Tri-State Water Resource Coalition

Board of Directors Meeting

Minutes

January 16, 2024

CALL TO ORDER

The meeting of the Tri-State Water Resource Coalition was called to order at The Casino, 101 South Lincoln, Monett Missouri on January 16, 2024, at 9:12 a.m. by Skip Schaller, President. The Tri State meeting was concurrent with the Southwest Missouri Joint Municipal Water Utility (JMUC) meeting.

SELF INTRODUCTIONS

Board Members Present:

Jason Choate, Carthage Water and Electric
Krista Shurtz, City Utilities of Springfield
Skip Schaller, City of Monett,
Travis Cossey, City of Nixa
Michael Beatty, Liberty Utilities via Zoom
Jeremy Parsons, Ozark
Dan Johnson, City of Joplin via Zoom
Matt Barnhart, MOAM via Zoom
Dustin Davis, City of Mt Vernon
Roddy Rogers, Executive Director-SWMO

In Attendance:

Jennifer Henggeler, COE via Zoom
John Fortuna, Jones and Fortuna
Mark Griffin, CDM Smith
Jack Schaller, Olsson
Jason Stutesman, Nixa
Josh Youngblood, MPUA via Zoom
Pete Rauch, Founder
Terry Leeds, Garver, via Zoom
Drew Hilpert, CU, via Zoom
TJ Whatley, CU, via Zoom
Andrea Collier, Barr Engineering, via Zoom

TRI STATE MEMBERS

Branson, Carthage, CU, Joplin, Monett, Mt Vernon, Nixa, Stockton, Ozark, Republic, City of Springfield, Liberty Utilities, Greene County, Jasper County, Missouri American Water, and Pierce City.

APPROVAL OF PREVIOUS MINUTES

A motion to approve the Tri State minutes from October 17, 2023, was made by Travis Cossey; seconded by Jason Choate, and passed.

COMMITTEE REPORTS

Executive Committee-Skip 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. Thank you, Springfield, Monett, and Ozark for completing the MOU letter of intent or a resolution to do so. Also, to Nixa, Mt Vernon for scheduling presenting it to their Councils/Boards.

Tri State Financial Report-Skip Schaller

As of 01/03/24 Central acct balance is:	$ 125,477.44	Money Market
	$ 13,623.42	Checking

Technical -Jason Choate

PAS funding agreement – CDM Smith has officially been selected by the COE to conduct the PAS funded 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. A kick- off meeting is being scheduled by CDM Smith sometime in the next week or two.
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 a meeting is being scheduled to kick off the project and that the COE/CDM Smith would be getting with us.

The final reallocation report package was resubmitted on 12/16/23 to the policy review team. Jen said everybody should have submitted final (policy) comments by now and she will know Friday if there are more comments to address. When all policy comments have been sufficiently addressed, General Van Epps will submit the package to Headquarters. She anticipates it being submitted to HQ in February.

Jen said all the new DYMS numbers and associated revised amounts have been included in the submittal. The final DYMS analyses resulted in a new total for yielding 39 mgd of 93,110 ac ft—compared to the original 94,750 ac ft. That amount will yield 38 mgd to SWMO Water and 1 mgd to CU for DYMS. All other original evaluations had no changes.

DNR-Michael-Weller

Michael was unable to attend due to a funeral. Roddy reported that Michael is still working with us on draft funding proposals, current funding and reimbursement requests, as well as support for our reallocation efforts.

EXECUTIVE DIRECTOR REPORT

Bylaws allow Tri State officers to serve a second year. Recommended maintaining the current slate of officers for another year starting this month. A motion made by Skip Schaller seconded by Jason Choate to that effect passed.

JMUC officers first year will be up in April. Recommended keeping the same slate of officers for one additional year through April of 2025 except for replacing Treasurer Travis Cossey with Jeremy Parsons since Travis will be Tri State VP now and President next year. A motion made by Travis Cossey, seconded by Krista Shurtz to that effect passed.

Asked the board to consider the need for Committee chairs—i.e. legislative, communications, finance, membership, technical and suggested that ad hoc committees could be formed as needed. Since there are so few people and many are officers, this seems more efficient from the standpoint of process as well as filling slots. After a discussion, the board agreed that we could appoint, or draft help as needed as issues arise and just maintain the officers on an ongoing basis.

Working with Forvis on tax prep and how to begin operating from the JMUC side. The board agreed that it would be preferable to just begin operating from the JMUC side rather than finding a way to transfer funds.

The Annual Water Conference- final check was received from MSU for $9,399.07 (net revenues) to SWMO Water.

The board okayed Roddy's attendance at the NWSA spring meeting March 11-13 in DC.

A draft letter of intent (no binding memorandum of understanding) for taking water storage was provided to board members to take to their Boards. Also provided provide bullet points and slide deck to use in approaching Boards. Provided approximations of costs for their gap needs based on updated costs from the COE. Attended the Ozark City Council meeting where Jeremy presented, and Ozark approved. Scheduled to attend and present at Nixa and Mt Vernon on January 22 and 23 respectively.

Roddy reported he had contacted Willard on multiple occasions to see if they wanted to maintain membership. At first, they indicated no, but subsequently invited him to attend their

board meeting on December 11 at which he presented on SWMO Water, its mission, and encouraged them to maintain a seat at the table for the benefit of their community. Received mixed reaction in that one or two wondered why Willard couldn't just get a reallocation on their own. At their request Roddy provided Jen's contact info. They have asked Jen to speak to them on January 22.

Work is ongoing with Michael/DNR to extend the Multipurpose Funding agreement for additional legal services and the next phases of the corridor studies. Proposals for additional Multipurpose Funding were initiated and continue to be works in progress. Can provide a copy of the request if desired.

Scheduling DC visits with Congressional Reps, ASA and Senator Graves on Budget Committee was initiated and is ongoing. Jones and Fortuna and Brady and Associates were successful in their ask of Congressman Burlison to ask for a meeting with the ASA for SWMO Water to discuss the Stockton reallocation request. In testimony to Congress last fall, General Spellmon indicated the report going to the ASA in March.

Attended the conference put on by Olssen to meet with Missouri State House Budget Committee Chair and Vice Chair in Joplin. He had a good conversation with Dirk Deaton, current vice chair and incoming budget committee chair on SWMO Water organization, its mission, and need for funding.

Did interviews with "The Daily Citizen" and KY3 on CU's signing the MOU. Was positive media coverage.

Submitted an updated letter of support to the COE on the reallocation request. A copy was emailed to the board and is provided in the board packets.

Jones and Fortuna activities

Storage Accounting Study and DYMS (dependable yield mitigation storage) --After several months of re-review of the reallocation hydrologic analyses, the COE arrived at the same conclusion as the independent study by Hazen Sawyer/Jones and Fortuna for SWMO Water.

DYMS was originally calculated by COE to be 19,000 ac ft but was found to actually be 2,500 ac ft with the remainder being "make up" storage for CU yield on their original reallocation from the 90's. SWMO Water worked with the COE in multiple conferences throughout the year to review the independent analysis performed by SWMO Water and compare it to the COE's analyses. In the end, the COE reanalyzed using a little different methodology and approach but came to essentially the same conclusion of 2320 ac-ft DYMS.

This affects how much everyone pays for storage. It also affects impacts on the lake, but the COE recommended alternative is still the alternative of taking storage from both flood pool and

multipurpose pool. While it would require CU to purchase more storage to regain the same yield, it will result in significant savings to SWMO Water. (between $8-9 million)

Since this changed the storage numbers slightly from 94,750 ac ft to 93,110 ac ft, it also changed the total cost from $46 million to 45 million. So, our $5000-10,000 study by Jones and Fortuna saved us approximately $10 million.

We continue working with Jones and Fortuna on documentation for establishing contract parameters between entities and JMUC; letters of intent; guardrails on collection of administrative costs post reallocation.

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. Roddy reiterated that once the COE decides on the allocation, and it is affirmative, each entity will need to either sign the contract or opt out of storage. Stressed to please sign MOU asap or indicate that you are opting out. We are approaching the point that no decision is a decision for not taking water. Also discussed the ability for private entities to sign an MOU for water storage and that one of the main purposes of the JMUC is to provide for privates and publics to work together with privates/non JMUC members being participants in a project. In this case a project to purchase water storage.

Jones and Fortuna have prepared and submitted legislation on a compromise with power interests. SWPA was involved in its drafting, and we have an agreed upon draft.

Have had the opportunity to work at national level as part of the NWSA Committee on Policy led by John Fortuna to establish legislation to make water supply a COE priority.

OTHER BUSINESS

Dues— Thank you to everyone for connections update for dues calculations. Everyone should have received their invoices. Please respond as soon as you can. Thank you to CU, Republic, Jasper County, Carthage, Monett, Stockton, Mt Vernon, Ozark, Greene County, City of Springfield, Liberty Utilities, for payment and Branson, and Nixa for getting it in process.

Next Meetings—scheduled for April 16, 2024, and July 16, 2024

Motion to move into Closed Executive Session Skip

Tri State—Motion by Jeremy Parsons, 2nd by Krista Shurtz, and passed to adjourn into Executive Closed Session.

CLOSED MEETING – Executive Session

Contractual and legal discussions were held in closed session, and only actions resulting from the closed meeting are included in any minutes.

A break was taken at 9:56 AM to allow non-Board members to depart from the meeting. The closed meeting resumed at about 10:10 AM.

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

ADJOURNMENT

With no further business the closed and open meetings were adjourned by motion from Jeremy Parsons and seconded by Krista Shurtz for Tri State; and a motion from Jason Choate, seconded by Jeremy Parsons for JMUC.at about 11:08 AM. Both motions passed.

4/22/2024

Michael D. Beatty, Secretary