

MINUTES
Petroleum Storage Tank Insurance Fund
Board of Trustees Meeting
July 18, 2022

MoDNR, Lewis & Clark State Office Building, LaCharrette Conference Room
Start Time: 9:31 a.m.

Chairman Greer called the meeting to order and roll was called. He asked all in the room attending to introduce themselves.

Trustees Present:

James Greer, Chairman
Jim Ford, Vice Chairman
Tom Kolb
Nikki Loethen
Don McNutt
Kristi Naught
Jacob Westen

Trustees Absent:

Ski Mariea
Danny Opie

Staff Present:

Lori Gray, Williams & Company Consulting
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:

Justin Buckler, Deputy Director's Office, MoDNR
TJ Graven, Legislative Liaison, MoDNR
Ron Leone, Missouri Petroleum & Convenience Association
Mike Martin, Tanks Compliance and Enforcement, MoDNR/ERP

Public Meeting to Receive Comments on Potential Increase in Transport Load Fee

Chairman Greer commented the first thing on the agenda is to receive public comments regarding the potential increase to the Transport Load Fee that was discussed at the last Board meeting. He said the Board voted to consider increasing the fee by \$4 per transport load to \$32, staff published a special notice mailed to all fuel distributors licensed by the Department of Revenue, and an article on this possible increase was published in the PSTIF newsletter, *Latest Leaks*, which is mailed and emailed to approximately 2,500 tank

owners and operators, environmental consultants, and other stakeholders. He also noted that staff had informed him no comments had been received to date.

Chairman Greer asked if anyone attending today's meeting wanted to provide comments on the potential increase to the Transport Load Fee. There were no comments provided by anyone attending this meeting.

Chairman Greer noted the comment period is open until September 16. He said staff will collect any comments received and provide them to the Board so a final decision can be made at the September Board meeting.

Approval of Minutes – July 18, 2022 – Open Session

Jim Ford moved to approve the minutes as presented. Kristi Naught seconded. There were no amendments or discussion. Motion carried with Trustees Loethen and Naught abstaining.

Monthly Reports

Chairman Greer directed Trustees' attention to the draft financial statements provided at the beginning of the meeting and the monthly activity reports and asked if there were any questions or comments on these reports. Ms. Ogletree commented that we don't expect a whole lot to change, if anything, on these draft financials, but they are currently in draft form only.

Chairman Greer noted quite a few large-loss claims were closed or reduced in the last few months and that's good to see. He asked if there were any questions or comments on the large-loss claims provided. Trustee Ford asked if a more cooperative environment with cleanups in general has helped and staff commented possibly that and the fact that the site has come to a point where things were getting figured out. Ms. Ogletree said she hoped this was a good trend. There were no other questions or comments on large-loss claims.

Other Reports

Chairman Greer called attention to the reports regarding the percentage of sites covered by PSTIF and the fact that it has trended down slightly over the years.

Other Information and Administrative Issues

FY23 Proposed PSTIF Operating Budget – Chairman Greer commented the proposed FY23 operating budget and copies were handed out to each of you before the meeting and asked Ms. Ogletree to take them through the proposed budget. Ms. Ogletree noted the format was changed a little bit due to the fact there are three different accounting methods. The current format should make it easier for trustees to create their operating budget, which is on a cash-basis.

Tom Kolb moved to approve the PSTIF FY23 operating budget as proposed. Jim Ford seconded. There were no other comments or discussion. Motion carried unanimously.

National Tanks Conference, September 13-15, Pittsburgh, PA – Chairman Greer commented that Ms. Ogletree is planning to attend this conference in September and her travel will be reimbursed with federal funds. As is customary, she is requesting approval from the Board to travel out-of-state. Nikki Loethen moved to approve the Executive Director's out-of-state travel to attend the National Tanks Conference in September in Pittsburgh, PA with reimbursement being provided from federal funds. Jacob Westen seconded. There were no other comments or questions. Motion carried unanimously.

Ms. Ogletree then commented that ASTSWMO (Association of State and Territorial Solid Waste Management Officials) asked her to apply for their Tanks Financial Responsibility (FR) Work Group/Task Force and she wanted to ask the Board if they were interested in her applying. Trustees encouraged Ms. Ogletree to pursue the position.

Chairman Greer stated Ms. Ogletree is also planning to travel to Iowa with PMMIC staff regarding Iowa's transition from a state fund to private insurance when the Iowa state fund sunsetted. He said since this fund's sunset date has been extended to 2030, she would like to get a handle on this process and start researching what other states went through as soon as possible. He noted cost would be minimal for this trip. Chairman Greer moved to approve the Executive Director's out-of-state travel to meet with PMMIC staff in Urbandale, Iowa. Jacob Westen seconded. After Chairman Greer commented this fund would like to avoid what has happened in some other states, motion carried unanimously.

Availability of Private Insurance Study – Chairman Greer commented that since the Board voted at the last meeting to engage Taylor & Mulder to do a study regarding the availability of private insurance in Missouri, that study has begun at a cost not to exceed \$10,000 and will be presented to Trustees at their September meeting.

Billings – Chairman Greer asked if there were any questions or comments on any of the billings provided to them and commented this list should be getting smaller in the future. There were no other questions or comments on any of the billings.

Chairman Greer thanked everyone for attending and announced the next meeting is scheduled for Wednesday, September 28, 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 and other matters requiring consultation with our attorneys.

Jim Ford moved to go into closed session to discuss matters authorized by Subsection (1) of Section 610.021, RSMo. Kristi Naught seconded. A roll call vote was taken. Motion carried by a vote of 7-0 in favor.

The open meeting was adjourned at 9:57 a.m.

Respectfully submitted:

Approved by:

Kelley J. Ogletree

James Greer, Chairman

9/27/2022
Date

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