Southwest Missouri Joint Municipal Water Utility Commission (JMUC)

Board of Directors Meeting

Minutes

October 19, 2022

CALL TO ORDER

The meeting of the Southwest Missouri Joint Municipal Water Utility Commission was called to order at The Casino, 101 South Lincoln, Monett Missouri on October 19, 2022, at 9:07 a.m. by Jason Choate.

SELF INTRODUCTIONS

Board Members Present:
Kendall Powell, Branson
Jason Choate, Carthage
Steve Stodden, City Utilities of Springfield
Skip Schaller, Monett,
Dustin Davis, Mt. Vernon
Travis Cossey/Doug Colvin, Nixa
Jeremy Parsons, Ozark
Dan Johnson, City of Joplin
Roddy Rogers, Executive Director-SWMO

In Attendance:
Mike Weller, DNR via Zoom
TJ Whatley, City Utilities via Zoom
Jennifer Henggeler, ACE
Theresa Fernau-Dunn, City Utilities
Bob Wilson, City Utilities via Zoom
Joel Alexander, City Utilities via Zoom
John Fortuna via Zoom
Lewis Jones via Zoom
Gail Melgren
Jack Schaller
Chad Johnson
Mike Beatty, Liberty
Matt Barnhart MO AM Water

APPROVAL OF PREVIOUS MINUTES

A motion to approve the JMUC minutes from August 17 was made by Travis Cossey, seconded by Steve Stodden, and passed.

OFFICERS 2022-2023

JMUC members include Branson, Carthage, Springfield CU, Joplin, Monett, Mt Vernon, Nixa, Stockton. Ozark is considering pending next dues cycle.

JMUC Officers include—Skip Schaller-Pres; Jason Choate VP; Kendall Powell Sec: Travis Cossey-Treas; Steve Stodden-at large.

COMMITTEE REPORTS

JMUC Financial Report-Travis Cossey

$237,866.34 JMUC account

Technical -Jason Choate

PAS Funding Agreement--Plan to make payment and reimbursement request for $325,000 to match PAS funding with DNR Multipurpose funds for Corridor Studies, Hydraulic Model, and Timing/Permitting Studies.

PAS agreement set up to use COE consultants to do hydraulic model, aerial photography, environmental archaeological studies, and timing/permitting studies.

Storage accounting—Have received info from COE to be able to analyze this.
The COE policy is to do storage accounting which means they give a percentage of inflows to each user based on their percent of storage. It will be good to know the impacts to the contract with and without storage accounting wr to costs and quantity of water. This involves doing an analysis to see what the differences in costs and the pros and cons are. Jones and Fortuna has subcontracted with Hazen and Sawyer to do this analysis for us at a cost of around $5000 so we can have a better understanding of this.

DYMS—Dependable Yield Mitigation Storage. To make CU whole. Required by COE. Same inflows, same lake volume, if pool volume increases as result of additional reallocation, previous reallocation to CU yields less. Will need to be handled in contracts.

COE Report

Jennifer Henggeler

Jen reported that the reallocation report is in review. One review was completed followed by a back checking review to see if there were any additional comments. There were 4 additional comments which Jen is working on addressing. She plans to route next week thru the District and target transmitting to Division level end of October followed by transmittal to HQ and agency technical review. The COE just started a fiscal year so the

cost of storage was just updated and Jen will be sending that to us. Final NEPA review is underway and should be done next week. Targeting Nov 10 for reallocation report to go to HQ. They have 3 months to review and a Director's report would follow in February. ASA Michael Connor is aware of the coming report.

Roddy suggested each entity talk to decision makers w amount and cost.

Each of the entities need to make their decision on participating in the reallocation now. SWMO Joint Municipal Water Utility Commission draft contracts are needed and will be discussed in closed session later.

DNR-Michael-Weller

Request for $325,000 from multipurpose fund to match COE funding of $325,000 for Corridor, Environmental, Hydraulic, and Permit studies has been received and is in process.

EXECUTIVE DIRECTOR REPORT

Attended meeting at Hermitage Mo on update to Water Control Manual for Pomme De Terre Lake (Aug 29). It is being updated because conditions in the watershed have changed since the Manual was approved in 1971. The Manual identifies how the lake will be operated to meet all the authorized purposes including water supply. Roddy submitted comments to continue consideration of our request for a reallocation of storage for water supply since what we are requesting from Stockton will meet about half our need out to 2060. COE staff is aware of our request and committed to including that consideration in the update.

Since we have switched to the JMUC receiving more of the dues revenue, That entity will need to file taxes. We have not in the past because revenues were below the $50,000 threshold. Met with Forvis to set them up with needed info to prepare statements and taxes

Met with DNR Water Resources to discuss funding and have had several communications with DNR Financial on SRF funding and application process. Also met with Bond Counsel and our attorneys to make sure we have the right resources/firms performing appropriate roles and no overlap.

This all to pursue possibility of financing the JMUC purchase of the reallocation through the State Revolving Fund. Traditionally we would not be eligible, but DNR submitted documentation on our behalf and EPA has determined it meets the criteria for a deviation approval. This would be a loan over 20-30 years. Current interest rate of

1.07% ($4 million) and annual admin fee of $1.7 million over term of the loan. Saves several million over financing with COE.

Also applied for and got DUNS number. Subsequently applied for SAMS number. Also navigated portal for editing our registration with Secretary of State. All of these are lengthy involved processes.

Met with Naught Naught on 3 insurance policies--

(1) Workman's Comp both org
(2) General Organizational Errors and Omissions Liability both org—covers our conducting business with good practices wr to funds, harassment, discrimination, etc.
(3) Professional Liability for both org, and executive director, on technical aspects of our studies and work. Have tried to get address change to take—believe successful.

All in place--The 2 professional liability insurance policies are new, one each for JMUC and Tri State--$2362 annual premium. $1 million coverage per occurrence. $2 million in aggregate. $50,000 auto damage.
Directors and Officers (Errors and Omissions) renewed in August for $1701
Workmans Comp renewed in September for $918
3 policies total—total cost $4982—$7000 budgeted

Presented to Ozark on 9/30
Leadership Spfd Oct 25

Attended NWSA Conference August 21-24—N Dakota---great opportunity to meet and visit with next layer of COE and our attorneys. Also learn from COE and other entities like ours trying to work thru COE processes. Brings COE and Water Resource entities to together to work together.

Annual Water Conference- Nov 1 Darr Center——"Establishing Resilience"—Registration at link on MSU outreach website—please sign up! Keynote backed out but have replacement.

Water Contracts – Have worked with Jones and Fortuna to use Gilmore and Bell as necessary for bond counsel—a subcontract through Jones and Fortuna. Motion by Steve Stodden, 2nd by Travis Cossey to approve entering/signing this contract for the JMUC.

CLOSED MEETING – Executive Committee

It was noted that legal discussions will be held in closed session, and only actions resulting from closed meeting will be included in the public minutes.

JMUC: A motion to go into concurrent closed executive session with Tri State was made by Steve Stodden, seconded by Kendall Powell and approved by the JMUC Board.

A break was taken to allow non Board members to depart from the meeting.

See closed meeting minutes.

Open meeting was resumed at 11:19 a.m.

OTHER BUSINESS

- Clarification-concurrent meetings will have their own minutes.
- Reminder-dues will be billed at the end of the year.
- 2023 Meetings-- January 18, April 19, August 16.
- Issues with website are being worked out.

ADJOURNMENT

With no further business the meeting was adjourned at 11:24 am by Jason Choate (JMUC).

1-24-23

Kendall Powell, Secretary