

TRI-STATE WATER RESOURCE COALITION
STRATEGIC PLANNING RETREAT
WEDNESDAY, SEPTEMBER 17, 2014 – 9 A.M.
THE MARC, MT. VERNON, MO

Welcome and Attendance:

President David Hertzberg welcomed members of Tri-State Water Resource Coalition. Those present introduced themselves. They were:

David Hertzberg – City of Joplin
Roddy Rogers – City Utilities of Springfield
Matt Barnhart – Missouri American Water Co.
Lynn Calton – City of Lamar
Kyle Slagel – Empire District Electric Co.
Bob Williams – Carthage Water and Electric
Skip Schaller- City of Monett
Brian Bingle – City of Nixa
Gene Stanton – City of Mt. Vernon
Mike Ray – City of Branson
Loretta Bishop – City of Branson
Steve Walensky – City of Cassville
Steve Meyer – City of Springfield
Gail Melgren – Tri-State Water Resource Coalition

Gail Melgren was welcomed back as Executive Director. She had been the first paid staff for Tri-State Water Coalition, serving as Executive Director for 3 years before leaving June, 2013, to work for the U.S. Senate. Gail returned to the Executive Director position starting August of 2014.

Approval of Minutes from July 16, 2014:

Mr. Hertzberg asked for any corrections or additions to the minutes from July, 2014. Mr. Rogers suggested changing the word “in” to the word “on” on page 3, paragraph 8, first sentence.

Bob Williams moved, seconded by Steve Walensky, that the minutes from July 16, 2014, be approved as amended. The motion carried, with all voting “aye”.

Standing Committee Reports:

President:

Mr. Hertzberg asked for discussion regarding a possible monthly retainer contract between attorney Harry Styron and Tri-State Water Resource Coalition. The board consensus was that the expense for an attorney with a monthly retainer contract was not warranted at this time. There was agreement that legal staff within each member organization, along with legal expertise available through contacts of members, was adequate to meet current needs.

Brian Bingle moved, seconded by Bob Williams, that no contract be pursued at this time. The motion carried, with all voting “aye”.

Mr. Hertzberg suggested that he (President) and Mr. Rogers (Past President) serve as the nominating committee to develop a slate of officers for 2015, to be considered for a vote at the November meeting. The board consensus was that he should proceed.

Executive:

The Executive Committee had not met since the last board meeting.

Financial:

Mr. Slagel reported the Coalition's bank balance as of 7/31/14 as \$402,621.21, and as of 8/31/14 as \$394,638.86, as noted in the Bank Reconciliation Worksheet summaries for July and August provided in the board packet.

He referred to the Compensation Summary for new Executive Director Gail Melgren, also included in the board packet, and asked for guidance regarding a credit card limit for her Tri-State credit card.

Bob Williams moved, seconded by Matt Barnhart that a \$5,000 limit be assigned for the executive director's credit card. The motion carried, with all voting "aye".

Mr. Slagel reported that an overpayment to Harry Styron, because of an auto-draft bank function, had been returned and deposited.

Mr. Slagel described an interest in evaluating the current provider of payroll/tax services and after discussion the board agreed that he should do some checking and report back with a summary at the next meeting.

Mr. Slagel reported that the Directors and Officers policy for the board had been renewed with Great American Insurance Group, and the policy would be in force back to its original inception date. He drew attention to a Workers Compensation and Employers Liability Price Estimate from Missouri Employers Mutual (MEM) and asked for discussion regarding the purchase of workers compensation insurance.

Gene Stanton moved, seconded by Matt Barnhart, that the MEM workers compensation policy be purchased. The motion carried, with all voting "aye".

Technical:

Mr. Rogers reported that a final version of the Southwest Missouri Water Resource Study – Phase II (water supply assessment and alternative formulation), has been approved by partners the Corps of Engineers in Kansas City and Little Rock, the Missouri Department of Natural Resources, CDM Smith, along with Tri-State Water Coalition.

Mr. Rogers reported that a scope of work for Phase III is being discussed and a kickoff meeting for the Stockton Lake allocation study will convene in the afternoon with partner representatives from Kansas City, Little Rock and Jefferson City in attendance, along with the Technical Committee and any other member who chooses to attend.

Mr. Rogers drew attention to a handout included in the board packet showing a first-draft Project Activity Timeline, starting in 2003, moving through the present, and projecting out to 2022.

Communications:

Ms. Melgren made a slide presentation about Tri-State Water Coalition – its founding and history, its mission and primary goals, and its organizational structure and process. As the presentation proceeded, the board discussed various elements of the Coalition's history, current business, and future

organizational process and goals. Mr. Hertzberg commented that the presentation was available for use by members, or that Ms. Melgren could make a presentation at a member's request.

Mr. Barnhart reported that a review of the Coalition's communications materials and contacts lists will begin within the next few weeks.

Membership:

Mr. Stanton reported that payment of membership dues for 2014 was incomplete. Members that have not paid for this year may have inadvertently not received an invoice. Invoices will be generated and mailed to bring membership for 2014 up to date, and invoices for 2015 will go out in November.

Ms. Melgren recognized Steve Meyer, representative for City of Springfield, which, along with Greene County, has been a member for several years but usually does not attend board meetings as CU represents the Springfield/Greene County area for all three entities.

Ms. Melgren noted the inclusion in the board packet of a listing of Tri-State Coalition members, including contact information and current committee assignments.

Legislative/Regulatory:

Mr. Bingle discussed upcoming activities for legislative education and outreach. The Coalition will update its elected official registries for regional, state and federal offices, and plan an assertive schedule of visits with legislators and key agencies within the next several months.

Ms. Melgren suggested communicating the Coalition's key points of understanding and goals to each member's lobbying staff, so that the message presented to elected officials is broad and consistent.

Ms. Melgren referenced copies of two articles included in the board packet – one on the recently passed federal Water Resources Reform and Development Act (WRRDA) of 2014, and one on the federal Water Infrastructure Finance Innovation Act (WIFIA).

Ad Hoc Committee Reports:

JMUC:

Mr. Williams reviewed the process Tri-State Water Coalition followed to create the Southwest Missouri Joint Municipal Water Utility Commission (SWMOJMWUC), which is a sister organization to Tri-State Coalition and will serve as a project-building entity for possible future projects.

The SWMOJMWUC, with founding members Carthage, Lamar, Joplin, Webb City, Monett, Mt. Vernon, Nixa and City Utilities of Springfield, became a separate legal entity once its founding members agreed to a joint contract on March 21, 2012. After that the process of drafting bylaws began, and went on for over a year. Mr. Williams reported that during this time several drafts were written and circulated through member organizations and their legal counsels whose feedback was incorporated into revisions of the draft. After further review by additional legal counsel familiar with joint municipal utility commissions, a draft set of bylaws was agreed upon. Those draft bylaws were sent to the Tri-State Water Coalition board, FYI, as part of their May, 2013, board packet. No action has been taken on them since that time, as the SWMOJMWUC board has not met.

Mr. Williams suggested that the SWMOJMWUC board should meet again to consider the draft bylaws, make any changes that current members and their legal staffs think appropriate - and are agreed upon

by the SWMOJMWUC board - then vote and approve a set of bylaws so the SWMOJMWUC can function as an organization. After that he anticipates consideration of high-level planning to prepare for possible future projects.

Ms. Melgren noted that a flow chart showing the relationship between Tri-State Water Coalition and the SWMOJMWUC was included in the board packet, as was a grid showing membership. She reminded the board that staff for Tri-State Coalition also serves as staff for the SWMOJMWUC but that all business and accounting for the two entities must be kept entirely separate.

Executive Director Report:

Ms. Melgren said she was very pleased to be asked by the board to return to Tri-State Coalition as Executive Director. She said she learned a great deal while working for the U.S. Senate, but had missed mission-centered work and the people of Tri-State Coalition. She said she is grateful to return to Tri-State Coalition where she can work toward wise use and development of a key community resource - water.

She reported that her first priority upon return was to visit each board member in their home community, which she completed in her first 4 weeks. She reported these meetings since starting:

- Every Tri-State Coalition member, face to face, in their home community
- BKD – Troy Hill, partner, and Amy DeWild, accounting outsourcing manager
- Two trips to Jefferson City to meet with DNR– once to meet with Ryan Mueller, and the second time, along with several board members, to meet with Director Sara Parker-Pauley, Ryan Mueller, and other key staff
- John Moore – Upper White River Basin Foundation
- Lauren Dow – Senator Claire McCaskill
- Missouri Senator Bob Dixon
- Joplin Public Works Director Nick Heatherly
- Mt. Vernon Mayor Dave Eden and City Administrator Max Springer
- City Utilities Director of Distribution Gary Gibson and Chief Information Officer Joel Alexander

Ms. Melgren reported participating in

- Two scoping meetings for the Phase III study
- An Interview with KSMU
- A USGS webinar on the Ozark Plateau Groundwater Study
 - <http://ar.water.usgs.gov/ozarks>
- A Corps of Engineers Master Plan Revision for Bull Shoals Lake kick-off meeting

Ms. Melgren reminded the board of DNR's upcoming Governor's Conference on Natural Resources, November 12 and 13, and said DNR is looking for sponsors for the conference.

Matt Barnhart moved, seconded by Bob Williams, that Tri-State Water Coalition be a \$500 sponsor for the upcoming Governor's Conference. The motion carried, with all voting "aye".

Ms. Melgren told the board that she would like to participate in Multi-Basin Partnership and Watershed Committee of the Ozarks meetings unless otherwise directed.

Ms. Melgren noted a copy in the board packet of a letter from the Internal Revenue Service which confirms the Coalition's 501c4 status.

Ms. Melgren discussed possible changes to the Missouri Secretary of State's records for Tri-State Water Coalition.

1. Change the Articles of Incorporation to remove non-required and inaccurate text referencing "501c3" status. When originally written, in 2003, the Articles contained this text. The original IRS filing, however, specified 501c4 status – which is the correct status for Tri-State Coalition's needs. Ms. Melgren suggested an amendment be submitted to change the text in the Articles from "501c3" to "501c4". Mr. Slagle suggested that the reference to IRS status be removed entirely since it is not required. Ms. Melgren will complete an Articles of Amendment for a Nonprofit Corporation form to remove the non-required and inaccurate reference.
2. Complete a Statement of Correction for a General Business or Nonprofit Corporation to reflect our current business address.
3. Complete a Change of Registered Agent/or Registered Office form to correct a transposition error for our registered agent address made by their office in 2011.
4. Complete a Statement of Correction for a General Business or Nonprofit Corporation to update officers and board of directors.

Ms. Melgren will bring completed forms to the next meeting for officer signature.

Ms. Melgren, noting recent discussion about the Tri-State Coalition bylaws, said the last revision was completed October, 2012. She suggested that a review of the bylaws be undertaken by the Executive Committee. She said that while no large issues need to be addressed, there are some minor discrepancies between the bylaws and the actual operations of the Coalition which could be made more consistent.

Ms. Melgren, noting recent discussion about the Coalition's geographic scope, explained that at the formation of the Coalition the geographic scope was the Joplin MSA, including Miami, OK, and Pittsburgh, Kansas - hence the name, *Tri-State* Water Resource Coalition. As the Coalition evolved over the past decade, Miami and Pittsburgh dropped their memberships, and members from the Springfield MSA, as well as communities in-between Joplin and Springfield, were added. The Coalition has developed an understanding of Joint Municipal Utility Commissions and given birth to the Southwest Missouri Joint Municipal Water Utility Commission, whose governing board is restricted by Missouri law to contain only members from Missouri. However, Ms. Melgren explained, it is her understanding that the SWMJMWUC could serve as a water provider in the future to entities beyond state boundaries, such as Miami and Pittsburg. If the board is interested in doing so, a name change for the Coalition, to more accurately reflect its Missouri membership, could be considered.

New Business:

Adjournment:

Gene Stanton moved, seconded by Lynn Calton, that the meeting adjourn. The motion carried, with all voting "aye".



Lynn Calton, Secretary