

**STATE OF NEBRASKA
NEBRASKA POWER REVIEW BOARD**

IN THE MATTER OF THE PETITION)	Charter Amendment # 9
OF THE BURT COUNTY PUBLIC)	
POWER DISTRICT TO AMEND ITS)	PETITION TO AMEND
CHARTER		

Burt County Public Power District, Petitioner, hereafter referred to as “the District” represents to the Nebraska Power Review Board as follows:

1. The District is a public power district organized and existing under NEB. REV. STAT. §§ 70-601 *et seq.*, with its principal place of business located in Tekamah, Burt County, Nebraska.

2. The District is engaged in the business of public utility service, and is without the ability to levy taxes or issue general obligation bonds.

3. On February 5, 2024, at a regular meeting of the Board of Directors of the District held at its offices in Tekamah, Burt County, Nebraska, due and proper notice of said meeting having been given as provided by law, and six (6) members of the Board being present, upon a vote of record the Board voted 6-0 to authorize that a Petition be filed with the Power Review Board, in accordance with NEB. REV. STAT. § 70-662, containing the amendments as described herein. See Exhibit “A.” The reason for the adoption of the Charter Amendment is to add language acknowledging the prohibition on the ability to issue general obligation bonds and to describe the Chartered Territory with more precision. See Exhibit “B” containing a map of the described Chartered Territory.

4. This amendment is in the best interest of and in no way prejudices the rural customers served by the District. There are no voting subdivisions, all Directors are elected at-large.

5. Section/Paragraph (II) of the District's Charter shall be amended to read as follows:

II. The name of the municipalities, counties or parts of counties and voting precincts (as of February 5, 2024) lying within the State of Nebraska constituting the chartered area of Burt County Public Power District are and shall be as follows:

All voting precincts within Burt County, Nebraska; known and designated as Arizona, Bell Creek, Craig, Decatur, Everett, Logan, Oakland (not City), Pershing, Riverside, Quinnebaugh, Silver Creek, and Summit. All of Burt County, Nebraska except: the East half of Section 22, Township 20 North, Range 10 East; Sections 23 and 24, Township 20 North, Range 11 East; the South ½ and the South ½ of the North ½ of Section 19, Township 20 North, Range 11 East; the SW ¼ and the South ½ of the NW ¼ of Section 20, Township 20 North, Range 11 East; any area lying East of the Missouri River; the Villages of Decatur and Craig; and the Cities of Lyons, Oakland, and Tekamah.

The following in Dodge County, Nebraska:

The East ½ and the East ½ of the West ½ of Section 9; The Southwest ¼ and the South ½ of the Northwest ¼ of Section 15; all of Section 16 except the Northwest ¼ of the Northwest ¼; the South ½ and the South ½ of the North ½ of Sections 17 and 18; Sections 19-21; the West ½ of Section 22; the Southwest ¼, the West ½ of the Southeast ¼, the South ½ of the Northwest ¼, the Southwest ¼ of the Northeast ¼ of Section 25; The South ½ and the South ½ of the North ½ of Section 26; all of Section 27 except the North ½ of the Northeast ¼; Sections 28-35; all of Section 36 except the Northeast ¼ of the Northeast ¼, Township 20 North, Range 5 East, all in Webster Voting Precinct;

The South ½ and the South ½ of the North ½ of Sections 31 and 32; the Southwest ¼ and the South ½ of the Northwest ¼ of Section 33, Township 20 North, Range 6 East, all in Pebble Voting Precinct;

All of Township 19 North, Range 5 East, except the Southeast ¼ of Section 35 and the South ½ of Section 36; the Northwest ¼ of Section 2; the North ½ of Sections 3-6, Township 18 North, Range 5 East; all of Township 19 North, Range 6 East except the North ½ of the North ½ of Section 1, the North ½ and the North ½ of the South ½ of Sections 2 and 3, the Northeast ¼ and the North ½ of the Southeast ¼ of Section 4, the Southwest ¼, the South ½ of the Southeast ¼, the Northwest ¼ of the Southeast ¼ of Section 31, the South ½ of the South ½ of Section 32, the Southwest ¼ of the Southwest ¼ of Section 33; all of Section 1, 3, 12, and 13, the West ½ of the West ½ of Section 2, the Northeast ¼, the North ½ of the Southeast ¼, the Northeast ¼ of the Southwest ¼, the East ½ of the Northwest ¼ of Section 4, the North ½ of the North ½ of Section 10, the Northwest ¼ of

the Northwest ¼ of Section 11, Township 18 North, Range 6 East, all in the Ridgley/Union/Cotterell Voting Precinct;

The West ½ of Section 1, all of Sections 2-11, the West ½ of Section 12, the Northwest ¼ of Section 13, the North ½ and the Southwest ¼ of Section 14, the North ½, Southeast ¼, the East ½ of the Southwest ¼ of Section 15, the North ½ of Sections 16 and 17, the North ½ and the West ½ of the Southwest ¼ of Section 18, the East ½ of the Northwest ¼ and the Northeast ¼ of Section 22, the Northwest ¼ of Section 23, Township 18 North, Range 7 East, all in Maple/Nickerson Voting Precinct; all of Township 19 North, Range 7 East except the Southeast ¼, the East ½ of the Southwest ¼, the South ½ of the Northeast ¼, the Southeast ¼ of the Northwest ¼ of Section 1, the North ½ of the Northwest ¼ of Section 5, the North ½ of the North ½ of Section 6, the East ½ and the East ½ of the West ½ of Section 12, the East ½ of Sections 13, 24, 25, and 36; the South ½ of Sections 1 and 2, the Southeast ¼ of Section 3, the South ½ of Section 9, the South ½ and the Northeast ¼ of Section 10, Sections 11-16, the Southeast ¼ and the South ½ of the Northeast ¼ of Section 19, the South ½ and the South ½ of the North ½ of Section 20, Sections 21-28, the North ½ and the Southeast ¼ of Section 29, the Northeast ¼ of Section 30, the East ½ of Section 32, Sections 33-36, Township 20 North, Range 7 East, all in the Cuming/Everett Voting Precinct;

The North ½ of the Northeast ¼ and the West ½ of Section 1, Sections 2-3, the North ½ of the North ½ of Sections 4 and 5, Sections 10-11, and the West ½ of Section 12, Township 19 North, Range 8 East; all of Township 20 North, Range 8 East; Sections 6, 7, 18, 19, 30, 31, Township 20 North, Range 9 East; the North ½ of the North ½ of Section 6, Township 19 North, Range 9 East, all in the Logan/Hooper Voting Precinct. ~~Those voting precincts within Dodge County, Nebraska known and designated as Pleasant Valley, Ridgely, Everett, Maple, Logan, Cuming, and Webster, except that territory in Webster precinct lying within the corporate limits of the Village of Dodge, Nebraska and that portion of the Village of Snyder, Nebraska lying within said Webster precinct.~~

Voting precincts The following described territory in Washington County, Nebraska; the North ½ of Sections 25 and 26, the North ½ and the Southwest ¼ of Section 27, Sections 28-29, 32-33, the South ½ and the Northwest ¼ of Section 34, the South ½ of Sections 35 and 36, Township 20 North, Range 9 East; the Northwest ¼ and the Northwest ¼ of the Southwest ¼ of Section 27, Section 28, the North ½ and the North ½ of the South ½ of Section 29, the North ½ and the East ½ of the Southeast ¼ of Section 30, the South ½ and the Southeast ¼ of the Northeast ¼ of Section 31, the South ½ and the East ½ of the Northwest ¼ of Section 32, the South ½ of Sections 33-35, the East ½ of the Southwest ¼ of Section 36, Township 20 North, Range 10 East; Section 1, the East ½ and the North ½ of the Northwest ¼ of Section 2, the North ½ of the North ½ of Sections 3-5, the East ½ of Section 11, Section 12, the North ½ of the North ½ of Section 13, and the North ½ of the Northeast ¼ of Section 14, Township 19 North, Range 9 East; the South ½, the South ½ of the North ½, and the Northwest ¼ of the Northwest ¼ of Section 1, Sections 2-15, the East ½ and the North ½ of the Northwest ¼ of Section 16, the North ½ of the North ½ of Sections 17 and 18, the East ½ of Section 21, Sections 22-27, the North ½ and the North ½ of the South ½ of Section 34, the North ½, the North ½ of the Southwest ¼ and the Southeast ¼ of Section 35, Section 36, Township 19 North, Range 10 East; the West ½ of the West ½ of Section 3, Section 4, the East ½ of the East ½ of Section 5, the Southwest ¼ and the South ½ of the Northwest ¼ of Section 6, the West ½ of Section 7, the East ½ of the East ½ of Section 8, Section 9, the West ½ of the West ½ of Sections 10 and 15, Section 16, the South ½ and the South ½ of the North ½ and

the Northeast ¼ of the Northeast ¼ of Section 17, the West ½, the Southeast ¼, and the South ½ of the Northeast ¼ of Section 18, the West ½ of Section 19, the Northeast ¼ of Section 20, the North ½ and the North ½ of the Southeast ¼ of Section 21, the West ½ of the Northwest ¼ and the Northwest ¼ of the Southwest ¼ of Section 22, the West ½ of Sections 30 and 31, Township 19 North, Range 11 East. known and designated as Fontanelle S6 T5 and Herman S5 T5 except the territory in Herman S5 T5 lying within the corporate limits of the Village of Herman.

The following in Thurston County, Nebraska:

All of the Anderson-Blackbird Voting Precinct;

All of the Winnebago Voting Precinct except the Village of Winnebago, Sections 32-35, Township 27 North, Range 8 East; Sections 2-5 Township 26 North, Range 8 East, Sections 8-11, Township 26 North, Range 8 East, the North ½ of the NW ¼ of Section 14, and the North ½ of the North ½ of Sections 15-17, Township 26 North, Range 8 East;

All of the Bryan Voting Precinct;

All of the Dawes Voting Precinct;

All of the Omaha Voting Precinct, except the Village of Walthill;

The South ½ and the South ½ of the North ½ of Section 17, the Southeast ¼ of the Northwest ¼, the South ½ of the Northeast ¼, the West ½ of the Southwest ¼ and the Southeast ¼ of Section 18, Township 26 North, Range 7 East in the Perry Voting Precinct;

The South ½ and the South ½ of the North ½ of Sections 13-16, Township 26 North, Range 7 East, the East ½ and the East ½ of the West ½ of Section 19, all of Sections 20-29, the East ½ and the East ½ of the West ½ of Section 30, all of Section 31 except the Northwest ¼ of the Northwest ¼, all of Section 32-36, Township 26 North, Range 7 East, all of Sections 1-6, Township 25 North, Range 7 East, all of Section 1, the East ½ of the Southwest ¼, the Southeast ¼, and the East ½ of the Northeast ¼ of Section 2, Township 25 North, Range 6 East, the East ½ of the Southeast ¼ and the Southeast ¼ of the Northeast ¼ of Section 35, the South ½ and the South ½ of the North ½ of Section 36, Township 26 North, Range 6 East all in Flourney/Merry Voting Precinct;

Sections 7, 8, 17-20, 29-32, Township 25 North, Range 7 East, all of Sections 12, 13, 24, 25, and 36, Township 25 North, Range 6 East, the East ½ and the East ½ of the West ½ of Sections 11, 14, and 23, Township 25 North, Range 6 East, the Northeast ¼ and the East ½ of the Southeast ¼ of Section 26, the South ½ and the South ½ of the Northeast ¼ and the East ½ of the Northeast ¼ of Section 35, Township 25 North, Range 6 East, all in the Pender Voting Precinct. ~~Voting precincts in Thurston County, Nebraska known and designated as Merry, Bryan, Blackbird, Dawes, Anderson, Winnebago, except that portion thereof lying within the corporate limits of the Village of Winnebago, Omaha except that portion thereof lying within the corporate limits of the Village of Walthill, Pender except that portion thereof lying within the corporate limits of the Village of Pender, and Flourney except that portion thereof lying within the corporate limits of the Village of Thurston.~~

That all other voting precincts within the State of Nebraska which are not named and described above are hereby specifically excluded from the chartered territory of Burt County Public Power District.

6. Section/Paragraph (V) of the District's Charter shall be amended as follows:

(V) That the proposed district shall not have ~~the~~ no power to levy taxes nor to issue general obligation bonds of taxation and all property within said district shall be exempt from the levy of any taxes for the payment of any obligations of the district.

7. Section/Paragraph (VI) shall be amended to read as follows:

That the Board of Directors of the Proposed District shall consist of six members. Each Director of the Members of the Board of Directors of the District, shall serve in Group 1, Group 2, or Group 3, and said election terms shall be staggered so that not more than two Directors are up for election every two (2) years.

Gerald Bohling
Hooper, Nebraska 68031
Group number 1
Term expiring ~~2018~~24

Mike Chatt
Tekamah, Nebraska 68061
Group number 1
Term expiring ~~2018~~24

~~Jerry Palmer~~
~~Tekamah, Nebraska 68061~~
~~Group number 2~~
~~Term expiring 2014~~
Scott Lindstrom
Oakland, NE
Group number 2
Term expiring 2026

Dwane Piere
Macy, Nebraska 68039
Group number 2
Term expiring ~~2014~~26

Greg Johnson
Craig, Nebraska 68019
Group number 3
Term expiring ~~2016~~2028

Mike Williams
Tekamah, Nebraska 68061
Group number 3
Term expiring ~~2016~~2028

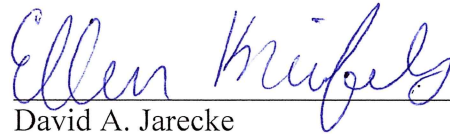
That each of said Directors shall serve until his or her successor is elected and qualified. That said Directors, in compliance with NEB. REV. STAT. § 70-604 RRS, 1943, as amended are divided into three groups and that those Directors designated as belonging to Group number 1 shall hold office until their successors are elected at a General State election and qualified; those Directors designated as belonging to Group number 2 shall hold office until their successors are elected at a General State election and qualified; those Directors designated as belonging to Group number 3 shall hold office until their successors are elected at a General State election and qualified.

8. The Amendment set forth above will not be contrary to the best interests of the District, nor will it jeopardize or impair the rights of the creditors of the District.

WHEREFORE, the District requests that the Nebraska Power Review Board publish the required notice and issue a Certificate approving Charter Amendment #9, and do all and further things required by or appropriate under the laws of the State of Nebraska.

Dated: February 22, 2024

BURT COUNTY PUBLIC POWER DISTRICT,
Petitioner,



David A. Jarecke

Nebraska Bar No. 20088

Ellen Kreifels

Nebraska Bar No. 25481

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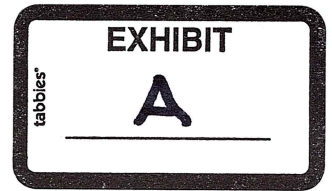
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**BURT COUNTY PUBLIC POWER DISTRICT
RESOLUTION #2024-1 APPROVING CHARTER AMENDMENT #9**

WHEREAS, The Board of Directors (“Board”) of Burt County Public Power District (“District”) has reviewed the proposed Charter Amendment #9 at a Regular Meeting of said District held on February 5, 2024, said meeting having been advertised as required by Nebraska Statutes;

WHEREAS, the Board has deemed it to be in the best interest of its customers to revise its Chartered Territory. It will add language creating a chartered territory description that follows the service territory and add language stating that the District is without the ability to issue general obligation bonds; and

NOW THEREFORE, BE IT RESOLVED, that the Board approves by a 6-0 vote, with ___ members absent, that the Charter Amendment #9, in the form set forth in the Petition to Amend #9, be presented to the Nebraska Power Review Board; and

BE IT FURTHER RESOLVED, it is appropriate to maintain the chartered territory without voting subdivisions and all six directors elected “at-large” from the chartered territory; and

BE IT FURTHER RESOLVED, the Board agrees and acknowledges it has no authority to levy taxes or issue general obligation bonds; and

BE IT FURTHER RESOLVED, that the Board authorizes the General Manager or the District’s legal representatives to make corrections to the Charter or Petition as may be reasonably necessary to effectuate the intent of this resolution; and



BE IT FURTHER RESOLVED, all such changes made in the Charter Amendment #9 shall become effective immediately upon the Nebraska Power Review Board’s confirmation and approval.

IN WITNESS WHEREOF, I have set my hand this 5th day of February, 2024.

By: Michael J. Catt
President



Legend

-  Counties
-  Charter

