

LOUP POWER DISTRICT  
BOARD OF DIRECTORS  
August 27, 2024

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 August 27, 2024.

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

In the absence of Chairman Cerv, First Vice Chairman Donoghue presided as Acting Chairman of the meeting and Assistant Secretary Angell Robak recorded the minutes.

**Roll call showed:**

**Present: Tooley, Zach, Fleming, Heesacker, Aerni, Drozd, Donoghue**

**Absent: Cerv**

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

**Absent: None**

**Others: Dana Schultz**

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

President/CEO Suess welcomed Mr. Schultz to the meeting.

**Director Aerni made a motion to excuse the absence of Chairman Cerv. Director Fleming seconded the motion and roll was called.**

**Aye: Tooley, Zach, Fleming, Heesacker, Aerni, Drozd, Donoghue**

**Nay: None**

**Absent: Cerv**

**The motion carried.**

President/CEO Suess welcomed Mr. Schultz to the meeting.

**The minutes of the July 23, 2024, meeting were approved.**

The following reports were presented to the Directors: the July 2024 Staff Operations Report – Exhibit 24-124; the July 2024 Bank Reconciliation Report – Exhibit 24-125; the July 2024 Vendor Payment Report – Exhibit 24-126. Additional reports presented to the Directors included various financial metrics of the District for July 2024 – Exhibit 24-127; selected financial information for July 2024 – Exhibit 24-128; and NPPD's Board of Directors Board Meeting Agendas for the August 7-8, 2024, NPPD Board Meeting – Exhibit 24-129.

**Executive Committee**

A letter addressing District Water Issues is filed as Exhibit 24-130.

President/CEO Suess indicated that the non-capacity license amendment has been finalized and sent to the United States Fish and Wildlife Service (USFWS) and the Nebraska Game and Parks Commission (NGPC) for final review. Mr. Suess stated that, once the comments from the agencies are received, the amendment will be filed with the Federal Energy Regulatory Commission (FERC), which is expected to be in late September. Mr. Suess stated that, if this filing is approved by FERC, the District will develop and file a new Operations Compliance Plan.

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 October 2024.

President/CEO Suess reiterated that the District continues to work with the Nebraska federal delegation on collecting money from the Federal Emergency Management Agency (FEMA) related to the mid-March 2019 storm event. Mr. Suess stated that a meeting was held with officials from the Nebraska Emergency Management Agency (NEMA) and with new NEMA consultants. Mr. Suess noted that some movement is occurring, although progress is slow.

Regarding damage and repair from the mid-March 2019 storm event, President/CEO Suess indicated that the final design drawings on the overflow structure were submitted to and approved by FERC. Mr. Suess stated that FEMA/NEMA have provided letters to move forward with this project, and noted that the bidding process has started and construction could begin yet in 2024.

Management and the Board discussed several items related to the District's hydroelectric license and other State of Nebraska water issues.

President/CEO Suess indicated the Board retreat was held on Wednesday, July 31, 2024, at Dusters.

President/CEO Suess stated that Don Blankenau, the District's water attorney, attended in the morning to speak with the Board regarding District water rights and upstream water users. Mr. Suess added that the afternoon included a travel overview of ADM, Tallgrass, Project Hexagon, and the Columbus Recharge Project.

A letter regarding the 2024 Nebraska Power Association Load and Capability Report is filed as Exhibit 24-131.

President/CEO Suess provided the Board with the completed 2024 Nebraska Power Association (NPA) Load and Capability Report, which is required to be filed with the Nebraska Power Review Board annually. This report regards the status of future electrical loads and resources of the entire state over the next 20 years. Within the report, the statewide forecast projects a statewide non-coincident peak (NCP) compounded annual growth rate of 1.4 percent which is comparable to last year's 1.5 percent, but up significantly from years prior to that. Within the state of Nebraska, there are 7,801 MW of existing, 1,527 MW of committed, 736 MW of planned, and 2,076 MW of studied resources, which are all accredited capacity. President/CEO Suess informed the Board that, with the existing, committed and planned resources, a deficit is expected in 2035; however, with the existing, committed, planned and studied resources, a

deficit is not expected throughout the twenty-year study period. Mr. Suess noted that there is also some concern with aging units.

Management and the Board discussed details contained in the NPA report.

### **Finance and Budget Committee**

A letter regarding the 2025 Budget Preparation Schedule is filed as Exhibit 24-132.

The 2025 Budget Preparation Schedule is filed as Exhibit 24-133.

**Director Zach made a motion to approve the 2025 Budget Preparation Schedule as presented. Director Fleming seconded the motion.**

President/CEO Suess pointed out key dates in the 2025 Budget Preparation Schedule, and stated there will be a meeting of the Finance and Budget Committee on November 19, 2024, to discuss the 2025 Construction and Operations Budgets. The entire Board is asked to attend this meeting.

**The question was called.**

**Aye: Tooley, Zach, Fleming, Heesacker, Aerni, Drozd, Donoghue**

**Nay: None**

**Absent: Cerv**

**The motion carried.**

### **Personnel, Safety, and Insurance Committee**

A letter regarding Health Insurance Renewal is filed as Exhibit 24-134.

President/CEO Suess recommended the Board adopt management's recommendation to accept the renewal of health insurance from NRECA, Hartford Insurance and Express Scripts.

**Director Aerni made a motion to accept the renewal of health insurance for 2025 with NRECA, and with Hartford Insurance and Express Scripts at the proposed levels. Director Fleming seconded the motion.**

President/CEO Suess indicated the National Rural Electric Cooperative Association (NRECA) provides health insurance and prescription drug coverage for all employees, pre-65-year-old retirees, and Board members, while Hartford Insurance and Express Scripts provide health insurance and prescription drug coverage for post-65-year-old retirees. There will be a 7.0 percent increase in the 2025 renewal premiums for health insurance from NRECA for current employees, pre-65 retirees, and the Board of Directors. The 2025 renewal premiums for health insurance provided by Hartford Insurance and Express Scripts, for post-65 retirees reflect an increase of 5.96 percent.

President/CEO Suess noted that the District has used money in an unrestricted reserve account in the past to balance out increases; however, the money in the reserve account was depleted at the end of 2020. Mr. Suess stated the inability to use money from a reserve account could potentially affect retail rates for 2025.

Management and the Board discussed various items related to the District's health insurance and renewal.

**The question was called.**

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

The Payroll Changes are filed as Exhibit 24-135.

**At 11:00 A.M. Director Aerni made a motion to move into Executive Session to discuss the search for the new President/CEO. Director Drozd seconded the motion and roll was called.**

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

**At 11:45 A.M. Director Aerni made a motion to return to regular session. Director Drozd seconded the motion and roll was called.**

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

### **Support Services Committee**

A letter regarding Payments Made to Communities is filed as Exhibit 24-136.

President/CEO Suess informed the Directors that in mid-August, the District made payments totaling \$1,310,870.62 to all twenty-two communities under its Professional Retail Operations Agreement and Franchise with each community. Mr. Suess stated that these payments are made quarterly and are based on eleven percent of the adjusted inside revenue for each community.

A letter regarding an Executive Session to Discuss Possible Action on a Land Sale in the Energy Triangle Addition is filed as Exhibit 24-137.

**At 11:46 A.M. Director Drozd made a motion to move into Executive Session to discuss possible action on the sale of land in the Energy Triangle Addition. Director Heesacker seconded the motion and roll was called.**

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

**At 12:02 A.M. Director Drozd made a motion to return to regular session. Director Aerni seconded the motion and roll was called.**

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

**Director Drozd made a motion to allow management to finalize the contract for the sale of land in the Energy Triangle Addition as discussed in Executive Session. Director Aerni seconded the motion and roll was called.**

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

**At 12:03 A.M. the Board took a break for lunch and returned at 12:35 A.M.**

At this time, Vice President of Accounting and Finance/CFO Williams presented his report to the Board, which included the financial report for July 2024, filed as Exhibit 24-138. Reports to the Board were also presented by Vice President of Engineering Hobza, Vice President of Operations Hellbusch, Vice President of Corporate Services Duren, and Human Resource Manager Henry.

The investment letter is filed as Exhibit 24-139.

**Director Aerni made a motion to approve the investment letter as presented. Director Heesacker seconded the motion and roll was called.**

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

The work order letter is filed as Exhibit 24-140.

**Director Zach made a motion to approve the work order letter as presented. Director Fleming seconded the motion and roll was called.**

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

The next regular Board meeting is set for Tuesday, September 24, 2024, at 9:00 A.M. at the General Office.

President/CEO stated that options for potential modifications for those wanting behind-the-meter generation greater than 25kW continue to be reviewed.

An NPPD Board Forum with Directors Troester, Chlopek, Langemeier and Fuchtman is scheduled for September 13, 2024, at the Divots Conference Center in Norfolk, NE.

Taste of Columbus will be held on October 12, 2024, at the Innovation Center in Columbus.

The NPA Annual Conference is scheduled for October 29-30, 2024, in Kearney, NE.

**Director Drozd made a motion to adjourn at 1:08 P.M. Director Tooley seconded the motion. The motion carried by voice vote.**

9/24/2024  
Date

Robert J. Lee  
Chairman of the Board

Angelle Kobak  
Assistant Secretary