

MINUTES
Petroleum Storage Tank Insurance Fund
Board of Trustees Meeting
January 23, 2019

The University Club, University of Missouri Campus, Columbia, MO
Start Time: 9:30 a.m.

Chairman Greer called the meeting to order. He recognized John Albert as the Department of Agriculture's representative for this meeting.

Trustees Present:

James Greer, Chairman
Jim Ford, Vice Chairman
John Albert
Nikki Loethen
Ski Mariea
Don McNutt
Danny Opie
Katie Jo Wheeler

Trustees Absent:

Tom Kolb

Staff Present:

Carol R. Eighmey, Executive Director
Pat Eriksen, Williams & Company Consulting
Dan Henry, Williams & Company Consulting
Craig Jacobs, Assistant Attorney General
Diane James, Executive Assistant

Others Present:

Ken Koon, Tanks Section, Hazardous Waste Program, DNR
Ron Leone, MO Petroleum Marketers and Convenience Store Association
David Pate, Industrial and Petroleum Environmental Services

Review and Approval of Minutes

November 28, 2018 – Open Session – Don McNutt moved that the minutes be approved. Jim Ford seconded. Katie Jo Wheeler objected to the record of the discussion on the DNR's budget request. After discussion, Trustees McNutt and Ford withdrew their motion. Ms. Eighmey offered to send Ms. Wheeler a revised version and asked her to review it and respond prior to the next Board meeting.

Monthly Reports

Chairman Greer remarked that the cash balance was continuing to decline but should stabilize in a month or two when additional revenues from the transport load fee increase start coming in. There were no other comments or questions on the financial statements or activity reports. Ms. Eighmey briefly reviewed a large-loss claim from 1999 that was recently closed.

Approve CSCAP for FY19 and FY20

Chairman Greer asked for a motion to approve OA's planned expenditures for central state services for FY19 and FY20. Don McNutt moved to approve them. Katie Jo Wheeler seconded. Motion carried.

Legislative Report

Ms. Eighmey began reviewing 2019 legislation, noting she had not yet received the Governor's recommended budget. Katie Jo Wheeler noted the Governor's budget contains the new decision item requested by the DNR for funding from the PSTIF for four additional FTEs; she then moved to set aside the vote by the Board in November 2018 regarding DNR's budget request and revote on it. Nikki Loethen seconded the motion. After discussion, a vote by show of hands was taken. Voting in favor were: John Albert, Nikki Loethen, and Katie Jo Wheeler. Voting against were: James Greer, Ski Mariea, Don McNutt, and Danny Opie. Jim Ford abstained. Motion failed 4-3.

Ms. Eighmey then summarized a discussion that occurred in early December with several attorneys and Ms. Wheeler, during which a list of concepts was discussed. Subsequently, Jim Layton and Thais Folta were engaged to draft a bill; Ms. Eighmey went through the draft bill in detail and explained the various provisions. She noted the Governor's office had previously approved the concept of the Board's legislative proposal, and the draft bill was currently under review by the Governor's staff.

Katie Jo Wheeler moved to not proceed with external discussions on this draft bill until feedback is received from the Governor's office. After a brief discussion, Katie Jo Wheeler amended her motion and moved that this proposed legislation not be pursued until the Board hears from the Governor's office and until the Board has voted to send it forward. John Albert seconded. After discussion, Chairman Greer called for a vote by show of hands. Voting in favor were: John Albert and Katie Jo Wheeler. Voting against were: Jim Ford, James Greer, Nikki Loethen, Ski Mariea, Don McNutt, and Danny Opie. Motion failed 5-2.

Don McNutt then moved to authorize the Executive Director to enlist one or more sponsors for the bill after she receives approval and/or changes from the Governor's office. Ski Mariea seconded. Discussion ensued, followed by a vote by show of hands. Voting in favor were: Jim Ford, James Greer, Ski Mariea, Don McNutt, and Danny Opie. Voting against were: John Albert, Nikki Loethen, and Katie Jo Wheeler. Motion carried.

