

CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

HOLDREGE, NEBRASKA

JULY 5, 2023 – 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 23, 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 June 16, 2023, and through legal publication in the Holdrege Daily Citizen on June 16, 2023 and the Kearney Hub, North Platte Telegraph, and Lexington Clipper-Herald on June 17, 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 12, 2023 giving the time, date, and place of this meeting.

The following Directors were present:

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

**Dudley L. Nelson exited the meeting at 10:11 a.m.*

The following Director was absent: Brent Soneson

Also present were the following:

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

Others:

| | |
|----------------|---------------------|
| Jeff Buettner | Abby Dobson, Forvis |
| Raymond Nelson | Howard Nelson |
| Shad Dahlgren | Matt Wells |
| Jim Paulsen | Carson Messersmith |

* * * * *

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: Howard Nelson expressed opposition to the merger with Dawson Public Power District.

CONSENT TO ASSIGNMENT SUMMARY: No consents were approved in June, 2023.

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

| Permits to Construct Approved by General Manager 6/23/2023 | | | | |
|--|---|--------------------------------|---|--------------------------------|
| <u>Number</u> | <u>Name</u> | <u>Description</u> | <u>Permit & Purpose</u> | <u>Date Approved & Fee</u> |
| 1. | Rohnert, Cheryl | 2 North Cove Dr. 10 | Permit to Operate – Vacation Rental | 05/31/2023 \$500.00 |
| Permits to Construct Approved by Land Administration Department 6/23/2023 – Johnson Lake | | | | |
| <u>Number</u> | <u>Name</u> | <u>Description</u> | <u>Permit & Purpose</u> | <u>Date Approved & Fee</u> |
| 2. | Henninger, Collene | 34 Lakeview Acres Dr. 14A | ECS - Construct 4'2" retaining wall | 03/24/2023 |
| 3. | Herrmann, Jason & Julie | 52 Mallard Beach So Bay Dr. 21 | SWAF - Install 5'W x 20'L dock | 05/19/2023 \$50.00 |
| 4. | Turn Key Properties LLC | 22 North Cove Dr. 10 | VEG - Plant cotton wood trees | 05/22/2023 |
| 5. | DJ & J Cabin LLC | 17 Kirby Point Dr. 2 | SWAF Storm Damage - Install 4'W x 104'L Dock | 05/22/2023 Fee Waived |
| 6. | Rowe, Dave, Urbom, David, Densberger, Don | 15-16-17 Bass Bay Dr. 16 | SWAF Storm Damage - Install 3 - 12'W x 12'L Shorestations | 05/22/2023 Fee Waived |
| 7. | Geiser, Gary & Connie | 136 Lakeview Acres Dr. 14E | SWAF - Replace existing 12'W x 12'L Shorestation and 4'W x 24'L Dock | 05/22/2023 \$50.00 |
| 8. | Crawford, Marvin & Becky | 8 So Crappie Corner Dr. 3 | DWEL - Rebuild and expand elevated deck covering | 05/23/2023 |
| 9. | Kucnar, Brody | 49 Mallard Beach | VEG - Tree Trimming | 05/23/2023 |
| 10. | Williams, James & Jacob | 22 Kirby Point Dr. 2 | SWAF Storm Damage - Install 6'W x 80'L Dock and 8'W x 8'L Swim Platform | 05/24/2023 Fee Waived |
| 11. | Leevers, Chris & Carren | 3 North Shore Dr. 8 | DWEL- Pour on grade concrete | 05/24/2023 |
| 12. | Selby, Michael & Donna | 124 Mallard Beach Dr. 22A | ECS - Bank Stabilization (Riprap) for twenty linear feet of the shoreline | 05/24/2023 |
| 13. | Broadfoot, Kiesath & Michelle | 65 Lakeview Acres Dr. 14A | SWAF - Install 4'W x 10'L Dock | 05/24/2023 \$50.00 |
| 14. | Nest Investments LLC | 10 East Shore Dr. 1B | DWEL - Install elevated extended deck | 05/31/2023 |

| | | | | |
|-----|--|------------------------------|--|--------------------------|
| 15. | Brown, Albert & Judy | 14 East Shore Dr. 1B | DWEL - Install new replacement privacy fence | 05/31/2023 |
| 16. | Rowe, Timothy & Susan | 10 Crappie Corner Dr. 5 | ECS - Bank Stabilization (RipRap) for fifty linear feet of the shoreline | 06/07/2023 |
| 17. | Freeburger, Debra, Whitcomb, Bryan & Bradley | 41 East Shore Dr. 1 | SWAF - Variance-Storm damage - Replace 16 x 10 deck | 06/01/2023 Fee Waived |
| 18. | Rowe, Timothy & Susan | 10 Crappie Corner Dr. 5 | DWEL - Construct new two-story dwelling with basement and covered elevated patio | 06/02/2023 |
| 19. | Falkinburg, Stephen, Weston, Sharoly | 9 Crappie Corner Dr. 5 | SWAF - Install 4'W x 46'L Access | 06/02/2023 \$50.00 |
| 20. | Flint, Michael & Corina | 67 Mallard Beach Dr. 22 | DWEL - Pour new concrete porch | 06/05/2023 |
| 21. | Marquardt, Delbert & Donna | 3A East Shore Dr. 2 | SWAF - Install 10'W x 24'L Shorestation | 06/05/2023 \$50.00 |
| 22. | Swanson, Owen & Claudette | 1 Northeast Cove Dr. 9 | DWEL - Construct 10' x 34' pergola | 06/05/2023 |
| 23. | Larson, Stephen B | 2 Northeast Bay Dr. 4 | SWAF - Install 6'W x 9'L Jet-Ski Lift | 06/05/2023 \$50.00 |
| 24. | Henninger, Collene R | 34 Lakeview Acres Dr. 14A | SWAF - Construct 4'W x 5'L Access to the shoreline | 06/05/2023 \$50.00 |
| 25. | Wise, Ryan & Kelley | 145 Lakeview Acres Dr. 14E | SWAF - Install 12'W x 12'L Shorestation | 06/05/2023 \$50.00 |
| 26. | Merriweather Cabin LLC | 4 Merriweather Dr. 11 | SWAF - Install 4'W x 88'L Dock, 8'W x 8'L Swim Platform | 06/06/2023 \$50.00 |
| 27. | Johnson, Marlin & Patricia | 3 Perch Bay Dr. 6 | SWAF - Install 6'W x 9'L Jet-Ski Lift | 06/06/2023 \$50.00 |
| 28. | Pickel, Ryan & Jenna | 50 Lakeview Acres Dr. 14A | SWAF - Install 6'W x 9'L Jet-Ski Lift | 06/06/2023 \$50.00 |
| 29. | Henninger, Collene R | 34 Lakeview Acres Dr. 14A | SWAF - Construct 4'W x 5'L Access to the shoreline | 06/05/2023 \$50.00 |
| 30. | Wise, Ryan & Kelley | 145 Lakeview Acres Dr. 14E | SWAF - Install 12'W x 12'L Shorestation | 06/05/2023 \$50.00 |
| 31. | Freeborn, Brian & Mary | 8 Mallard Cove Dr. 19 | SWAF - Install 4'W x 40'L Dock, 8'W x 20'L Dock | 06/08/2023 \$50.00 |
| 32. | Minter, Curt & Jill | 4 North Shore Dr. 8 | DWEL - New on grade concrete slab | 06/12/2023 |
| 33. | Graese, Walter & Karla | 47 North Point Dr. 13 | DWEL - Pour new on grade concrete approach | 06/13/2023 |
| 34. | Schnell, James & Julie | 86-87 Lakeview Acres Dr. 14C | ECS - Construct 3'T x 44'L Retaining Wall | 06/14/2023 |

| | | | | |
|-----|------------------------------|----------------------------|---|--------------------|
| 35. | Houghtelling, Jason & Marcie | 88 Lakeview Acres Dr. 14C | ECS - Install 3- 3'T x 23'L Retaining wall | 06/14/2023 |
| 36. | Mortgaged Acres, LLC | 106 Mallard Beach | SWAF - Install 4'W x 25'L Access to the shoreline | 06/15/2023 \$50.00 |
| 37. | Smith, Becka | 59 Lakeview Acres | SWAF - Install 4'W x 12'L Dock | 06/16/2023 \$50.00 |
| 38. | Suter, Darren & Kimberly | 142 Lakeview Acres Dr. 14E | SWAF - Install 4'W x 8'L dock | 06/16/2023 \$50.00 |
| 39. | Cornerstone Agency LLC | 144 Lakeview Acres Dr. 14E | SWAF - Install 5'W x 13'L Jet-Ski Lift and 10'W x 13'W Shorestation | 06/16/2023 \$50.00 |
| 40. | Salisbury Farms, Inc. | 21 Sandy Point Dr. 24A | DWEL - Permit for removal and replacement of existing concrete | 08/08/2023 |

Permits to Construct
Approved by Land Administration Department
6/23/2023 – Jeffrey Lake

| <u>Number</u> | <u>Name</u> | <u>Description</u> | <u>Permit & Purpose</u> | <u>Date Approved & Fee</u> |
|---------------|---------------------------|--------------------|--|--------------------------------|
| 41. | Kentfield, Dennis & Lisa | 65 S Lakeview Rd. | DWEL - Construct 24' x 18'4" Addition to the existing dwelling | 04/17/2023 |
| 42. | Fisher, Rex & Josephine | 62 S Lakeview Rd | DWEL - Replace brick walkway and install underground sprinkler system | 05/31/2023 |
| 43. | Allison, Scott & Cynthia | 110 S Shore Dr. | DWEL - Construct new 10' x 20' wooden elevated deck | 06/01/2023 |
| 44. | Windrum, Steve | 9 Lakeview Rd. | SWAF - Replace existing ramp and dock | 06/01/2023 \$50.00 |
| 45. | Richeson, Joseph & Angela | 75 Pelican Dr. | ECS - Bank Stabilization (Riprap) for 127 linear feet of the shoreline | 06/05/2023 |

Permits to Construct
Approved by Land Administration Department
6/23/2023 – Lake McConaughy

| <u>Number</u> | <u>Name</u> | <u>Description</u> | <u>Permit & Purpose</u> | <u>Date Approved & Fee</u> |
|---------------|---------------------------|--------------------|---------------------------------------|--------------------------------|
| 46. | Rodenburg, Robert & Donna | 95 K-1 Rd | DWEL - Replace two existing stairways | 05/16/2023 |
| 47. | Bieseimeier, Brandon | 32 K-1 Rd | VEG - Plant bushes | 05/31/2023 |

Permits to Construct
Approved by Land Administration Department
6/23/2023 – Midway Lake

| <u>Number</u> | <u>Name</u> | <u>Description</u> | <u>Permit & Purpose</u> | <u>Date Approved & Fee</u> |
|---------------|--------------------|---------------------|-----------------------------|--------------------------------|
| 48. | Thies, Tony & Nyla | 14 Burkholder Drive | SWAF - Install 10'W x 10'L | 05/19/2023 \$50.00 |

| 49. | Jensen, Cory | 26 Stange Circle | VEG - Removal of hazardous tree | 06/02/2023 |
|--|---------------------------|----------------------|---|--|
| 50. | Tederman, Russell & Roger | 46 & 50 Paulsen Loop | SWAF - Install 2- 12'W x 12'L Shorestation | 06/14/2023 \$50.00 |
| Permits to Construct Approved by Land Administration Department 6/23/2023 – Plum Creek | | | | |
| <u>Number</u> | <u>Name</u> | <u>Description</u> | <u>Permit & Purpose</u> | <u>Date Approved & Fee</u> |
| 51. | German, Paul & Jane | 1 Plum Paradise Est. | SWAF - Install 12'W x 25'L Shorestation and 8'W x 6'L Dock Anchor Pad | 05/19/2023 \$400.00 Adjacent Landowner |

WATER SERVICE AGREEMENTS: None.

WORK ORDERS/PURCHASE REQUISITIONS: Anton Hassebrook presented the following:

- a. Work Order No. 186587 – Install RTU at Phelps 38.6 (\$11,988.00)
- b. Work Order No. 186588 – Install RTU at E65 23.7 (\$11,988.00)
- c. Work Order No. 107464 – Ultrasonic Metal Thickness Tester (\$5,698.00)
- d. Supplemental Work Order No. 186647 – Automate E65 19.1-2.7 (\$9,013.00)

CONTRACT NO. 0-721 – NEBRASKA MACHINERY COMPANY, LLC FOR NEW 2023 WHEELED EXCAVATOR: Scott Dicke stated the equipment has been received and is being used. Staff recommends final payment and closure of the contract. He presented the following items:

- a. Progress Payment Estimate No. 1 (Final) - \$320,910.00
- b. Closure of Contract No. 0-721

E-65 SIPHON AND ELWOOD SEEPAGE REPAIR PROJECTS: Scott Dicke reported RJH is evaluating the contractor's documentation including schedule, performance plan, and insurance documentation for the Elwood Dam seepage repairs which are expected to begin in August. He continues to work with legal counsel on landowner agreements for the E-65 Siphon project.

MAKO CHI MNI SHORELINE PROJECTION PROJECT: Cory Steinke reported the geotube installation is complete and he displayed aerial photos of the project throughout various stages.

SUPPLY CANAL BRIDGE PROJECTS: Cory Steinke presented photos of recent concrete bridges the District has constructed. There are currently 21 county road bridges that have been identified as needing repaired or removed.

DEPARTMENT OF ENERGY CAPITAL PROJECT FUNDING UPDATE: Mike Drain reported on Letters of Intent filed with the Department of Energy for Section 247 funding which is part of the 2021 Infrastructure Bill, including: Kingsley Dam Upstream Slope Projection (\$5,000,000); Johnson Lake Inlet Low-Head Hydro (\$3,000,000); Phillips Canyon Boat Ramp (\$60,000); and Kingsley Hydro Governor and Exciter Upgrade (\$57,000). He stated the maximum award available per entity is \$5,000,000.

A break was taken at 10:11 a.m.

Director Dudley Nelson exited the meeting at 10:11 a.m.

The meeting resumed at 10:27 a.m.

2022 FINANCIAL AUDIT - FORVIS: Abby Dobson of Forvis was present to review with the board the Audit Report and Financial Statements and Disclosures for the year ending December 31, 2022.

CONSOLIDATION WITH DAWSON PUBLIC POWER DISTRICT: Devin Brundage presented the proposed final edits to the Bylaws of the Platte River Public Power and Irrigation District and opened a discussion for the directors regarding changes to the Petition to Amend Charter to include the required statement regarding general obligation bonds.

EMPLOYEE HANDBOOK REVISIONS: Eric Hixson reviewed the major edits to the employee handbook related to the dissolution of the union, the new bi-weekly payroll schedule, benefit changes, etc. The edits have been reviewed and approved by legal counsel and will be presented to the board for approval at the next board meeting.

LEGISLATION: Alex Linden was absent from the meeting and no report was given.

BOARD COMMENTS: Directors Boyle and Shepherd commented on the highlights of the recent Summer Water Tour to northeast Nebraska. Director Mueller attended a recent STARWARS meeting where the potential marina locations at Lake McConaughy were discussed.

LEGAL UPDATE: Charles Brewster continues working with staff on various matters. He complimented the Bylaws Subcommittee for their tremendous effort to produce a set of new bylaws for the Platte River Public Power and Irrigation District.

PERSONNEL: None.

OUT OF STATE TRAVEL: None.

WORKSHOPS, SEMINARS AND CONFERENCES:

- a. 2023 Governor's Ag & Economic Development Summit, August 8-9, 2023 in Kearney
- b. 2023 NPA Annual Conference, August 22-23, 2023 in Kearney

BOARD SUB-COMMITTEE MEETINGS AND OTHER IMPORTANT UPCOMING EVENTS:

- a. Water Services Committee – June 26, 2023 at 1:30 p.m., Holdrege
- b. Land and Recreation Committee – July 11, 2023 at 1:00 p.m., Holdrege

MANAGEMENT REPORTS:

- a. Tyler Thulin reported Lake McConaughy is at elevation 3,234.0, 964,000 acre-feet, and 55% capacity. Inflows to Lake McConaughy are approximately 900 cfs and outflows are around 450 cfs. Releases from the Environmental Account have ceased. Flows in the South Platte River continue to be very good.
- b. Cory Steinke continues to work with the US Army Corps of Engineers to obtain the permit needed to pump sediment downstream of the Diversion Dam. A contractor contacted him about obtaining sand from the District's pile to use during the construction of a new gas station in North Platte. A new spare pump for the Diversion Dam dredge was ordered. He is considering purchasing a mini-excavator for District-wide use.
- c. Mike Drain reported the engineering design work for the Kingsley Dam riprap repair project should be done by the end of September, 2023. The plan will be filed with FERC for approval of the design. He continues to work with consultants and FERC regarding the Kingsley Dam Inflow Design Flood plan. He was contacted by NDNR earlier this week about a potential hazard reclassification of Elwood Dam which would require the development of an Emergency Action Plan.
- d. Scott Dicke discussed highlights of the Summer Water Tour. Demand for irrigation has been low due to the rain. He plans to present the Rubicon automation proposal to the Water Services Committee on June 26, 2023.

- e. Steve Osterbuhr reported the irrigation crews have treated 85-100 miles of canal for pondwater this past week using the new chemical trailers. The equipment operators are pleased with the efficiency of the new excavator.
- f. Anton Hassebrook reported on a couple short outages at the hydros for routine maintenance and cleaning. He filed the annual Diversion Dam gate certification report with FERC. Crews are currently connecting the new deep well at J-1.
- g. Rochelle Jurgens stated the employee wage survey is in process. She will begin posting the monthly financial reports to the board website now that the 2022 audit is complete.
- h. Eric Hixson and others will attend a meeting with MEAN on June 29, 2023 regarding the power purchase contract. He has had discussions with The Energy Authority (TEA) regarding the sale of Jeffrey hydropower beginning January 1, 2024. He and Rochelle Jurgens continue to negotiate Kingsley contract issues with NPPD.
- i. Devin Brundage attended a meeting of the Lake McConaughy Lessees, Inc. last Saturday. The PRRIP Governance Committee meeting last week focused on sediment and vegetation suppression flows in the river. He thanked the directors who participated in the South Platte Canal tour held on June 14, 2023.

ADJOURNMENT: It was moved by Director R. Olson and seconded by Director Mueller to adjourn the Committee Meeting of the Board at 11:51 AM. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, R. Olson, S. Olson, Rowe, and Shepherd. Absent was: Dudley Nelson and Soneson. 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
JULY 5, 2023 – 9:00 A.M

This meeting was publicly advertised in accordance with Section 84-1411 of the Nebraska Statutes by notices aired on KRVN (Lexington) and KUVR (Holdrege) radio stations on June 28, 2023, and through legal publication in the Holdrege Daily Citizen and Lexington Clipper-Herald on June 28, 2023 and the Kearney Hub and North Platte Telegraph on June 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 June 12, 2023 giving the time, date, and place of this meeting.

The following Directors were present:

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

Also present were the following:

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

Others:

| | |
|------------------------------|-------------------------------------|
| Carson Messersmith | Kurth Brashear, Rembolt Ludtke, LLP |
| John Thorburn, Tri-Basin NRD | Richard Borman |
| Dave Dahlgren | Gary Robison |
| Ed Schrock | David Grimes |
| Brad Lundeen | Jim Paulsen |

Approximately 60 other members of the public were in attendance

* * * * *

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: Richard Borman who resides in the Mako Chi Mni area at Lake McConaughy discussed his erosion claims. John Thorburn thanked Central staff for their efforts related to recent recharge. Tri-Basin NRD continues to work towards developing a groundwater recharge tool as discussed at the Water Services Committee meeting on June 26, 2023. Dave Dahlgren mentioned the passing of Greg Heiden and Martha Tweedy. He stated the Central District Water Users group

mailed 177 post cards containing a merger survey to their dues-paying members. Of those surveys returned, 98 were opposed to the merger and 10 were in favor of the merger. David Grimes stated he has not heard a clear reason for the merger and suggested putting the matter to a vote by the stakeholders of the district. Gary Robison, Ed Schrock, Brad Lundeen, and Jim Paulsen all spoke in opposition to the merger.

CONSENT AGENDA: Devin Brundage provided an overview of the items on the Consent Agenda which were presented and discussed at the June 23, 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 June 5, 2023**
- **Approval of Minutes of Committee Meeting of the Board of Directors held June 23, 2023**
- **Approval of the July Disbursements:**

Hydro Division:

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| Check #s 70150 through 70363 & 8900992 through 8901023 (Accounts Payable) | \$1,438,749.87 |
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| Payroll | \$566,027.53 |
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Kingsley Division:

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|---|--------------|
| Check #s 3555 through 3558 (Accounts Payable) | \$185,269.57 |
|---|--------------|

Glendo Division:

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|------|--------|
| NONE | \$NONE |
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- **Work Order No. 186587 – Install RTU at Phelps 38.6 (\$11,988.00)**
- **Work Order No. 186588 – Install RTU at E65 23.7 (\$11,988.00)**
- **Work Order No. 107464 – Ultrasonic Metal Thickness Tester (\$5,698.00)**
- **Supplemental Work Order No. 186647 – Automate E65 19.1-2.7 (\$9,013.00)**
- **Progress Payment Estimate No. 1 (Final), Contract No. 0-721 with Nebraska Machinery Company, LLC for 2023 Wheeled Excavator (\$320,910.00)**
- **Approval of Closure of Contract No. 0-721 with Nebraska Machinery Company, LLC for 2023 Wheeled Excavator**

It was moved by Director Mueller 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, Shepherd, and Soneson. None voted no and the motion was declared carried.

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

- a. Purchase Requisition No. 18657 – ISCO Industries for Oval Pipe for Road Crossing (\$151,099.41)
- b. Work Order No. 198500 – Road Crossing Repair (\$241,560.00)

It was moved by Director S. Olson and seconded by Director Shepherd to approve Purchase Requisition No. 18657 with ISCO Industries for oval pipe for a road crossing in the amount of \$151,099.41 and Work Order No. 198500 for road crossing repair in the amount of \$241,560.00 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.

CONTRACT CHANGE ORDER NO. 1, L & S ELECTRIC FOR J2 HYDRAULIC PUMP REPLACEMENT (\$955.00): The General Manager has the authority to approve this change order and will provide that approval.

MINI EXCAVATOR PURCHASE: Cory Steinke explained in the past, the District has leased or rented a mini excavator. He recommended leasing the E35 Bobcat with an option to purchase, with the lease fees paid being applied towards the purchase price, which will allow staff to test drive the excavator before making the commitment to purchase it.

a. 2023 Budget Amendment

| Hydro Division | Current Budget | Proposed Budget | Difference |
|---------------------------|----------------|-----------------|------------|
| <u>Gothenburg Capital</u> | | | |
| E35 Bobcat Mini Excavator | \$0 | \$80,000 | \$80,000 |

b. Work Order No. 107465 – Purchase Bobcat E35 Mini Excavator (\$80,000.00)

It was moved by Director Dahlgren and seconded by Director R. Olson to approve Budget Revision #5 to the 2023 Budget in the Net Difference of \$80,000 and Work Order No. 107465 for the purchase of the E35 Bobcat Mini Excavator in the amount of \$80,000 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.

EMPLOYEE HANDBOOK REVISIONS: Eric Hixson reminded Directors that the employee handbook edits relate to the dissolution of the union, the change to the bi-weekly payroll schedule, and benefit revisions. The edits have been reviewed and approved by legal counsel.

It was moved by Director Bogle and seconded by Director Mueller to approve the Employee Handbook 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.

MANAGEMENT REPORTS: The following were presented:

- a. Cory Steinke reported dredging at the Diversion Dam continues as flows from the South Platte River have increased the amount of sediment.
- b. Tyler Thulin reported Lake McConaughy is at elevation 3,234.9, 976,700 acre feet, and 55% capacity. The inflows to Lake McConaughy are approximately 1,400 cfs and releases are currently 900 cfs. The gauges in the South Platte are running high and 2,600 cfs is flowing through the Diversion Dam.
- c. Mike Drain stated RJH is evaluating potential contractors for the Kingsley Dam riprap repair project. Depending on the repair methods, the cost is expected to be between \$40M-\$100M. He noted the communications with FERC regarding Richard Borman’s erosion claim are available on the board website.
- d. Scott Dicke reported on the recent Water Services Committee meeting where Tri-Basin’s board members and John Thorburn requested assistance to develop a groundwater recharge tool. Irrigation demand is increasing. Around 13,000 acre feet of surface water

was recharged into Elwood Reservoir and the wetland areas. Matt McDorman accepted the Equipment Operator I position in Holdrege creating an Irrigation Service Specialist vacancy. The contractor for the Elwood Dam seepage mitigation project plans to commence work in mid-August and the project is expected to continue through July, 2024.

- e. Alex Linden has several tours scheduled through July. He and Anton Hassebrook met with 10/11 News recently to film a segment for Our Town Gothenburg. The Natural Resources Commission is reviewing potential edits to the Chapter 70 Statutes.
- f. Rochelle Jurgens continues to finalize monthly financial reports now that the 2022 audit is complete.
- g. Eric Hixson continues communications with MEAN about the power purchase agreement for the J-1 and J-2 Hydros.
- h. Devin Brundage and Director Mueller met recently with Governor Pillen in Ogallala.

CONSOLIDATION WITH DAWSON PUBLIC POWER DISTRICT: Devin Brundage reported on the official announcement of the Meadowlark Project in Gothenburg. He presented the timeline of the project and its plan to develop a zero-carbon liquid fertilizer plant. Discussion was held regarding the desire for Meadowlark to have Platte Power and Irrigation as its energy supplier and how that would benefit the organization through increased revenue and the potential improvement to the QLG carveout, ultimately providing additional financial benefit to both the hydro-irrigation and energy distribution financial units.

A break was taken at 10:05 a.m. The meeting resumed at 10:17 a.m.

Devin Brundage and Kurth Brashear presented a thorough review of the final draft of the Bylaws for the Platte River Public Power and Irrigation District. Brashear announced that Dawson PPD's board voted just minutes earlier to endorse the new Bylaws, with 8 in favor and 3 opposed.

It was moved by Director Dahlgren and seconded by Director R. Olson to table the consideration of adoption of the Bylaws for the Platte River Public Power and Irrigation District for a period of one month. Upon voting on the motion, the following Directors voted therefore: Dahlgren, David Nelson, Dudley Nelson, R. Olson, and Soneson. Those voting no were: Bogle, Boyle, Knoerzer, Mueller, S. Olson, Rowe, and Shepherd. The motion failed.

A break was taken at 11:31 a.m. The meeting resumed at 11:51 a.m.

Kurth Brashear reviewed section 3.6 Manner of Acting of the Bylaws again and provided some examples of the 2/3 requirement for approval of the establishment of water delivery rates, electrical rates, terms of water service agreements, allocations, residential lease agreements, and the compensation of officers and the general manager.

RESOLUTION 23-02 TO ADOPT BYLAWS OF PLATTE RIVER PUBLIC POWER AND IRRIGATION DISTRICT: The following was presented:

RESOLUTION NO. 23-02

ADOPT AMENDMENTS TO BYLAWS AND RESTATE SAME

WHEREAS, pursuant to Section 6 of that certain Plan of Consolidation approved by the boards of directors, respectively, of The Central Nebraska Public Power and Irrigation District (Central) and Dawson Public Power District (Dawson) on October 24, 2022, on the date on which the consolidation of Dawson into Central becomes effective, forming Platte River Public Power & Irrigation District (PRPPID), the Bylaws of Central shall be the bylaws of PRPPID; and

WHEREAS, because PRPPID will be engaged in additional businesses, comprise chartered territory, and be governed differently than Central is presently, the Board of Directors previously determined that it would be in the best interests of Central that the Board of Directors adopt amendments to the Bylaws of Central, with the full concurrence and agreement of the Board of Directors of Dawson, which will, as amended, govern the operations of PRPPID on and from the effective date of the consolidation; and

WHEREAS, consistent therewith, on April 3, 2023, the Board of Directors established a special joint committee to discuss, develop, draft, and recommend a proposed set of Bylaws to govern PRPPID; and

WHEREAS, the committee presented draft bylaws to the Board of Directors for its review, discussion, and suggestion on June 5, 2023, which draft bylaws were then further developed and revised by the committee; and

WHEREAS, on June 9, 2023, the committee unanimously recommended amendments to the Bylaws of Central and the restatement of same, as set forth in that certain document captioned "Amended & Restated Bylaws" of Central, with the notation "Recommended by Bylaws Committee 06/09/23" (Bylaws Recommendation), for endorsement by the Board of Directors of Dawson and adoption by the Board of Directors; and

WHEREAS, the Board of Directors of Dawson endorsed the Bylaws Recommendation on July 5, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby approves and adopts the Bylaws Recommendation as the Bylaws of Central and authorizes and directs that same be restated in full (Amended & Restated Bylaws); and

BE IT FURTHER RESOLVED that the Amended & Restated Bylaws shall be and become the Bylaws of PRPPID upon the Nebraska Power Review Board certifying the Restatement of the Charter of Central on or after July 21, 2023, same taking effect without further action by the Board of Directors.

It was moved by Director Shepherd and seconded by Director Boyle approve Resolution 23-02 to Adopt Amendments to Bylaws and Restate Same. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Knoerzer, Mueller, David Nelson, Dudley Nelson, S. Olson, Rowe, Shepherd, and Soneson. Those voting no were: Dahlgren and R. Olson. Motion carried.

Devin Brundage presented the Petition to Amend Charter which will be considered at a Special Meeting of the Board on July 17, 2023 at 9:00 a.m. in Holdrege with a possible change of location to better accommodate members of the public.

LEGISLATION: There was nothing new to report.

WORKSHOPS, SEMINARS AND CONFERENCES:

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

PERSONNEL: None.

DIRECTORS' ATTENDANCE: All Directors were present.

BOARD COMMENTS: President Rowe thanked the members of the public for attending the meeting. Director Knoerzer stated water has always been the priority of Central's board and it will continue to be the priority. Director Shepherd spoke with numerous employees from Holdrege, Bertrand and Gothenburg who have all expressed their support of the merger.

LEGAL UPDATE: Charles Brewster had nothing new to report.

ADJOURNMENT: It was moved by Director Mueller and seconded by Director S. Olson to adjourn the Regular Business Meeting of the Board at 12:05 PM. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. None voted no and the motion was declared carried.

ATTEST:

THE CENTRAL NEBRASKA PUBLIC POWER
AND IRRIGATION DISTRICT

William E. Knoerzer, Secretary

By _____
David L. Rowe, President