff to enter into real estate negotiations to acquire land in the vicinity of Phillips Canyon Lake, consistent with the terms and conditions as discussed in Closed Session, subject to legal review. Upon voting on the motion, the following Directors voted therefore: Bogle, Dahlgren, Knoerzer, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. Absent was: Boyle and Mueller. None voted no and the motion was declared carried.

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

The meeting adjourned at 9:39 a.m.

MINUTES OF COMMITTEE MEETING OF THE
BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
HOLDREGE, NEBRASKA
MARCH 24, 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 March 20, 2023, and through legal publication in the Kearney Hub and Holdrege Daily Citizen on March 20, 2023, and the North Platte Telegraph and Lexington Clipper-Herald on March 18, 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 March 13, 2023 giving the time, date, and place of this meeting.

The following Directors were present:

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

The following Directors were absent: Tim Boyle and Martin E. Mueller

Also present were the following:

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

Others:

Carson Messersmith

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

At 9:40 a.m. the Board President announced that the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: None.

CONSENT TO ASSIGNMENT SUMMARY: One consent at Johnson Lake was approved in March, 2023.

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

Permits to Construct Approved by General Manager 3/24/2023				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
1.	Robert Murray	NE1/4 9-8-22	Private water line for new pivot in the NW corner will be buried a minimum of 2 feet below the bottom of the Districts E67-0.5-0.3 pipeline.	2/23/2023
2.	Ryan & Nick Wells	SE1/4 25-7-17	10 inch pipe will be buried across the south canal road at 29.1-12.1 a minimum of 12 inches over top of the districts electric line.	02/27/2023
3.	Roland C Nyquist Revocable Trust	S1/2 SE1/4 34-7-16	Install three pivot bridges over canal.	03/14/2023
4.	Roland C Nyquist Revocable Trust	SW1/4 1-6-16	Install four pivot bridges over canal.	03/14/2023
Permits to Construct Approved by Land Administration Department 3/24/2023 – Johnson Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
5.	Bauer, Ryan & Jody	36 Mallard Cove Dr. 19B	DWEL - Construct on grade concrete and 10' x 12' utility shed	02/21/2023
6.	Hatcher, Lynn	6 & 7 North Cove Dr. 10	COMMON USE SWAF - Install 10'W x 22'L shorestation	03/07/2023 \$50.00
7.	Peden, Cody & Debra	155 Lakeview Acres Dr. 14F	SWAF - Install 6'W x 24'L Dock, 8'W x 12'L Swim Platform, 4'W x 10'L gangway	03/09/2023 \$50.00
8.	Tisdale, Dwight & Sharon	58 Lakeview Acres Dr. 14A	DWEL - Install fence	03/10/2023
9.	Olson, Eric & Stephanie	141-145 Mallard Beach Dr. 23	COMMON USE SWAF - Install 4'W x 6'L Jet-Ski Lift	03/10/2023 \$50.00
10.	Kids Rental	75 Mallard Beach Dr. 22	SWAF - Install 4'W x 10'L Dock, 2-5'W x 14'L Jet-Ski Lifts	03/13/2023 \$50.00
11.	Linder Stock Farms Inc	45 Bass Bay Dr. 16	SWAF – Install 12'W x 12'L Shorestation	03/13/2023 \$50.00
12.	Gregg, Matthew & Penny	2 Park Lane Dr. 28	DWEL - 4' wide on grade concrete pad, 28' x 15' on grade concrete pad connecting to existing driveway	03/14/2023
13.	Oelkers, Kim	63 lakeview Acres Dr. 14A	SWAF - Install 3'W x 8'L ramp, 5'W x 10'L dock	03/15/2023 \$50.00
Permits to Construct Approved by Land Administration Department 3/24/2023 – Jeffrey Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>

14.	Bernero, Bradley & Diane	17 Lakeview Rd	SWAF - Install 5'6"W x 6'L Jet-Ski Lift	03/14/2023 \$50.00
Permits to Construct Approved by Land Administration Department 3/24/2023 – Midway Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
15.	Willow Island Land & Cattle Inc.	66 Cedar Point	DWEL - Construct 67 x 53' 2-story garage	02/23/2023
Permits to Construct Approved by Land Administration Department 3/24/2023 – Plum Creek				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
16.	Kugler, Lane & Peg	0 Plum Creek Canyon Dr. 12l	SWAF - Install 4'W x 24'L Dock, 11'6" x 25'L Shorestation	03/16/2023 \$50.00

WATER SERVICE AGREEMENTS: None.

WORK ORDERS/PURCHASE REQUISITIONS: None.

2023 WATER RIGHT TRANSFERS: Dusty Way explained a map transfer for the 2023 irrigation season is not necessary because of the availability of acres to assign to customers requesting additional acres.

BID TAB – JEFFREY TRANSFORMER 1 REPAIRS: Anton Hassebrook presented the bid tab to repair the step-up transformer at Jeffrey hydro as follows: Integrated Power Services - \$100,825.00; Prolec-GE Waukesha Inc. - \$89,950.00; and Sunbelt Solomon - \$57,155.00. After comparing the bids and checking references, he stated staff's recommendation will be to accept the bid from Sunbelt Solomon in the amount of \$57,155.00, subject to legal review of any associated contract documents.

BID TAB – TRACK MOUNTED EXCAVATOR (GOTHENBURG): Cory Steinke presented the bid tab for a track mounted excavator as follows: Nebraska Machinery Co. for a 2023 CAT in the amount of \$396,841.60; Nebraska Machinery Co. for a 2022 CAT in the amount of \$336,836.00; Murphy Tractor for a 2023 John Deere in the amount of \$382,525.00; and Road Builders for a 2023 Komatsu in the amount of \$382,101.94. He stated staff's recommendation will be to accept the bid from Nebraska Machinery Co. for the 2022 CAT in the amount of \$336,836.00.

PUBLIC RELATIONS COMMITTEE MEETING (3/6/23): David Nelson and Alex Linden provided a summary of the discussions held at the recent meeting. Scott Dicke noted the public relations committee was in support of the upcoming irrigation customer appreciation day in Axtell and Bertrand scheduled for March 30, 2023. Employees will serve grilled burgers and chips to customers from 11:30-1:00 p.m. at both locations.

A break was taken at 10:05 a.m. The meeting resumed at 10:23 a.m.

LAND AND RECREATION COMMITTEE MEETING (3/16/23): The minutes of the recent meeting were displayed and Mike Drain provided a summary of the items the subcommittee recommended Board action on as follows:

- a. Lake McConaughy Lessees, Inc. Services Agreement: The subcommittee voted to recommend Board approval of the Lake McConaughy Lessees, Inc. Services Agreement as presented.
- b. Application for Variance – 14 Perch Bay, Johnson Lake: The subcommittee voted to recommend Board denial of the variance application at 14 Perch Bay, Johnson Lake for the second story addition as adequate spacing is available on the lot that would meet the setback requirements.

- c. Merriweather and Lakeview Acres Lease Counter Proposals – Johnson Lake: The subcommittee voted to 1) recommend Board denial of the counter proposals from Merriweather and Lakeview Acres, and 2) to authorize staff to proceed with the District’s proposal for the annual rental amounts as presented, with a 3% annual inflator for a 30-year term beginning in 2024, with the same option for changing rental amounts when leases are renewed or new leases are issued as is the case with other District Residential Lease Agreements.

LEGISLATION: Alex Linden reported today is day 50 of the 90-day session. Final hearings are being held today and full-day debates will start tomorrow. The District presented testimony on March 14, 2023 in support of the appropriations bill for funding of the South Platte/Perkins County Canal project. He is working to arrange a tour near the end of April for Governor Pillen and senators of the proposed South Platte/Perkins County canal project.

BOARD COMMENTS: Director Shepherd thanked Devin Brundage for participating in the Water Leaders Academy panel yesterday in Kearney.

LEGAL UPDATE: Charles Brewster updated the Directors on the status of the Power Review Board’s review of the District’s Petition for Charter Amendment. He stated Judge Harder recused herself from hearing the Phelps County District Court case (Citizens Opposed to the Merger v. CNPPID). He has been reviewing agreements with the geotube manufacturer.

PERSONNEL: None.

OUT OF STATE TRAVEL: The following out of state travel for April, 2023 was presented:

<u>Name</u>	<u>Meeting</u>	<u>Location</u>	<u>Date</u>
Mike Drain	NHA Midwest Regional Meeting	Middleton, WI	April 25-26, 2023

WORKSHOPS, SEMINARS AND CONFERENCES: None.

BOARD SUB-COMMITTEE MEETINGS AND OTHER IMPORTANT UPCOMING EVENTS:

- a. Finance Committee – March 24, 2023 at 12:30 p.m.

MANAGEMENT REPORTS:

- a. Tyler Thulin reported Lake McConaughy is at elevation 3,230.7, 896,000 acre-feet, and 51.1% capacity. Inflows to Lake McConaughy are 1,075 cfs and outflows are around 150 cfs. Snowpack in the North Platte and South Platte basins are still above average. Hydrocycling at J-2 begins on March 18, 2023 and will continue through the end of April, which will cause fluctuations of up to 2.0’ in Johnson Lake.
- b. Mike Drain plans to meet with consultants from RJH Engineering on Tuesday to further inspect the riprap at Kingsley Dam.
- c. Cory Steinke stated the repaired geotubs have been delivered for the Mako Chi Mni project at Lake McConaughy. He is negotiating with the manufacturer on lost revenues due to delays from the failed batch of geotubes. He continues conversations with various agencies on the unified water plan.
- d. Scott Dicke introduced Steve Osterbuhr who filled the Irrigation Superintendent position upon Van Fastenau’s retirement. Osterbuhr has worked for the District for nearly 31 years. Tyler Thulin and he attended the recent meeting of the Central District Water Users annual meeting where they spoke about the water supply, rates, deliveries for the 2023 irrigation season, and ongoing projects. Duane Cernousek received the performance bonds from BSB, the contractor selected for the Elwood Dam seepage repairs. He and Cernousek will review the bonds, then issue the contract documents, pending legal review and approval. He recently met the HDPE pipe manufacturer on the

site of the E-65 Siphon project to answer some questions they had about the scope of the project. He continues negotiations with landowners to obtain the necessary easements for the E-65 Siphon project. He had a meeting with Leonard Rice Engineering about the potential to develop a modeling tool to educate the public about flows in and out of Lake McConaughy.

- e. Alex Linden attended the NPA meeting last week where it was decided to sponsor a "Public Power Day" at a Husker football game this fall. Jeff Buettner went on a reconnaissance tour to northeast Nebraska last week in preparation for the tour scheduled June 19-21, 2023. He suggested holding another social gathering of Central's and Dawson's boards and proposed April 5, 2023 at the Nautical Rose.
- f. Rochelle Jurgens reported the actuary reports were received from Cavanaugh Macdonald Consulting which will allow BKD to finalize the 2022 audit. Finance charges will be applied to past due Johnson Lake accounts on April 1st and Lake McConaughy accounts on May 1st.
- g. Eric Hixson reported he is working with staff to comply with new NERC requirements.
- h. Dusty Way stated the 2023 irrigation schedule cards will be mailed to customers the week of April 3, 2023.
- i. Anton Hassebrook indicated the roofs at the hydroplants need to be replaced and a budget amendment will be required at a meeting in the near future.
- j. Steve Osterbuhr reported crews are working on pumpsites and repairing road crossings. He has identified a couple bridges that may need to be removed and/or replaced.
- k. Devin Brundage attended the recent PRRIP Governance Committee meeting in Kearney. Efforts continue to achieve a unified water plan. At the NPA meeting last week, Tim Texel reported briefly on the hearing before the Power Review Board from February. He attended a NEWBA meeting on Tuesday and presented at the Water Leaders Academy panel yesterday in Kearney. He presented a concept for revisions to the Bylaws ahead of the formation of the Platte River Public Power and Irrigation District. He suggested creating a joint board subcommittee and an advisory group to discuss, prepare, and recommend potential revisions to the Bylaws.

The meeting adjourned at 11:30 a.m.

MINUTES OF REGULAR BUSINESS MEETING OF THE
BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
LAKE MCCONAUGHY VISITOR & WATER INTERPRETIVE CENTER
1475 HIGHWAY 61 N
OGALLALA, NE
APRIL 3, 2023 – 9:00 A.M. (MDT)

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 March 27, 2023, and through legal publication in the Keith County News, Kearney Hub and Holdrege Daily Citizen on March 27, 2023, the North Platte Telegraph on March 28, 2023, and the Lexington Clipper-Herald on March 29, 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 March 13, 2023 giving the time, date, and place of this meeting.

The following Directors were present:

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

The following Director was absent: David G. Nelson

Also present were the following:

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

Others:

Carson Messersmith	Kurth Brashear, Rembolt Ludtke, LLP
Jeff Fields, Nebraska Game & Parks Commission	Jerry Steinke
Simeon Chambers	

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

PUBLIC INPUT: None.

CONSENT AGENDA: Devin Brundage provided an overview of the items on the Consent Agenda which were presented and discussed at the March 24, 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. Hearing none, the following Consent Agenda was presented:

- **Approval of Minutes of Regular Business Meeting of the Board of Directors held March 6, 2023**
- **Approval of Minutes of Special Meeting of the Board of Directors held March 24, 2023**
- **Approval of Minutes of Committee Meeting of the Board of Directors held March 24, 2023**
- **Approval of the April Disbursements:**

Hydro Division:

Check #s 69438 through 69687 & 8900897 through 8900932 (Accounts Payable) \$1,599,170.02

Payroll \$795,195.24

Kingsley Division:

Check #s 3522 through 3535 (Accounts Payable) \$11,579.10

Glendo Division:

NONE \$NONE

- **Approval of the Bid from Sunbelt Solomon for the Jeffrey Transformer 1 Repairs in the amount of \$57,155.00, subject to legal review of any associated contract documents**
- **Approval of the Bid from Nebraska Machinery Co. for the 2022 CAT Track Mounted Excavator in the amount of \$336,836.00, subject to legal review of any associated contract documents**
- **Approval of the Lake McConaughy Lessees, Inc. Services Agreement, as presented**
- **Denial of the Variance Application from 14 Perch Bay, Johnson Lake for the second story addition as adequate spacing is available on the lot that would meet the setback requirements**
- **Denial of the Merriweather and Lakeview Acres Lease Counter Proposals**
- **Approval for staff to proceed with the District’s Merriweather and Lakeview Acres Lease Proposal as follows: annual rental amounts as presented, with a 3% annual inflator for a 30-year term beginning in 2024, with the same option for changing rental amounts when leases are renewed or new leases are issued as is the case with other District Residential Lease Agreements**

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

BID TAB – JOHNSON LAKE MOWING CONTRACT: Mike Drain presented bids for a three-year mowing contract at Johnson Lake from the following: Moore’s Irrigation (\$172,590.00); Gnirk Lawn Care, Inc. (\$145,728.00); Firefly Landscaping (\$94,866.09); and DCM (\$114,844.95). Staff recommended accepting the bid from Firefly Landscaping.

It was moved by Director Shepherd and seconded by Director S. Olson to accept the bid from Firefly Landscaping in the amount of \$94,866.09 for a three-year contract. 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: David Nelson. None voted no and the motion was declared carried.

WATER SERVICE AGREEMENTS: Scott Dicke presented the following:

<u>System</u>	<u>Acct. No.</u>	<u>Legal Desc.</u>	<u>Landowner</u>	<u>Contr. Acres</u>	<u>Total Acres Chg'd</u>
<u>Water Service Agreement:</u>					
Phelps	7190301 (1)	SE1/4 3-7-19	Tye Carlson	100	+35

**Add acres*

- (1) IPP Amendment to Water Service Agreement for the 2023 irrigation season accompanies new WSA.
- (2) IPP Amendment to Water Service Agreement for the 2023 irrigation season to accompany existing WSA.
- (3) Water Service Agreement terminated after 2022, landowner came-back with new WSA.
- (4) Documents are currently being reviewed with landowners and/or are being signed by the landowners.
- (5) Water Service Agreement immediately terminated after 2022.
- (6) Water Service Agreement activation date being when CWS permit is issued by the NeDNR.

It was moved by Director Bogle and seconded by Director Soneson to approve the Water Service Agreement with Tye Carlson as presented. 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: David Nelson. None voted no and the motion was declared carried.

RECREATION ENHANCEMENT: Mike Drain provided an update on the \$200 million in statewide recreation enhancements proposed in LB 1023 by a special committee of the Legislature named the Statewide Tourism and Recreational Water Access and Resource Sustainability (STARWARS) Committee. Jeff Fields from the Nebraska Game and Parks Commission explained an analysis is being conducted by HDR to identify and recommend the best site for a new marina at Lake McConaughy as a part of that legislation. It is anticipated the site analysis would be complete this spring and then RFPs will be sent out to consultants for engineering and design. Fields also stated the NGPC is working to designate the new Phillips Canyon Lake and the existing Midway Lake boat ramp areas as part of their State Recreation Areas (SRAs).

UNIFIED WATER PLAN – WATER RESOURCE PLANNING: Devin Brundage, Cory Steinke and Scott Dicke discussed the ongoing conjunctive management efforts with the NRDs and other agencies. A letter from Tri-Basin NRD dated February 28, 2023 regarding their development of a recharge tool was discussed. Brundage discussed the information requested by Tri-Basin in conjunction with what is required to develop their recharge tool. Steinke commented that Central will continue to tirelessly manage its storage water to secure and ensure surface water deliveries to Central’s customers. Brundage will work with legal counsel in response to inquiries from Tri-Basin’s counsel. Directors discussed existing work efforts that Central is currently providing to TBNRD.

A break was taken at 10:19 a.m. The meeting resumed at 10:34 a.m.

INTEGRATION – PLATTE RIVER PUBLIC POWER AND IRRIGATION DISTRICT BYLAW ADOPTION PROCESS: Devin Brundage presented a draft of a Bylaw Revision Process Proposal. The proposal is to create a subcommittee comprised of four Central directors, four Dawson directors, and include advisory members of Central and Dawson stakeholders as well as both general managers, and legal counsel from both Districts. The Bylaws Committee would work to develop new bylaws to govern the Platte River Public Power and Irrigation District upon its formation which is currently anticipated to be July 1, 2023, pending approval of the Petition for Charter Amendment by the Power Review Board. President Rowe asked directors to contact him if they are interested in serving on the Bylaws Committee.

It was moved by Director Bogle and seconded by Director Dahlgren to approve the Bylaw Revision Process Proposal as presented. 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: David Nelson. None voted no and the motion was declared carried.

LEGISLATION: Alex Linden reported the legislature is on day 55 of their 90-day session. Progress has been slow due to filibusters, with only five bills advancing to the floor to date.

WORKSHOPS, SEMINARS AND CONFERENCES: None.

PERSONNEL: None.

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

BOARD COMMENTS: Directors Shepherd and Mueller thanked staff for organizing the meeting and tour today at Lake McConaughy.

LEGAL UPDATE: Kurth Brashear reported the post-hearing briefs were filed last week with the Power Review Board. The Power Review Board has until May 8, 2023 to issue their ruling on the District's Petition for Charter Amendment.

Charles Brewster reported Gary Robison will be deposed on April 10, 2023. The trial for the Phelps County District Court case has been tentatively scheduled for September 12-14, 2023. Brewster has been reviewing various contracts and leases.

MANAGEMENT REPORTS: The following management reports were presented:

- a. Cory Steinke displayed a photo of a motor that he intends to bid on at auction which would serve as a back-up motor for the dredge.
- b. Tyler Thulin reported Lake McConaughy is at elevation 3,231.4, 899,000 acre feet, and 51.9% capacity. The inflows to Lake McConaughy are approximately 950 cfs and releases are currently 300 cfs. Storage water is being released to pump into Elwood Reservoir in preparation of the upcoming irrigation season. Snowpack in the North Platte basin is 128% of median average and the South Platte basin is 105% of median average. Hydrocycling of J-2 will continue through the end of April which will cause fluctuations of up to 2.0' in Johnson Lake.
- c. Mike Drain and consultants will inspect the riprap of Kingsley Dam as soon as the ice clears from Lake McConaughy. RJH is conducting a seepage and stability study and developing a model. He also discussed potential timelines and logistics related possible Kingsley Dam rip rap repairs.
- d. Rochelle Jurgens will have the 2022 audited financial report soon.
- e. Scott Dicke reported pumping into Elwood Reservoir starts today in preparation of the upcoming irrigation season. A small crew worked over the weekend to repair an area of liner in the E65 Canal. The customer appreciation lunches held last week in Axtell and Bertrand were successful with approximately 175 customers attending. Landowner negotiations continue for the E65 Siphon Project and he is working with legal counsel on contract matters for the Elwood Dam Seepage Project.
- f. Alex Linden will contact Keith County News to provide a summary of today's meeting for publication. A joint social with Dawson Public Power will be held on April 5, 2023 from 3:30 p.m. to 5:30 p.m. at the Nautical Rose at Johnson Lake. The 30th year of Water Jamboree will be held for 5th and 6th graders in the Tri-Basin and Lower Republican Natural Resource Districts on April 25-26, 2023 at Harlan County Reservoir.
- g. Eric Hixson reported there are some electrical issues with the Elwood pumps which crews worked through to diagnose and repair.

h. Devin Brundage reported on various meetings and merger efforts.

INTEGRATION: At 11:20 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, 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 Closed Session was to discuss the following agenda item: Integration. The purpose for entering into Closed Session for these topics was to discuss contract negotiations and to receive legal advice.

A break for lunch was taken at 11:21 a.m. The meeting resumed in Closed Session at 12:00 p.m.

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

At 12:19 PM it was moved by Director Soneson and seconded by Director R. 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, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. Absent was: David Nelson. None voted no and the motion was declared carried. President Rowe stated the discussion held in Closed Session was limited to the following agenda items: Integration.

ADJOURNMENT: It was moved by Director Dudley Nelson and seconded by Director R. Olson to adjourn the Regular Business Meeting of the Board at 12:23 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.

ATTEST:

THE CENTRAL NEBRASKA PUBLIC POWER
AND IRRIGATION DISTRICT

William E. Knoerzer, Secretary

By _____
David L. Rowe, President