

LOUP POWER DISTRICT
BOARD OF DIRECTORS
June 25, 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 June 25, 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, Fleming, Heesacker, Aerni, Drozd, Donoghue

Absent: Zach, 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 absences of Chairman Cerv and Director Zach. Director Fleming seconded the motion and roll was called.

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

Nay: None

Absent: Zach, Cerv

The motion carried.

The minutes of the May 28, 2024 meeting were approved.

The following reports were presented to the Directors: the May 2024 Staff Operations Report – Exhibit 24-092; the May 2024 Bank Reconciliation Report – Exhibit 24-093; the May 2024 Vendor Payment Report – Exhibit 24-094. Additional reports presented to the Directors included various financial metrics of the District for May 2024 – Exhibit 24-095; selected financial information for May 2024 – Exhibit 24-096; and NPPD's Board of Directors Board Meeting Agendas for the June 12-13, 2024 NPPD Board Meeting – Exhibit 24-097.

Executive Committee

A letter addressing District Water Issues is filed as Exhibit 24-098.

President/CEO Suess indicated that management is finalizing the non-capacity license amendment to be filed with the Federal Energy Regulatory Commission (FERC). Mr. Suess

stated that the District received a waiver on the Water Quality Certificate (WQC) from the Nebraska Department of Environment and Energy (NDEE) for the District's proposed changes to water flow in the Loup and Platte Rivers, and noted that management is working with FERC Staff to make sure all data is contained in the amendment, after which time it will be submitted to FERC.

President/CEO Suess indicated that the District has drafted a five-year monitoring summary report of the Interior Least Tern, Piping Plover and Rufa Red Knot species, which is a requirement of the District's license. Mr. Suess stated that this report was reviewed and comments were received by the United States Fish and Wildlife Service (USFWS) and the Nebraska Game and Parks Commission (NGPC) and will be submitted to FERC by the end of June 2024. Mr. Suess noted that this may complete the monitoring of these species.

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 August 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 noted that FEMA/NEMA have provided letters to move forward with this project, and bidding 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 is set for Wednesday, July 31, 2024, at Dusters, beginning at 9:00 A.M. Mr. Suess stated that Don Blankenau, the District's water attorney, will attend in the morning to speak with the Board regarding District water rights and upstream water users. Mr. Suess added that the afternoon will include training on new computers for the Board, an ADM overview, and review of the Lower Loup Natural Resources District (LLNRD) recharge project.

Personnel, Safety, and Insurance Committee

The Payroll Changes are filed as Exhibit 24-099.

Resolution No. 2024-04 regarding the retirement of Scott Gottsch is filed as Exhibit 24-100.

Director Aerni made a motion to adopt Resolution No. 2024-04. Director Drozd seconded the motion.

A brief discussion occurred regarding the Payroll Changes.

The question was called.

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

Nay: None

Absent: Zach, Cerv

The motion carried.

At 9:23 A.M. Director Aerni made a motion to move into Executive Session to discuss a personnel issue. Director Heesacker seconded the motion and roll was called.

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

Nay: None

Absent: Zach, Cerv

The motion carried.

At 9:58 A.M. Director Aerni made a motion to return to regular session. Director Drozd seconded the motion and roll was called.

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

Nay: None

Absent: Zach, Cerv

The motion carried.

A letter regarding the Retirement Notice of President/CEO Suess is filed as Exhibit 24-101

Support Services Committee

President/CEO Suess stated the APPA National Conference was held in San Diego, CA on June 7-12, 2024, and noted that he, Directors Aerni and Drozd, and Vice President of Corporate Services Duren attended this conference. Those attending shared their thoughts on the conference, stating that breakout sessions that took place included those related to customer engagement, large load additions, artificial intelligence (AI), and electric vehicles (EV). The next APPA National Conference will be held on June 6-11, 2025, in New Orleans, LA.

A letter regarding the High Hazard Area Safety and Regulatory Compliance Report is filed as Exhibit 24-102.

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 2023.

Management and the Board briefly discussed items regarding the High Hazard Area Safety Program.

A letter regarding Payments and Contributions to State and Local Government – 2022 is filed as Exhibit 24-103.

President/CEO Suess indicated the District received a report from the American Public Power Association (APPA) comparing the payments and contributions made by the public power systems to state and local governments for the year 2022. This report is provided to all APPA members and is published once every two years. Mr. Suess stated that the District's contribution of 9.0 percent of retail operating revenue is above the median contributions of other comparably-sized publicly-owned systems and investor-owned utilities. Mr. Suess also noted that the contributions of free and reduced electric service to municipalities and the use of District employees or resources were not included in the APPA calculation.

A letter regarding Resolution No. 2024-05 – Purchase of Customer and Facilities from Cornhusker Public Power District, is filed as Exhibit 24-104.

District management requested that the Board adopt Resolution No. 2024-05 regarding the purchase of a customer and related facilities from Cornhusker Public Power District (Cornhusker) near Lindsay.

Resolution No. 2024-05 – Purchase of Customers and Facilities from Cornhusker Public Power District, is filed as Exhibit 24-105.

Director Drozd made a motion to adopt Resolution No. 2024-05. Director Fleming seconded the motion.

President/CEO Suess informed the Board that, as discussed last month, the Village of Lindsay annexed an area north and west of the current Village limits, currently served electrically by Cornhusker, where the new Lindsay Academy will be located. Mr. Suess indicated that the District and Cornhusker both agreed that the area will need to be served by the District in the future.

President/CEO Suess stated this area contains only one customer, which is outside the Village limits, and per Nebraska State Statutes, the District must pay Cornhusker for this customer using a specific formula consisting of an amount equal to 2.5 times the annual revenue for this customer and the replacement cost new less depreciation costs for all facilities owned by Cornhusker, for a total of \$8,219.35. Mr. Suess stated that there are no integration costs associated with this, as no additional customers are serviced by Cornhusker on these facilities.

President/CEO Suess stated that the District and Cornhusker have agreed to a transfer date of September 1, 2024.

Management and the Board discussed details related to this issue.

The question was called.

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

At 10:15 A.M. the Board took a brief break and returned at 10:28 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 May 2024, filed as Exhibit 24-106. 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 24-107.

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

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

The work order letter is filed as Exhibit 24-108.

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

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

The next regular Board meeting is set for Tuesday, July 23, 2024, at 9:00 A.M. at the General Office.

President/CEO Suess stated that discussions continue with NPPD on its new Wholesale Power Contract, New Load Queue process and Transmission Interconnection process, and noted that many changes are coming.

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

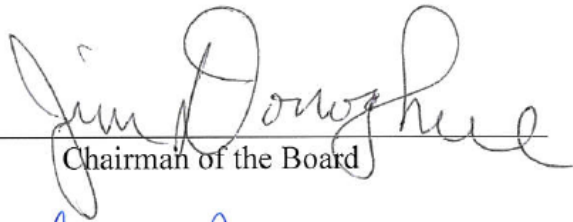
President/CEO Suess stated the Board Retreat is set for July 31, 2024, at Dusters.


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

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

NPPD's RRC/PRAB/Wholesale Customer Meeting will be held in Kearney on Thursday, June 27, 2024.

Director Drozd made a motion to adjourn at 11:08 A.M.. Director Fleming seconded the motion. The motion carried by voice vote.


Chairman of the Board


Assistant Secretary


Date