Southwest Missouri Joint Municipal Water Utility Commission

Board of Directors Meeting

Minutes

July 18, 2023

CALL TO ORDER

The meeting of the Southwest Joint Municipal Water Utility Commission (JMUC) was called to order at The Casino, 101 South Lincoln, Monett Missouri on July 18, 2023, at 9:09 a.m. by Skip Schaller, President. The JMUC meeting was concurrent with the Tri State Water Resource Coalition meeting.

SELF INTRODUCTIONS

Board Members Present:

Jason Choate, Carthage
Steve Stodden, City Utilities of Springfield
Skip Schaller, Monett,
Dustin Davis, Mt. Vernon
Travis Cossey, Nixa
Jeremy Parsons, Ozark
Dan Johnson, Joplin
Roddy Rogers, Executive Director-SWMO

In Attendance:

TJ Whatley, City Utilities (CU) via Zoom
Jennifer Henggeler, COE
Bob Wilson, City Utilities via Zoom
Lewis Jones, Jones and Fortuna
Chad Johnson, CDM Smith
Jack Schaller, Olsson
Jason Stutesman, Nixa
Drew Hilpert, CU via Zoom
Josh Youngblood, MPUA via Zoom
Mark Griffin, CDM Smith

JMUC MEMBERS

Current members are Branson, Carthage, CU, Joplin, Monett, Mt Vernon, Nixa, Stockton, Ozark, Republic, and Pierce City.

APPROVAL OF PREVIOUS MINUTES

A motion to approve the JMUC minutes from April 18, 2023, was made by Jason Choate, seconded by Travis Cossey, and passed.

COMMITTEE REPORTS

Executive Committee-Steve reminded that entities need to decide on their intent to take a portion of water storage reallocation and how much so that we can appropriately structure contracts.

JMUC Financial Report-Travis Cossey

As of 07/04/23 Central acct balance is: $408,259.47

Technical -Jason Choate

PAS Funding Agreement-- PAS funding agreement. Roddy worked with John Grothaus of the COE on further refining the scope and expectations for Corridor Studies, Hydraulic Model, and Timing/Permitting Studies.
PAS agreement is set up to use COE consultants to do hydraulic model, aerial photography, environmental archaeological studies, and timing/permitting studies. These studies are now kicking off via the COE and their consultant selection process.
This will kick start what is a several year process to get to the design stage.

COE Report -Jennifer Henggeler

Jen reported on the technical studies described above that the scope on the aerial photography should be close to final and that they (COE) plan to use Wolpert, a firm they already have a contract with. RFPs on Environmental and Archeological studies are being prepared.

She also reported that they are nearing completion of back checking comments and policy on the reallocation report. After comments are addressed, they will be ready to move to the next step in the process.

The COE has reviewed hydraulics analysis performed by Hazen Sawyer and while using a little different methodology, came to a similar conclusion of 2500 ac-ft DYMS. This was also reviewed by another subject matter expert who agreed with the methodology and approach and his comments are being addressed. Once Technical Agency review is complete, vertical coordination will be needed to move forward. Once a schedule for the path forward is determined, Jen will share it with us.

Roddy asked if any more letters of opposition had been received and Jen answered that they had not.

DNR-Michael-Weller

Michael was unable to attend but Roddy reported in his absence that they continue to support us financially and that we are having conversation about return flows. Roddy has worked with Michael to schedule a face- to- face meeting with DNR top management next month in Jefferson City to discuss this further. The plan is to give a brief overview of SWMO Water organization, history, and efforts to secure water storage as well as ask about possibilities for funding.

EXECUTIVE DIRECTOR REPORT

Held several meetings with COE modelers and Jones and Fortuna on research and preparation of letters to COE HQ CEO and to ASA at the Pentagon.

Tri State taxes have been paid.

Met with Forvis on financial reporting and based on discussions with them went from monthly to quarterly reports –does not save expense (as they originally thought)—but minimizes redundancy of documentation. Also added doing similar reports for the JMUC. Board discussed if they would prefer return to monthly reports and it was agreed to stay at quarterly for brevity and efficiency of documentation.

Multiple meetings and phone calls on setting up and preparing for a meeting with Congressman Burlison. There was some duplication of effort as a result of the first date being cancelled due to the call back vote on the debt ceiling. Meeting with Burlison was held on June 30 and Roddy gave briefing on SWMO Water followed by good discussion and questions from the Congressman as well as valuable input from Dan Johnson, Skip Schaller, and CU.

Followed up on (Steve's) suggestion of registering "SWMO Water" with the Secretary of State and found it was not required.

Steve asked and we sent a letter of public comment to MO DNR on a proposed meat packing plant near Pomme De Terre Lake. Board was provided a copy. Responded to other calls on CAFO issues.

Renewal of insurance was completed and paid for. Costs went up to $3034.50 from $2562 last year. This was for Professional Liability. The policy for Workplace practices will also be coming due for $1748. The Board had asked at the April meeting to bring back the cost of Cyber Security insurance. Roddy filled out the application for a quote and that cost was quoted at $1958. The board agreed that the cost of this was probably not worth the coverage it would provide and that we have good protection from our bank

as well as backups and Security provided by Bitsmith. They asked about looking into direct deposit of paychecks.
Annual Water Conference- Planning is ongoing for next Conference---Sept 26 at the Darr Center—The conference theme is "Trends That Matter" to include discussions on the positive impacts that result from having a secure water supply for the future. There are essentially two "keynotes"—(was) Katherine Zitsch Director of Metro North Georgia Water as well as Lane Crider, the CEO of the Beaver Water District in Arkansas. Ms. Zitsch has a conflict but has provided for Danny Johnson from her organization to speak in her stead. Both will speak about their experience, i.e., trends and positive effects of having a water source in place. North Georgia just received the largest reallocation ever given. Roddy is still in need of contact info for a "futurist" who could speak on trends of people moving in relation to water supplies or alternatively on regionalism. The Board discussed Dan Chiles and Dave Coonrod's request to present on CAFOS and agreed that while their efforts and cause are important and impact ours, it is outside the scope of our message and not the appropriate venue. Also, all slots have planned topics/speakers. The Board agreed to support their efforts as it does impact and have value to our cause and agreed that they could list us on their web site as endorsers of their efforts.

The Board confirmed ok for Roddy to attend NWSA annual meeting in Denver September 5-7. This is an opportunity to talk with COE staff and other water organizations like ours.

Roddy reported he had had multiple calls with COE/Jen on review of hydrologic analyses since the last Board meeting.

Jones and Fortuna activities

In addition to the Burlison meeting and hydrologic analyses, Roddy has worked with John and Lewis on addressing several letters of opposition from power interests with the COE and the Pentagon. Held several conference calls in review and discussion on the concerns raised by power interests.

Work ongoing with Jones and Fortuna on analyzing return flows to Stockton. There have already been conversations and a briefing with Michael Weller of DNR.

Held meetings/conference calls with Jones and Fortuna on reallocation contracts as well as JMUC contracts with individual entities. Reminded the Board that we have provided a template contract for each board member to look at. Once the COE decides on the allocation, and it is affirmative, each entity taking storage will need to sign the contract. To know how to structure the contracts—we really need to know who plans to take any of the reallocation now and their inclination to hold a reserve pool for minimal incremental cost. Each entity needs to have been discussing this with their respective Boards/governing bodies to be able to act when the reallocation is approved. Joplin and

Springfield are the two members with the largest gap need so their decisions have significant impact on the process.
Jones and Fortuna are looking into how power interests could continue to use the storage we are requesting until we have infrastructure in place to deliver it; and how to incorporate it into the contract with the COE. They also plan to reach out to SPRA for a possible meeting including SWMO Water/Roddy to discuss this further.

Discussions on visit to DC ongoing.

OTHER BUSINESS

The Board wanted to get a report back from Roddy/Bitsmith on their liability insurance and what cyber security that might provide. It does not provide Cyber Security coverage.

Dues— Will be sending out invoices for 2024 in the next few weeks. Roddy reported he will send out the number of connections to everyone for review and any modifications required.

Next Meetings—scheduled for October 17, 2023, and January 16, 2024

CLOSED MEETING – Executive Committee

Contractual and legal discussions will be held in closed session, and only actions resulting from the closed meeting will be included in the minutes.

A motion to go into concurrent closed executive session with Tri State was made by Travis Cossey, seconded by Jason Choate, and approved by the JMUC Board.

A break was taken at 9:50 to allow non-Board members to depart from the meeting.

The closed meeting resumed at about 10:05 a.m.

Board members and attorneys in attendance at the open meeting attended the executive session.

ADJOURNMENT

With no further business the meeting was adjourned by acclimation at about 12:10 pm.

10-17-23

Kendall Powell, Secretary