

MINUTES
Petroleum Storage Tank Insurance Fund
Board of Trustees Meeting
November 30, 2022

MoDNR, Lewis & Clark State Office Building, LaCharrette Conference Room
Start Time: 9:34 a.m.

Chairman Greer called the meeting to order and thanked everyone for attending the last meeting of the year.

Trustees Present:

James Greer, Chairman
Tom Kolb
Nikki Loethen
Ski Mariea
Don McNutt
Kristi Naught
Jacob Westen

Trustees Absent:

Jim Ford, Vice Chairman
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:

Allison Freiberg, Environmental Works, Inc.
Todd Goldenhersh, Armanino, LLP
Hannah Humphrey, Director's Office, MoDNR
Ken Koon, Tanks Section, ERP/MoDNR
Ron Leone, Missouri Petroleum & Convenience Association
Daniel Lupton, Taylor & Mulder
Mike Martin, Tanks Compliance and Enforcement, ERP/MoDNR
Amanda Ness, Armanino, LLP
Carly Simpson, Legal Counsel, MoDNR
Darryl Slade, Tanks Compliance and Enforcement, ERP/MoDNR
Jason Smith, Environmental Works, Inc.

Approval of Minutes – September 27, 2022 – Open Session

Tom Kolb moved to approve the minutes as presented. Don McNutt seconded. There were no amendments or discussion. Motion carried with Trustees Mariea, Naught, and Westen abstaining.

Monthly Reports

Chairman Greer asked if there were any questions or comments on any of the draft financial statements, monthly activity reports, or the large-loss claim summary. He said the June financials year-end adjustments were noted. There were no questions or comments on any of these reports or summary.

Chairman Greer then said staff had put together a few charts showing open and closed claims over the years and asked Ms. Ogletree to review what was provided. Ms. Ogletree gave a brief overview and noted information provided showed claim numbers going down over the years. There were no other questions or comments on the charts provided.

FY22 Financial Audit – Armanino, LLP

Chairman Greer introduced Todd Goldenhersh from Armanino to present their FY22 financial audit findings. Mr. Goldenhersh commented he was joined at this meeting by his colleague, Amanda Ness, and reviewed their staff who assisted with the audit and the structure of the audit itself. Ms. Ness and Mr. Goldenhersh then reviewed the areas of focus and results of the audit. Mr. Goldenhersh asked if there were any questions after their report; there were none.

Chairman Greer asked if there were any questions or comments before voting to approve the financial audit as presented; there were none.

Ski Mariea moved to approve the FY22 Financial Audit Report and Management Representation Letter as presented. Tom Kolb seconded. There were no other questions or comments. Motion carried unanimously.

2023 Missouri Legislative Preview

Chairman Greer noted the Board is not working to get anything in particular passed this year other than appropriations but any proposed legislation that might impact operations will be monitored. He asked Ms. Ogletree if she had any other information she would like to provide. Ms. Ogletree commented MoDNR will be getting the same bill out as last year that would allocate part of the transport load fee to them directly for petroleum-related activities. She noted the language was the same as what MoDNR introduced last year so it will be watched and you will be apprised if it starts moving. She said staff would also watch anything that might change how the Board does business.

Other Information and Administrative Issues

Transport Load Fee Update – Chairman Greer said the Missouri Department of Revenue has reported they are all set to collect the increased transport load fee beginning with January 2023 activities so that increase should be reflected beginning in March.

Schedule 2023 Board Meeting Dates – Chairman Greer said at the last meeting there was discussion about cutting the number of meetings to five in 2023 and said he hoped everyone had checked their calendars. He had some conflicts so alternate dates were discussed and agreed on for the January and June Board meetings, January 30 and June 15, respectively. No other Board members had conflicts with any of the dates.

Nikki Loethen moved to approve five meeting dates in 2023 as discussed. Jacob Westen seconded. There was no further discussion or comments. Motion carried unanimously.

Billings – Chairman Greer asked if there were any questions or comments on any of the billings provided to them; there were none.

Report on Private Insurance Update – Chairman Greer let Trustees know this report from the Advisory Committee would be sent electronically to the legislature on December 1.

60-Day Cancellation Notices Update – Chairman Greer asked Ms. Ogletree if she had an update since it was discussed at the last meeting. Ms. Ogletree let Trustees know operating agreements between MoDNR and tank owners are being sent when necessary, with the first one being sent the previous day.

Chairman Greer thanked everyone for attending and announced the next meeting is scheduled for Monday, January 30, 2023 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.

Tom Kolb 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 10:13 a.m.

Respectfully submitted:

Approved by:

/S/
Kelley J. Ogletree

/S/
James Greer, Chairman

1/30/2023
Date