SWMO Joint Municipal Water Utility Commission

Board of Directors Meeting

Minutes

January 14, 2025

CALL TO ORDER

The meeting of the SWMO Joint Municipal Water Utility Commission (JMUC) was called to order at The Casino, 101 South Lincoln, Monett Missouri on January 14, 2025, at about 9:10 a.m. by Travis Cossey, Vice President. The Southwest Missouri Joint Municipal Water Utility (JMUC) meeting was concurrent with the Tri State meeting.

SELF INTRODUCTIONS

Board Members Present:

Krista Shurtz, City Utilities of Springfield
Travis Cossey, City of Nixa
Dan Johnson, City of Joplin
Jeremy Parsons, City of Ozark
Jason Choate, Carthage Water and Electric via Zoom
Dustin Davis, Mt Vernon via Zoom
Karen Haynes, City of Republic via Zoom
Wesley Young, City of Willard via Zoom
Roddy Rogers, Executive Director

In Attendance:

Matt Barnhart, MO Am via Zoom
John Fortuna, Jones and Fortuna
Lewis Jones, Jones and Fortuna, via Zoom
Penny Speake, Healy Law Offices, via Zoom
Jason Stutesman, City of Nixa
Mark Griffin, CDM Smith
Phil Walsack, Burns and McDonnell
Jack Schaller, Olssen
Katie Latimer, CDM Smith
Jessica Stanton, CDM Smith
Terry Leeds, Garver, via Zoom
Chad Johnson, CDM Smith
Brook Hudemeyer, CDM Smith via Zoom
Jen Henggeler, COE via Zoom
Michael Weller, DNR, via Zoom

APPROVAL OF PREVIOUS MINUTES

Approval of JMUC minutes from October 15, 2024, motion by Jeremy seconded by Krista. Approved by Board vote.

JMUC MEMBERS

Branson, Carthage, CU, Joplin, Monett, Mt Vernon, Nixa, Stockton (pending dues) Ozark, Republic, and Pierce City. Willard completed their resolutions and paid their dues so are members based on the board's previous conditional vote. Since Stockton has not responded to inquiries, it was discussed we would remove them from membership if they don't submit dues or do not respond to inquiries.

Roddy reported that Dade County requested he come and present to their leadership (Nov 18) and other leadership on membership in SWMO Water. They have voted to join. He had originally indicated to them that they would need to join JMUC if they wanted a portion of the water, but they are not a utility or PWSD so can only join Tri State by state law. Roddy apologized to Commissioner Kinder for my confusion on the matter. They likely would need to form a utility themselves to implement a water source but could purchase a portion of the water. (The Tri State Board approved a motion by Dan seconded by Jeremy to accept their membership in Tri State.)

Current Officers (starting new term in April are as follows):

Pres-	Skip Schaller
VP-	Travis Cossey
Treasurer-	Jeremy Parsons
At Large-	Krista Shurtz

REPORTS

Executive Committee-

Springfield, Monett, Ozark, Republic, Carthage, and Nixa have completed the MOU letter of intent (6). Branson, Stockton, Liberty, Mt Vernon, and Pierce City -no for now (5). Both Joplin/Mo Am pending. Willard and Dade County are possibilities.

JMUC Financial Report-Jeremy Parsons

As of 01/03/25 Central acct balance is: $ 742,637.61

Travis reminded that dues payments are due.

Technical

PAS funding agreement – CDM Smith is conducting the PAS funded Corridor Studies, Hydraulic Model, and Timing/Permitting Studies. Model has been established, and they are finishing runs on initial scenarios. A technical memo summarizing these is forthcoming this year. It will also include considerations for phasing the infrastructure based on need. Info on permitting is being gathered, and they are targeting contacting regulatory agencies in 2025 to get this on their radar. A more detailed and informative presentation was given by Chad Johnson of CDM Smith. He gave a good overview of possible phasing scenarios for building the necessary 180 miles of pipeline.

COE Report -Jennifer Henggeler

Report was submitted to HQ in September followed by Director briefing. In September, the Director of Civil Works approved and prepared a memo of recommendation for approval to ASA. It was provided to the board by email. It has been submitted to the ASA. Jen said the ASA was asking questions of District COE staff about the report—an indication the report is being reviewed. She has a call pending with Meredith LaDart at HQ to discuss. Lewis asked about the COE calculated price based on 2010 costs (per our language in the recently passed WRDA legislation). Jen said she has already calculated it and can provide that to us once reviewed in the next week or two. Roddy asked how the ASA approval is affected by the WRDA legislation and Jen did not know.

DNR-Michael-Weller

Michael had another commitment so gave his report at the end of the meeting. He reported we continue to draw on the first Multipurpose fund award of $1,045,000 for studies and legal efforts. Our request for amendment to that Multipurpose Funding was approved for $750,000 so we will begin using that upon depletion of the original award. A draft request for funding of the reallocation has been submitted by Roddy but needs to be updated based on 2010 costs. While Multipurpose funding to this point has paid 100% of the costs, funding for water storage and infrastructure will need to include some cost share or remittance by SWMO JMUC. (Roddy reminded he had previously provided spreadsheets to the Board showing possible cost sharing between JMUC and DNR over a 30-year financing period.)

EXECUTIVE DIRECTOR REPORT

Legislative Compromise—Our language was inserted into the House and Senate drafts and final bill. It was approved by the House and Senate and subsequently signed by the President January 4. The pricing in the bill would result in significant cost savings. Our cost would be discounted to approximately 62%. (Between $25 and 30 million savings.) Possible DNR funding could decrease our costs even more.
Possible Media Release being prepared. Also possible thanks to supporting legislators will be investigated.

An insurance audit resulted in a premium reduction of $24 which will be credited on the next premium invoice.

Annual Water Conference- Was held October 1. Our portion of the net revenues was $9,732. Good turnout. 147 registered. Highest ranking outside speaker—Donovan Burton of SAWS. Overall good comments. Summary sheets provided by email. Had media from KY3, KSMU, SGF Daily Citizen, Missouri Net.
Next conference—Sept 23 first choice; Oct 7 second choice for dates. Phil Walsack noted two other conferences around Sept 23 which might possibly make the Oct 7 date better. Roddy will look into whether there is any significant overlap between attendees at the conferences.

An impromptu meeting organized by state rep Ann Kelly was held at the COE Stockton project office on November 22. She indicated she had been contacted about our project. The Stockton mayor and other Stockton citizens were in attendance. They have been engaged members for several years but expressed concern about the reallocation and the project. State Rep Dane Diehl and staffers of Schmitt and Alford also attended. Others attending were Michael Weller and TJ Graven of DNR; three CU management staff; 4 COE staff including Jen; three COE project office staff. Roddy presented the history and mission of SWMO Water and reminded that Stockton has been a supportive and engaged member for some time and that he and Jen both had been to Stockton City Council meetings with the current and past mayor (who served on our boards) present. Also, that there has been extensive communication over the years at the State and Federal level and that we have made an annual visit and update to Dade and Cedar County Commissioners for about 15 years. Jen and Chris Purser from the COE presented and discussed the results of the past 15 plus years of studies and the determination of no significant impact on Stockton Lake. Questions and answers and associated discussion followed. It seemed everyone had a better understanding of the minimal impacts on Stockton Lake as well as the significant positive impacts on the region and state.

Roddy conducted the quarterly meeting with Springfield Greene County Future of Water committee. This is made up of leadership within the water community.

He also began serving on Springfield Environmental Advisory Board. Provides for having a "seat at the table" on potential consideration of issues effecting Stockton Lake.

Roddy noted the next NWSA meeting in DC and the Board had no objection to his attendance.

Jones and Fortuna activities

Held numerous meetings and visits with Congressional Reps and staff, ASA, and SPRA. Worked with and through SPRA and SWMO Water lobbyists. A letter of support for the language signed by Schmitt, Burlison, and Alford (no response from Hawley) was prepared and sent to the Transportation and Infrastructure Committee that implements WRDA.

Considerable significant work and effort performed on the legislative compromise by Lewis, John, and Chris (Commonwealth and Associates). As a result, our language made it in the now approved Bill, and they have saved us millions of dollars--- multiples

of what we have paid them. They have been of incredible benefit to SWMO Water. They are knowledgeable, have integrity, and are great to work with.

Work with Jones and Fortuna on establishing water storage take and pay contracts between entities and JMUC has been pending wr to everything else that is happening but now all comments received from our members have been incorporated. A final draft with storage and cost amounts will be provided to each entity for review and approval. Intermediate review meetings will be held to target a final commitment from each taking entity by April and signed contracts by July.

Roddy reiterated that it's very important that members realize that now with presidential approval of the WRDA legislation—the price of the reallocation will be discounted to about 62% of what we had anticipated. This is a huge ---one time--opportunity that communities need to give serious consideration. This is significantly inexpensive water.

Contract amounts were discussed. Roddy distributed a spread sheet that estimates approximate amounts and costs for each entity based on what was included in the 2020 rate study. Those who executed the MOU are projected to take about 51,000 of the 93,110-ac ft available. Roddy stressed that those who want to wait and take/pay for storage later will need to commit by contract so as not to prevent entities who may want to take more now at the substantially lesser price from doing so based on uncommitted *possible* later takers. Additionally, if current takers do take additional storage there will likely not be enough to meet gap needs for those who choose to wait. All members have either signed an MOU or chosen not to sign an MOU but Joplin/Mo Am. We need a final commitment or no from Joplin/MoAm on their desire to take storage so the COE contract and entity contracts can be finalized. He reiterated that the table he passed out is reasonably close to the cost and needed ac ft to meet gap needs as submitted by each entity and included in the 2020 rate study.

NEW BUSINESS

Dues – All invoices have been sent. Those who didn't provide number of connections were billed based on last year's number. Roddy asked to please pay ASAP. City of Springfield, Jasper County, Liberty Utilities, Branson, and Stockton dues were outstanding.

Worked with Forvis on tax prep and they have set our books up on QuickBooks to hopefully make other financial activities more efficient.

We have begun operating from the JMUC except for expenses specific to Tri State. Executive Director is now paid by JMUC. Multiple meetings and phone calls were held with Central Bank and Forvis to get appropriate signatories and authorizations to operate from accounts and transition new officers.
We also have MPUA looking at ways they might be able to assist us with accounting, payroll, and admin and costs for doing so.

Roddy expressed appreciation to Jeremy, Skip, and Travis for their significant effort and work on the time consuming, tedious process to change from Tri State to JMUC and to also change treasurers for JMUC.

We have been working with Healy Law Firm on creating an umbrella organization to administer both Tri State and JMUC. They have prepared appropriate agreements/documents (interlocal agreement and resolutions and bylaws). This involves establishing an umbrella organization – SWMO Water---which would administrate funding as needed for JMUC and Tri State. It would allow funds to flow from one to the other—thru SWMO Water. We have spent about $18,000 to date on document prep. The docs were provided to the board by email. Board has already approved Skip executing them. At some point we will need a motion to allow other officers as appropriate to sign agreements. Docs include 4 resolutions; two for bank signatures, two for interlocal agreement; also the interlocal agreement, bylaws, and an overview of the SWMO Water organization and agreements. Roddy expressed a desire to hold on this until we get our feet under us on the transition to JMUC described above and because there is a significant amount of work effort underway and increasing with the DNR proposal, COE contract, and individual take and pay contracts. And creation of a third umbrella organization will considerably increase existing significant administrative work and expense for the existing two organizations. Penny Speake of Healy advised we may want to delay the contracts until the umbrella organization is formed as we may need to have the contracts with SWMO Water instead of JMUC. It may be possible to switch later but could be a convoluted process. Roddy said that we can't really hold up establishment of the COE and take pay contracts. Travis pointed out we don't want to make a knee jerk decision either way and suggested Jones and Fortuna and Healy attorneys get together and determine the best path forward to avoid problems later.

Roddy reported he had prepared and submitted the Lagers membership application for consideration.

Additional discussion-Jason pointed out that most entities do not have surface water treatment and if they take water, they will need to consider the associated costs of that need.

Dan pointed out that Mo Am is connected to several communities –not just Joplin.

In response to board members' request and in consideration of requesting funding for the water storage from DNR, Roddy will update and distribute the cost sharing spreadsheet previously provided. It will incorporate the new 2010 cost when received from the COE and the final stair stepped cost sharing suggested by Jason at the July meetings and approximate 80-20 split suggested by Travis.

Next Meetings-- April 1 (not April 8 since casino not available), July 8

Motion to move into Closed Executive Session by Jeremy, 2nd by Dan and passed.

Executive Session

A break was taken at about 10:55 AM to allow non-Board members to depart from the meeting.

The closed meeting resumed at about 11:08 AM.

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

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 seconded by Krista and motion passed at about 12:00 PM.

4-3-25

Kendall Powell, Secretary