

MINUTES
Petroleum Storage Tank Insurance Fund
Board of Trustees Meeting
April 19, 2023

MoDNR, Lewis & Clark State Office Building, LaCharrette Conference Room
Start Time: 9:33 a.m.

Chairman Greer called the meeting to order. Roll was called to confirm Trustees' participation. Chairman Greer then asked all members of the audience to identify themselves for the record.

Trustees Present:

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

Trustees Absent:

Jim Ford, Vice Chairman
Tom Kolb
Danny Opie

Staff Present:

Lori Gray, Williams & Company Consulting
Diane James, Executive Assistant
Kelley Ogletree, Executive Director
John Taylor, General Counsel
Pat Vuchetich, Williams & Company Consulting

Others Present:

Justin Buckler, Environmental Remediation Program, MoDNR
Ken Koon, Tanks Section, MoDNR/ERP
Mike Martin, Tanks Compliance and Enforcement, MoDNR/ERP
Emily Wilbur, Division of Environmental Quality, MoDNR

Approval of Minutes – November 30, 2022 – Open Session

Don McNutt moved to approve the minutes as presented. Jacob Westen seconded. There were no amendments or discussion. Motion carried unanimously.

Monthly Reports

Chairman Greer asked if there were any questions or comments on any of the financial statements, monthly activity reports, or the large-loss claim summary provided. Trustee Westen asked for clarification regarding one of the new large losses recently identified but likely to be a "policy limit" claim. Ms. Ogletree explained that the cleanup involves a large

amount of free product that is being addressed quickly. There were no other questions or comments on any of these reports or summary.

Contracts for Renewal

Chairman Greer said we have a number of contracts to discuss, all of which are renewals, so they weren't put out to bid this year. He said staff has put together a memo that goes through each contract and the updated pricing. Ms. Ogletree can go through everything and answer any questions you have and then we can address each one individually, or we can do all renewals in one motion if you want.

Ms. Ogletree reviewed current contracts and updated pricing.

Kristi Naught moved to approve renewing the following contracts as listed and shown with updated pricing:

- Armanino, LLP for FY23 Audit Services at a cost of \$22,000
- Taylor & Mulder for FY23 Actuarial Services at a cost of \$15,650
- R&A Risk Professionals for FY24 UST/AST inspections at a cost of \$340/UST inspection, \$307/AST inspection, and \$488/combined UST and AST inspection
- Williams & Company Consulting for FY24:
 - Fund Administration for the costs outlined in your board books
 - Accounting Services for the cost of \$1,155/month
 - IT Services for the cost of \$1,732.50/month
 - Operator Training Services for the cost of \$475/month

Ski Mariea seconded. Motion carried unanimously.

Legislative Report

Chairman Greer asked Ms. Ogletree to provide an update on the happenings at the Capitol so far. Ms. Ogletree noted the budget process has gone smoothly and she expects the Board's appropriation to be passed as requested. Other than that, there isn't any legislation that affects the Fund or the Board's operations. Chairman Greer asked if there were any other questions or comments; there were none.

Other Information and Administrative Issues

FY22 EPA Fund Soundness Review – Chairman Greer commented EPA Region 7 had completed its Fund Soundness Review for FY22 and asked Ms. Ogletree to go over the information. Ms. Ogletree noted the Fund is sound and there were no surprises that came up. She had a follow-up discussion with Doug Drouare at Region 7 concerning the rate of reduction in cleanup backlog and that Missouri is consistent with the rest of the nation.

They discussed whether that current slow rate is a long-term trend or if there are steps that could be taken to improve it. Ms. Ogletree stated that she believes it is a long-term trend and the backlog is increasingly made up of old cleanups. Unless those older cleanups are looked at with fresh eyes and perhaps closed based on a low-risk closure policy, they will likely stay open. In the case where the responsible party is no longer

available, someone must be identified to address the cleanup. This is a challenge given our current statutes.

Key Positions Filled at MoDNR – Chairman Greer then mentioned a couple of key positions at MoDNR had recently been filled and noted that Justin Buckler was taking John Jurgensmeyer’s position and has tanks experience which will be very helpful as he knows what PSTIF is all about and knows PSTIF staff as well. He said Emily Wilbur was replacing Carey Bridges as Deputy Director at the Division of Environmental Quality office.

MEC Personal Financial Disclosures – Due May 1, 2023 – Chairman Greer let Trustees know their Personal Financial Disclosures are due to the Missouri Ethics Commission by May 1 this year. He said if anyone needs assistance on these to contact Ms. James at the PSTIF office.

Billings – Chairman Greer noted there were no attorney invoices included. Mr. Taylor said the invoices still pending are not a large amount and Ms. Ogletree noted they would be approved and paid before the end of this fiscal year. Chairman Greer asked if there were any questions or comments on any of the billings; there were none.

Chairman Greer thanked everyone for attending and announced the next meeting is scheduled for Thursday, June 15, 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 sessions; and
- Discuss ongoing and threatened litigation.

Nikki Loethen moved to go into closed session to discuss the matters identified by the Chairman, as authorized by Subsection (1) of Section 610.021, RSMo. Jacob Westen seconded. A roll call vote was taken. Motion carried by a vote of 6-0 in favor.

The open meeting was adjourned at 9:58 a.m.

Respectfully submitted:

Approved by:

/S/
Kelley J. Ogletree

/S/
James Greer, Chairman

6/15/2023
Date