

LOUP POWER DISTRICT
BOARD OF DIRECTORS
June 29, 2021

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 June 29, 2021.

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

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

Roll call showed:

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

Absent: None

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

Absent: None

Others: Molly Hunter-Columbus Telegram

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

President/CEO Suess welcomed Ms. Hunter to the meeting.

The minutes of the May 25, 2021 meeting were approved.

The following reports were presented to the Directors: the May 2021 Staff Operations Report – Exhibit 21-088; the May 2021 Bank Reconciliation Report – Exhibit 21-089; the May 2021 Vendor Payment Report – Exhibit 21-090. Additional reports presented to the Directors included various financial metrics of the District for May 2021 – Exhibit 21-091; selected financial information – Exhibit 21-092; NPPD's RRC/PRAB/Customer Meeting Agenda and Presentations for the June 3, 2021 Meeting – Exhibit 21-093; and NPPD's Board of Directors Board Meeting Agendas for the June 9-10, 2021 NPPD Board Meeting – Exhibit 21-094.

Executive Committee

A letter addressing District Water Issues is filed as Exhibit 21-095.

President/CEO Suess indicated that there has been little activity during the past month regarding the compliance process of the District's hydroelectric license. Mr. Suess stated that Federal Energy Regulatory Commission (FERC) Staff is working to set up a meeting to discuss the possible need for a License amendment due to the repairs from the mid-March 2019 storm event. Mr. Suess stated that the District continues to work on its response to the October 13, 2020 United States Fish and Wildlife Service (USFWS) letter to FERC which agreed with some of the

District's proposed language changes to the USFWS Biological Opinion. Mr. Suess noted that management submitted an updated report regarding the reopening of the Headworks OHV area and requested an additional delay until December 2022 to submit the next report. President/CEO Suess reiterated that the District filed its intervention in the revised interbasin water transfer case, along with Central Platte NRD and Lower Loup NRD, and noted the District's brief on the motion to dismiss was filed with the Department of Natural Resources (DNR), and the applicant's reply brief has also been filed. Mr. Suess stated the applicant's motion to dismiss hearing is set for July 19, 2021. Mr. Suess noted 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 July. President/CEO Suess reiterated that management has submitted to FERC a plan and schedule for Canal remediation which indicates its sixty percent design drawings and calculations are expected to be completed and submitted to FERC by the end of October 2021. President/CEO Suess indicated that the State of Nebraska announced federal funding for damages from the mid-March 2019 storm event has increased from 75 percent to up to 90 percent reimbursement, and District management is in discussions with Federal Emergency Management Agency (FEMA) staff regarding this increase in assistance. Management and the Board discussed several items related to the District's hydroelectric license.

A letter regarding Further Discussion on Director Subdivisions is filed as Exhibit 21-096.

President/CEO Suess indicated that, as discussed in the previous two Board meetings, the District will likely need to redistrict the boundaries of the District Board members, due to changes caused by the 2020 Census data. Mr. Suess stated that management has held discussions concerning redistricting with the head of the Nebraska Power Review Board (PRB) as well as the Election Commissioners for both Platte County and Colfax County, who are working to prepare wards for the city councils in Columbus and Schuyler. President/CEO Suess indicated that data from specific wards may not be available in time to assist the District with its redistricting duties. Mr. Suess reiterated that while an increase or decrease in Board members is up to the Board, the Power Review Board (PRB) would prefer a decrease, and the District can expect to be questioned by the PRB if an increase in Board members is requested. President/CEO Suess stated that management has initiated discussions with an Omaha firm called gWorks to determine what 2020 Census data may be available to assist in drawing Director subdivision boundaries. Mr. Suess indicated there could be an additional concern regarding the City of Schuyler due to its large population and non-contiguous boundaries. Management and the Board discussed at length details related to Director Subdivisions.

A letter regarding Further Discussion on a Broadband Study in the Loup-Cornhusker Area is filed as Exhibit 21-097.

President/CEO Suess reiterated that an initial draft of a broadband study in the Loup-Cornhusker area was completed and presented on May 18 by the National Rural Telecommunications Cooperative (NRTC). Mr. Suess stated that the District and Cornhusker are working with the University of Nebraska at Kearney to study internet speeds in the Loup-Cornhusker area, which will help determine the level of benefit that rural broadband could provide. Mr. Suess noted that, after the initial meeting with NRTC, management believes that a subsequent meeting with a subset of both the Loup Board and Cornhusker Board would be beneficial in order for the NRTC to present the information from the study. Directors Fleming, Aerni, and Drozd volunteered to

represent the Loup Board at this meeting, which is set for Thursday, July 15, 2021, at 8:30 A.M. at the Loup Service Center. Management and the Board discussed this issue in more detail.

Personnel, Safety, and Insurance Committee

The Payroll Change is filed as Exhibit 21-098.

A letter regarding Discussion and Possible Action on an Information Technology Manager Position is filed as Exhibit 21-099.

President/CEO Suess indicated that management is recommending the creation of an Information Technology Manager position in the Corporate Services Department.

Director Aerni made a motion to approve the creation of an Information Technology Manager position in the Corporate Services Department. Director Heesacker seconded the motion.

President/CEO Suess stated that a request for this additional position was made by Vice President of Corporate Services Duren because the Information Technology (IT) component within the District has increased dramatically over the past several years, growing from one person in 2005 to three full-time employees today. The IT Manager, who would report directly to the Vice President of Corporate Services, would be responsible for and oversee all aspects of the IT Department. President/CEO Suess stated this role is currently being performed by the Supervisor of Information Services, who will be retiring soon, after which time the Supervisor of Information Services position will become a staff position with a lower salary. Mr. Suess noted a new job description would need to be created for the new IT Manager position. Vice President of Corporate Services Duren added that the workload within the IT Department, in addition to the ever-increasing regulations being forced upon the District, has created the necessity of this position. Management and the Board discussed different aspects of the Information Technology Manager position.

The question was called.

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

Nay: None

Absent: None

The motion carried.

Support Services Committee

The Legislative Bill Watch letter is filed as Exhibit 21-100.

Vice President of Corporate Services Duren indicated that the 107th Legislature adjourned sine die on Thursday, May 27, with the session lasting 86 days. The main focus in the Unicameral this year was tax reform and incentives, prisons, and other budget concerns. Mr. Duren noted that the electric issues on the forefront included transmission line building, public power governance and meeting structure, net metering, and broadband. . Mr. Duren stated that LR136 was introduced to study the effects of the February 2021 weather event; however, it is expected

to include the effects of the ongoing heat and problems in Texas, as well. Vice President of Corporate Duren stated that a special session of the Unicameral will be convened later this summer regarding redistricting. Management and the Board discussed items related to the 2021 Nebraska Unicameral session.

A letter regarding the High Hazard Area Safety and Regulatory Compliance Report is filed as Exhibit 21-101.

The District High Hazard Safety Administrator, who is the Vice President of Engineering, is required by FERC to regularly report High Hazard Area safety and regulatory compliance issues to the District President/CEO, who must then report independently of operations to the District Board of Directors. In order to comply with Section 4.4.4 of the High Hazard Area Safety Program, President/CEO Suess submitted a letter to the Board stating there have been no safety or regulatory compliance issues in either High Hazard Area No. 1 or No. 2. The last report was provided in June 2020. Management and the Board discussed items regarding the High Hazard Area Safety Program.

A letter regarding Action on Resolution No. 2021-07 – Fishing Piers at Lake North is filed as Exhibit 21-102.

President/CEO Suess recommended the Board approve Resolution No, 2021-07, authorizing the District's Board Chairman to sign the required documents to obtain federal assistance for the construction of handicap accessible fishing piers at Lake North.

Director Cerv made a motion to approve Resolution No. 2021-07 authorizing the District's Board Chairman to sign the required documents to obtain federal assistance for the construction of handicap accessible fishing piers at Lake North. Director Fleming seconded the motion.

President/CEO Suess indicated that management is working to obtain grants and other money to assist in the construction of fishing piers at Lake North, which are required as part of the Recreation Management Plan submitted by the District to FERC. Mr. Suess stated Resolution No. 2021-07 allows the Board Chairman to sign documents required to obtain grants from the Land and Water Conservation Fund (LWCF) and Lower Loup NRD. This Resolution also sets forth operating parameters and determines what happens if the piers are converted to another purpose. Management and the Board discussed Resolution No. 2021-07 in more detail.

The question was called.

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

Nay: None

Absent: None

The motion carried.

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 21-103. Reports to the Board were

also presented by Vice President of Engineering Hobza, Vice President of Operations Hellbusch, and Vice President of Corporate Services Duren. A report was also presented by Human Resource Manager Henry.

The work order letter is filed as Exhibit 21-104.

Director Zach 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, Drozd, Langemeier, Aerni, Heesacker, Knott

Nay: None

Absent: None

The motion carried.

The next regular Board meeting is set for July 27, 2021 at 9:00 A.M.

The virtual portion of the APPA Annual Conference is set for July 13-14, 2021.

Management from Loup and Cornhusker had a meeting on June 16, 2021, in the District Board Room. President/CEO Suess stated that a direct meeting with the Executive teams had not been held for many years. Mr. Suess noted the meeting went well, many issues were discussed, and meetings will continue to be held in the future.

Management is working with NPPD on possible outcomes due to FERC Order No. 2222, which deals with the potential aggregation of resources on the distribution system. Because of its size, the District is currently automatically opted-out, but NPPD is looking at numerous possibilities. Continued discussions will occur at future Board meetings.

President/CEO Suess advised the Board to contact the IT Department regarding any issues with their email accounts.

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



Chairman of the Board



Assistant Secretary

7/27/2021

Date