

**OFFICIAL PROCEEDINGS OF THE
BOARD OF WATER, ELECTRIC,
AND COMMUNICATIONS TRUSTEES
OF THE CITY OF MUSCATINE, IOWA
DECEMBER 20, 2022 – 5:30 P.M.**

The Board of Trustees met in regular session at Muscatine Power and Water's Administration/Operations Building, 3205 Cedar Street, Muscatine, Iowa, on Tuesday, December 20, 2022, at 5:30 p.m.

Chairperson Kevin Fields called the meeting to order. Other members of the Board were present as follows: Trustees Susan Eversmeyer, Tracy McGinnis, Keith Porter, and Steven Bradford.

Also present were Gage Huston, General Manager of Muscatine Power and Water; Kelly Miller, Board Secretary; Erika Cox, Brandy Olson, Mark Roberts, Ryan Streck and Doug White of Muscatine Power and Water. Additional guests included Dee Gerdts.

Secretary Miller asked if there was anyone in attendance who wished to make any public comments.

There were no public comments.

The November 29, 2022, Public Hearing meeting and Board meeting minutes and the November 29, 2022 Audit/Finance Committee meeting minutes were presented as previously submitted. Trustee McGinnis moved, seconded by Trustee Eversmeyer, for the minutes from the November 29, 2022 Public Hearing, Board meeting and Audit/Finance Committee meeting be approved. All Trustees voted aye. Motion carried.

The list of expenditures and transactions for November 2022 was presented. After review by Mr. Huston, and discussion of the expenditures, Trustee Porter moved, seconded by Trustee Bradford to ratify payment of \$9,322,989.21 for the Electric Utility, \$674,357.09 for the Water Utility, and \$1,095,583.01 for the Communications Utility, for a cumulative total of \$11,092,929.31. All Trustees present voted aye. Motion carried.

The next agenda item was to set a public hearing on the sale of a 3.6-acre parcel to Linde North America Inc. At the June 2022 Board of Trustees Meeting, the Board authorized the General Manager to sell to Linde North America Inc (Linde) a 3.6-acre parcel of land owned by MPW that would provide Linde an opportunity to expand its operations at an adjacent site. MPW has no plans for the parcel.

At the time of the June meeting, it was anticipated that no further Board action would be required. However, upon further discussions with the title company and MPW outside counsel, it is recommended that MPW follow the requirements set forth in Iowa Code 364.7 for the disposal of property. This Code section requires that a public hearing be held and a formal resolution be approved by the Board to complete the transaction.

It is management's recommendation the public hearing be set for January 31, 2023, at 5:28 p.m. The following resolution was submitted:

RESOLUTION 22-20

WHEREAS, Muscatine Power and Water determined it no longer has need for the 3.6-acre parcel proposed for sale to Linde North America Inc – Muscatine (or one of its affiliates) for the appraised value of \$100,000 plus costs incurred by MPW and the parties have agreed to the terms for the transaction; now therefore,

BE IT RESOLVED, by the Board of Water, Electric, and Communications Trustees of the City of Muscatine, Iowa that a public hearing regarding this property sale be held on the 31st day of January 2023 at 5:28 p.m. in the Auditorium of Muscatine Power and Water's Administration/Operations Building located at 3205 Cedar Street, Muscatine, Iowa, and the notice of said hearing shall be published once in the Muscatine Journal, a newspaper of general circulation published daily in the City of Muscatine, Iowa, not less than four (4) nor more than twenty (20) days prior to said hearing, all as required by the Code of Iowa.

Trustee Eversmeyer moved, seconded by Trustee Bradford, that said resolution be passed, approved, and adopted this 20th day of December 2022. On roll call, Trustees Eversmeyer, McGinnis, Bradford, Porter, and Fields voted aye. Voting nay, none. Resolution carried.

In discussion Trustee Porter asked if MPW was ready for the upcoming storm that was predicted. Mr. Huston stated that the crews at MPW are ready for potential issues that may develop due to the storm. He also mentioned that MISO had not changed any statuses in operations due to the storm at this time.

The meeting was adjourned at 5:45 p.m.

BOARD OF WATER, ELECTRIC, AND
COMMUNICATIONS TRUSTEES OF
THE CITY OF MUSCATINE, IOWA

Kelly Miller
Board Secretary