

LOUP POWER DISTRICT
BOARD OF DIRECTORS
April 26, 2022

The regular meeting of the Board of Directors of the Loup River Public Power District was held at the Loup Power District Board Room, Columbus, Nebraska on April 26, 2022.

Notification of the meeting was published in the Columbus Telegram and on the Loup Power District website.

Director Drozd presided as Chairman of the meeting and Assistant Secretary Angell Robak recorded the minutes.

Roll call showed:

Present: Tooley, Donoghue, Zach, Fleming, Cerv, Knott, Langemeier, Aerni, Heesacker, Drozd

Absent: None

Staff Present: Neal Suess, Korey Hobza, Walt Williams, Dan Hellbusch, Todd Duren, and Amanda Henry

Absent: None

Others: John Hannah, candidate for Subdivision 3 on the District Board

Chairman Drozd reminded everyone of the open meetings law and stipulated this meeting would be conducted according to the Nebraska open meetings law. Chairman Drozd also stated he would be conducting the meeting based on Robert's Rules of Order.

Chairman Drozd welcomed Mr. Hannah to the meeting.

The minutes of the March 22, 2022 meeting were approved.

The following reports were presented to the Directors: the March 2022 Staff Operations Report – Exhibit 22-056; the March 2022 Bank Reconciliation Report – Exhibit 22-057; the March 2022 Vendor Payment Report – Exhibit 22-058. Additional reports presented to the Directors included various financial metrics of the District for March 2022 – Exhibit 22-059; selected financial information – Exhibit 22-060; and NPPD's Board of Directors Board Meeting Agendas for the April 13-14, 2022 NPPD Board Meeting – Exhibit 22-061.

Executive Committee

A letter addressing District Water Issues is filed as Exhibit 22-062.

President/CEO Suess indicated that, regarding license compliance, there has been no activity during the past month. Mr. Suess stated that management submitted the Revised Loup River Bypass Reach Streambank Monitoring Plan to the Federal Energy Regulatory Commission (FERC) for approval. Mr. Suess noted that management drafted a letter to FERC regarding the update on the District's operations compliance plan and the United States Fish and Wildlife Service (USFWS) Biological Opinion (BO), adding that management is waiting on comments from the District's attorney before submitting to FERC. President/CEO Suess stated the District's intervention in the revised interbasin water transfer case continues to wait on the

Department of Natural Resources (DNR) who is reviewing the information and hearing transcripts. Mr. Suess stated the DNR could make a ruling at any time. President/CEO Suess indicated the District continues to hold in abeyance the Eighth Circuit Court of Appeals filing for review of the License Order, with the next filing expected to take place in early May 2022. Regarding damage and repair from the mid-March 2019 storm event, Mr. Suess stated that the final design drawings on the Canal remediation should be completed in late July, and District management has set up a conference call with FERC in early August to discuss the final design. Mr. Suess added that bids for construction on this project are planned to take place in fall 2022, with completion expected in summer 2023. Mr. Suess stated that work continues on the jetties, with the south side work on the damaged jetties completed and work on the north side expected to be completed in 2022. President/CEO Suess indicated that it has been five years since the District was granted its FERC License and four years since the District's filed with the Eighth Circuit Court of Appeals to overturn FERC's License. Management and the Board discussed at length the benefits and costs related to moving forward with the Eighth Circuit Court of Appeals filing, and the Board requested additional data analysis and financial information from management in order to make its decision regarding the filing.

A letter regarding Further Discussion on Broadband in the Loup-Cornhusker Area is filed as Exhibit 22-063.

President/CEO Suess indicated that the District is working with NPPD to develop a funding resolution regarding a potential backbone fiber network in the District's four-county area. Mr. Suess stated that the resolution would be executed by each public entity that has entered into the Memorandum of Understanding (MOU) and would include each entity's level of commitment in dollars. Mr. Suess added that a Request for Proposal (RFP) from private entities would then be developed to partner in establishing the backbone network and assist in bringing broadband to the rural four-county areas. President/CEO Suess noted that additional discussions have taken place with Cornhusker Public Power District (CPPD), and CPPD's Board has shown interest in keeping CPPD management engaged in the process; however, the District needs to determine the level of funding to which CPPD may be willing to commit. Management and the Board discussed various items related to the rural broadband issue.

Personnel, Safety, and Insurance Committee

The Payroll Changes are filed as Exhibit 22-064.

Resolution No. 2022-03 regarding the retirement of Neil Korus is filed as Exhibit 22-065.

Director Aerni made a motion to adopt Resolution No. 2022-03. Director Knott seconded the motion and roll was called.

Aye: Tooley, Donoghue, Zach, Fleming, Cerv, Knott, Langemeier, Aerni, Heesacker, Drozd

Nay: None

Absent: None

The motion carried.

Support Services Committee

The Legislative Bill Watch letter is filed as Exhibit 22-066.

Vice President of Corporate Services stated the 107th Legislature of the 2022 Nebraska Unicameral officially began its short 60-day session on January 5, and this session ended on April 20. The main focus in the Unicameral this year was on tax cuts, bills related to the American Rescue Plan Act (ARPA) and allocation of revenue surplus. Mr. Duren discussed with the Board several bills that dealt with public power districts and water development: LB1015-Perkins County Canal Act – Bill passed; LB1023-STARWARS lake development – Bill passed; LB1045-Change qualification of PPD Board members – Not acted on by Legislature; LB1046-Appointment of Board members and President/CEO for NPPD and OPPD – Not acted on by Legislature; LB1047-Filing requirements at the Power Review Board (PRB)-Amended into LB1045 – Not acted on by Legislature; and LB1058-Change requirements for base-load generating units-Amended into LB1045 – Not acted on by Legislature. Management and the Board discussed further items related to the 2022 Nebraska Unicameral session.

A listing of the 2022-2023 Loup Scholarships is filed as Exhibit 22-067.

President/CEO Suess indicated Loup scholarships were awarded to students at Columbus High School, Scotus Central Catholic, Lakeview High School, Clarkson High School, Lindsay Holy Family, and St. Edward High School. Mr. Suess stated management would like a Board member to present the Loup scholarships at the various schools' awards nights, if possible. Director Heesacker will present the scholarship at Lindsay Holy Family High School; Director Fleming will present the scholarship at Scotus Central Catholic High School; and Director Donoghue will present the scholarship at Lakeview High School.

At 10:52 A.M. the Board took a brief break and returned at 11:00 A.M.

At this time, Vice President of Accounting and Finance/CFO Williams presented his report to the Board, which included the financial report, filed as Exhibit 22-068. Vice President of Engineering Hobza presented his report to the Board.

Director Knott exited the meeting at 11:15 A.M.

Reports to the Board were also presented by Vice President of Operations Hellbusch, Vice President of Corporate Services Duren and Human Resource Manager Henry.

At 11:44 A.M. Director Donoghue made a motion to enter into Executive Session to discuss an employee issue. Director Langemeier seconded the motion and roll was called.

Aye: Tooley, Donoghue, Zach, Fleming, Cerv, Knott, Langemeier, Aerni, Heesacker, Drozd

Nay: None

Absent: None

The motion carried.

At 11:50 A.M., Director Langemeier made a motion to return to Regular Session. Director Aerni seconded the motion and roll was called.

Aye: Tooley, Donoghue, Zach, Fleming, Cerv, Knott, Langemeier, Aerni, Heesacker, Drozd
Nay: None
Absent: None
The motion carried.

The investment letter is filed as Exhibit 22-069.

Director Cerv made a motion to approve the investment letter as presented. Director Donoghue seconded the motion and roll was called.

Aye: Tooley, Donoghue, Zach, Fleming, Cerv, Knott, Langemeier, Aerni, Heesacker, Drozd
Nay: None
Absent: None
The motion carried.

The work order letter is filed as Exhibit 22-070.

Director Donoghue made a motion to approve the work order letter as presented. Director Aerni seconded the motion and roll was called.

Aye: Tooley, Donoghue, Zach, Fleming, Cerv, Knott, Langemeier, Aerni, Heesacker, Drozd
Nay: None
Absent: None
The motion carried.

The next regular Board meeting is set for May 24, 2022, at 9:00 A.M. at the General Office.

President/CEO Suess stated that the Safety Banquet will take place on May 13, 2022.

The APPA Annual Conference is set for June 10-15, 2022 in Nashville, TN.

The Nebraska Power Association (NPA) is planning on having a conference this year to discuss utilities issues on August 30-31, 2022 in Kearney, NE.

NPPD is having a tour of Cooper Nuclear Station on July 27, 2022.

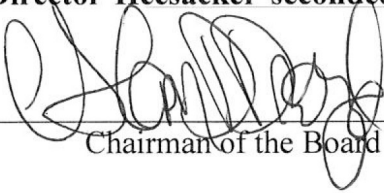
President/CEO Suess noted the following filings for Directors seats for the 2022 election:

Subdivision 2 – Alan Drozd (I), Ross Knott (I)
Subdivision 3 – Jim Donoghue (I), John Hannah, Brian Oppliger
Subdivision 6 – Larry Zach (I), Chuck Gonka

President/CEO Suess stated the primary election will be held on Tuesday, May 10, 2022.

15130
April 26, 2022

**Director Donoghue made a motion to adjourn. Director Heesacker seconded the motion.
The motion carried by voice vote.**



Chairman of the Board

5/24/2022
Date



Assistant Secretary