

MINUTES
Petroleum Storage Tank Insurance Fund
Board of Trustees Meeting
January 26, 2022

In Person and Via Conference Call
Start Time: 9:30 a.m.

Chairman Greer called the meeting to order and said that it was good to see most everyone in person. He commented that he was appreciative of those in attendance as it's much easier to collaborate as a group and work efficiently with everyone in the same room even though a few Trustees did have to participate via conference call due to travel and the virus. Roll was called to confirm Trustees' participation. Chairman Greer then asked all members of the audience to identify themselves for the record. He noted that all votes would be taken by roll call.

Trustees Present In Person:

James Greer, Chairman
Jim Ford, Vice Chairman
Nikki Loethen
Ski Mariea
Kristi Naught
Jacob Westen

Trustees Present by Phone:

Tom Kolb
Don McNutt
Cathy Stepp

Trustees Absent:

Danny Opie

Staff Present or Participating by Phone:

Dan Henry, Williams & Company Consulting
Craig Jacobs, Attorney General's Office
Diane James, Executive Assistant
Kelley Ogletree, Executive Director
John Taylor, General Counsel
Pat Vuchetich, Williams & Company Consulting

Others Present or Participating by Phone:

Justin Buckler, Tanks Section, MoDNR/ERP
Todd Burkhardt, Neumayer Equipment Company
Ken Koon, Tanks Section, MoDNR/ERP
Mike Martin, Tanks Section, MoDNR/ERP
Darryl Slade, Tanks Compliance and Enforcement, MoDNR/ERP

Approval of Minutes – December 8, 2021 – Open Session

Jim Ford moved to approve the minutes as presented. Kristi Naught seconded. There were no amendments or discussion. A roll call vote was taken. Motion carried unanimously with Trustee Mariea not present for this vote.

Discussion of ST18888, Petro Mart, Union

Chairman Greer called Trustees attention to a memo in the meeting materials regarding a site in Union, Missouri that has applied for participation. He asked Ms. Ogletree to summarize the memo and provide any additional details.

Ski Mariea arrived at the meeting.

Ms. Ogletree summarized by stating that Trustees must determine if they will make an exception to the “five-year rule” and allow the site to participate in the Fund.

Ms. Ogletree outlined the circumstances, stressing that the applicant has been working toward getting their tanks back in use for many months but experiencing delays in receiving equipment. Ms. Ogletree noted that MoDNR had advised they are exercising enforcement discretion and allowing the tank owner to put the tanks back in use. Mike Martin from MoDNR confirmed this to be the case and emphasized that the tank owner had taken steps to confirm the integrity of the tanks to the satisfaction of MoDNR.

Chairman James Greer moved to allow Union-Petro Mart #39 until March 1, 2022 to complete an application for participation in PSTIF, contingent on MoDNR exercising enforcement discretion regarding the requirements of 10 CSR 26-2.053(4). Ski Mariea seconded. There was no further discussion or comments. A roll call vote was taken. Motion carried unanimously.

Chairman Greer thanked Messrs. Martin and Burkhardt for attending the meeting and giving Trustees what they needed to make an informed decision on this site.

Monthly Reports

Chairman Greer directed Trustees’ attention to the financial statements and monthly activity reports provided. He commented that it looked like the transport load fee had caught up and that work looked to be beginning on claims that had slowed down during the last year. Chairman Greer then asked Ms. Ogletree to give a brief overview of the large-loss claims summary, which she did.

Chairman Greer asked if there were any other questions on any of the other reports provided; there were none.

Approve CSCAP for FY23

Chairman Greer said each year the Office of Administration provides the Central Services Cost Allocation Plan and as a Board we formally approve this expense. He noted costs went down, which hasn’t been seen in a long time, if ever, and asked Ms. Ogletree if there was any explanation for the reduction. Ms. Ogletree explained there are a number of state funds that share these costs and they are based on revenue. She said the formula changed last year so there was a large jump in the Fund’s costs then but ours has been steady and was reduced this year due to other funds’ costs increasing.

Ski Mariea moved to approve the Office of Administration's expenditure of \$105,520 for central state services in FY23. Jim Ford seconded. There was no further discussion. A roll call vote was taken. Motion carried unanimously.

Legislative Report

Chairman Greer commented the legislature is in full swing and staff have provided a list of bills being monitored so far this session. He asked Ms. Ogletree for an update. Ms. Ogletree reported that the PSTIF Sunset extension had been introduced by Senator Sandy Crawford. Further, it is anticipated that the legislature will spend a good deal of time on budget given the state's surplus as well as a number of bills associated with the COVID-19 pandemic.

Other Information and Administrative Issues

Billings – Chairman Greer asked if there were any questions or comments on any of the billings provided to them. There were no questions or comments on any of the billings.

Chairman Greer thanked everyone for attending and announced the next meeting is scheduled for Wednesday, March 16, 2022 at this same location.

Chairman Greer then asked for a motion to go into closed session to:

- Approve the minutes from our previous closed session; and
- Discuss ongoing and threatened litigation.

Jim Ford moved to go into closed session to discuss matters authorized by Subsection (1) of Section 610.021, RSMo. Nikki Loethen seconded. A roll call vote was taken; motion carried unanimously.

Chairman Greer asked that Trustees participating by phone please hang up and dial back in using the closed session meeting number provided and said the closed session would reconvene in about ten minutes or at 10:25 a.m.

The open meeting was adjourned at 10:10 a.m.

Respectfully submitted:

Approved by:

 /S/
Kelley J. Ogletree

 /S/
James Greer, Chairman

 3/16/2022
Date