

LOUP POWER DISTRICT
BOARD OF DIRECTORS
September 27, 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 September 27, 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, Amanda Henry

Absent: None

Others: None

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.

The minutes of the August 23, 2022 meeting were approved.

The following reports were presented to the Directors: the August 2022 Staff Operations Report – Exhibit 22-138; the August 2022 Bank Reconciliation Report – Exhibit 22-139; the August 2022 Vendor Payment Report – Exhibit 22-140. Additional reports presented to the Directors included various financial metrics of the District for August 2022 – Exhibit 22-141; selected financial information – Exhibit 22-142; and NPPD's Board of Directors Board Meeting Agendas for the September 7-8, 2022 NPPD Board Meeting – Exhibit 22-143.

Executive Committee

A letter addressing District Water Issues is filed as Exhibit 22-144.

President/CEO Suess indicated that the Revised Loup River Bypass Reach Streambank Monitoring Plan which was submitted to the Federal Energy Regulatory Commission (FERC) in February has been approved, with the only modification being that report filings will have to be continued through 2025. Mr. Suess noted that management and the District's attorney are working on a letter to FERC which will provide an update on the District operations compliance plan and the United States Fish and Wildlife Service (USFWS) Biological Opinion (BO), and management shared this letter with FERC Staff in order to get their reaction and begin a dialogue before filing it with FERC. President/CEO Suess indicated 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. Mr. Suess reiterated 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 November 2022. Mr. Suess added that management and the District's attorney are working to determine what costs and likely outcomes may be associated with moving forward with this case. Regarding damage and repair from the mid-March 2019 storm event, President/CEO Suess stated that the final design drawings on the Canal remediation have been submitted to FERC for review. Mr. Suess added that bids for construction on this project are planned to take place in fall 2022, with completion expected in summer 2023. Management and the Board discussed several items related to the District's hydroelectric license and other State of Nebraska water issues.

A letter regarding Further Discussion on Broadband in the Loup-Cornhusker Area is filed as Exhibit 22-145.

President/CEO Suess indicated that a Memorandum of Understanding (MOU) has been signed by the District, CPPD, and NPPD, as well as Boone, Colfax, Nance and Platte Counties. Mr. Suess stated that Platte County has indicated they will support an investment of up to \$1 million for rural broadband in Platte County, and added that Colfax County has also shown some interest, but has not committed to any dollar amount. Mr. Suess stated that the District is working with Pat Pope, a special consultant with NPPD, and the National Rural Telecommunications Cooperative (NRTC) to develop areas within Platte County that would provide the most benefit to rural Platte County residents with the investment dollars received. President/CEO Suess indicated that the District is working on a funding resolution that would be executed by the County and each public entity that has entered into the (MOU) which would include each entity's level of commitment in dollars, with a separate funding resolution executed by each county in the four-county area and any public entity interested in partnering to establish the backbone network. Mr. Suess noted that management has executed an agreement with the National Rural Telecommunications Cooperative (NRTC) regarding a Smart Grid Technology Planning Study for the District that will allow the District to see the potential benefits of a partial broadband system in smart grid development. Mr. Suess added that this study is not expected to begin until spring 2023. 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 22-146.

A lengthy discussion took place between management and the Board regarding ways the District can acquire and maintain its workforce, particularly line technicians, through internships, job shadowing, and other means.

President/CEO Suess recommended the Personnel, Safety, and Insurance Committee meet on Tuesday, October 18, 2022, at 9:00 A.M. in the Board room to discuss the wage proposal for 2023.

Resolution No. 2022-06 regarding the retirement of Tim Novicki is filed as Exhibit 22-147.

Director Aerni made a motion to adopt Resolution No. 2022-06. Director Fleming seconded the motion and roll was called.

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

A letter addressing Discussion and Possible Action – Create IT Systems Coordinator and IT Network Coordinator Positions and Eliminate Supervisor of Information Systems and Network Coordinator Positions is filed as Exhibit 22-148.

President/CEO Suess indicated that management created the IT Manager position last year, assuming the Supervisor of Information Systems would be retiring within the next twelve to eighteen months, after which time, that position would be reduced to staff level. Mr. Suess stated that, since the Supervisor of Information Systems has indicated no plans to retire in the near future, the current plan is to eliminate the Supervisor of Information Systems position and move the employee in that position to the IT Manager position. President/CEO Suess added that the Network Coordinator position will be eliminated and the person holding that position will move into the newly created IT Systems Coordinator position, while the new position of IT Network Coordinator will be advertised and filled. Mr. Suess noted that these position changes will not involve any increased costs to the District, and requested the Board adopt management's recommendation to create the IT Systems Coordinator and IT Network Coordinator positions and eliminate the Supervisor of Information Systems and Network Coordinator positions. Management and the Board further discussed this issue.

Director Aerni made a motion to adopt management's recommendation to create the IT Systems Coordinator and IT Network Coordinator positions and eliminate the Supervisor of Information Systems and Network Coordinator positions. Director Heesacker 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 10:01 A.M. the Board took a brief break and returned at 10:12 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 22-149. 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 22-150.

Director Knott made a motion to approve the investment letter as presented. Director Heesacker 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 22-151.

Director Cerv made a motion to approve the work order letter as presented. Director Donoghue seconded the motion.

A brief discussion took place regarding an item in the work order letter.

The question was called.

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

Nay: None

Absent: None

The motion carried.

A letter regarding possible action on a Transformer Selection for the Columbus Southwest Substation is filed as Exhibit 22-152.

President/CEO Suess indicated that land was purchased near the sale barn in southwest Columbus for the purpose of building a new Columbus SW substation which would take load off the Columbus NW substation and the downtown Plant substation, and added that it is planned to bring the Columbus SW substation into operation in late 2023 to meet the timetable for new growth in northwest Columbus. Mr. Suess noted that the construction of this substation will be included in the 2023 Construction Budget; however, with the long lead times associated with delivery of transformers, District management feels it is necessary to order the transformer now, although payment of the transformer would not be made until it is delivered to the District sometime in 2023. President/CEO Suess stated that approval by the Board would commit the District to purchase the transformer and include the Columbus SW substation in the 2023 Construction Budget. Mr. Suess indicated that, of the four different transformer bids submitted, Howard had the lowest evaluated bid and shortest lead time for delivery. President/CEO Suess recommended the Board approve selection of the Howard 34.5kV/12.5kV 10/12/14 MVA three-phase transformer for the new Columbus SW substation. Management and the Board discussed details related to the Columbus SW substation.

Director Zach made a motion to approve the selection of the Howard 34.5kV/12.5kV 10/12/14 MVA three-phase transformer for the new Columbus SW substation. Director Aerni seconded the motion.

**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 October 25, 2022, at 9:00 A.M. at the General Office.

President/CEO Suess stated the 2023 GFPS Rate Study Summary was received from NPPD, and is in line with the discussion held with the Board at its August 2022 Board meeting; therefore, no rate hearing will be requested at this time.

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

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

President/CEO Suess noted that the District has been having issues with people entering restricted areas of the District without prior contact of District employees. Mr. Suess stated that, because of safety concerns regarding people being in construction areas where hard hats should be worn, management will be working diligently to restrict areas to the general public, including Board members. Mr. Suess added that tours can be arranged to review activity by contacting the District.

Taste of Columbus will be held on Sunday, October 9, 2022 at the Ramada-Columbus.

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



Chairman of the Board



Assistant Secretary

10/25/2022
Date