

**OFFICIAL PROCEEDINGS OF THE  
BOARD OF WATER, ELECTRIC,  
AND COMMUNICATIONS TRUSTEES  
OF THE CITY OF MUSCATINE, IOWA  
JUNE 25, 2024 – 4:00 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, June 25, 2024 at 4:00 p.m.

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

Also present were Gage Huston, General Manager of Muscatine Power and Water; Kelly Miller, Board Secretary; Erika Cox, Mark Roberts, Ryan Streck, and Doug White of Muscatine Power and Water. Brandy Olson of MPW joined the meeting virtually. Additional attendees were Greg Slonka, Mark Fritz, Amy Slonka, David O'Connor, Brad Schmidt, Brad Bark, Jimmy Kent, Brian Peters, Kevin Gaede, Dave Hotle, Charles Potter, Josh Klopp, Jessica Brackett, Linda Schmarjie, Cynthia Niebuhr-Hartley, and Matt Moody.

Public comments were made by Brad Bark, Brad Schmidt, Cynthia Niebuhr-Hartley, and Jessica Brackett.

Trustee Eversmeyer moved, seconded by Trustee McGinnis to approve the May 28, 2024 regular Board meeting minutes. All Trustees voted aye. Motion carried.

Trustee Bradford moved, seconded by Trustee Fields, to ratify payment of \$6,628,410.71 for the Electric Utility, \$601,054.58 for the Water Utility, and \$1,338,774.11 for the Communications Utility for a cumulative total of \$8,568,239.40. All Trustees voted aye. Motion carried.

Mr. Huston introduced two recommendations, one to approve a Project Summary Form (PSF) for the Unit 10 Combined Heat and Power (CHP) Project and one to Authorize General Manager to Execute Associated Steam Sales Agreement. Approval of the subject PSF would move the project from the preliminary design and due diligence phase to the active development phase. Approval of the PSF will authorize expenditures to complete detailed engineering, equipment procurement, and contracted construction of the CHP unit. The Steam Sales Agreement is a critical element in allowing the development of the CHP project to move forward. The Agreement is expected to provide mutual benefits – to the steam customer through reduced steam production costs and redundant supply, and to all MPW electric customers through reliability and lower costs than other power supply alternatives. Mr. White and Mr. Huston provided a high-level review of the project overall, as well as the details associated with the steam sales agreement.

At 5:08 p.m. Chairperson Porter stated the Board would be going into Closed Session to Review the PSF for Unit 10 Combined Heat and Power (CHP) Project and Steam Sales Agreement, Trustee McGinnis moved, seconded by Trustee Eversmeyer, to enter closed session in accordance with Iowa Code 388.9 (protecting competitive information), 388.9A (customer information), and 22.7(3) (trade secrets). On roll call, Trustees Bradford, Fields, McGinnis, Eversmeyer, and Porter, voted aye. Voting nay, none. Motion carried.

At 5:45 p.m. the meeting was reconvened to open session.

Mr. Huston recommended the Board approve the Project Summary Form for the Unit 10 Combined Heat and Power (CHP) Project. Trustee McGinnis moved, seconded by Trustee Bradford, to approve the Project Summary Form for the Unit 10 Combined Heat and Power (CHP) Project. All Trustees voted aye. Motion Carried.

Mr. Huston asked the Board to authorize the General Manager, in alignment with contract terms discussed in the closed session, to Execute the Associated Steam Sales Agreement. Trustee Fields indicated that he would be abstaining from voting on this item due to his senior management position at GPC's parent company. After further review and discussion, Trustee Eversmeyer moved, seconded by Trustee McGinnis, to authorize the General Manager to Execute the Associated Steam Sales Agreement. Trustees Eversmeyer, Bradford, McGinnis and Porter voted aye. Trustee Fields abstained from voting. The motion carried.

The next agenda item was a recommendation to Approve Project Summary Form for Isett Substation Expansion. At the May meeting, the Board ratified the offer to purchase the Southwest 1.7 acres of parcel 0826283003 to secure the land where MPW's Isett Substation is located. Staff requested approval of the Isett Substation Expansion Project Summary Form (PSF) to fund the purchase and required repairs to the property as described in the presentation to the Board on May 28, 2024. Trustee Fields moved, seconded by Trustee Bradford, to approve the Project Summary Form for Isett Substation Expansion. All Trustees voted aye. Motion Carried.

Next, Mr. Huston reminded the Board the revised Service Rules were presented to the Board of Trustees at the May 2024 Board meeting for information and review. Mr. Huston stated no additional feedback was received from the Board regarding the Service Rules. Trustee McGinnis moved, seconded by Trustee Eversmeyer, to approve the Service Rules for the Water, Electric, and Communications Utilities as presented at the May Board of Trustees meeting. All Trustees voted aye. Motion carried.

Mr. Huston continued that the next agenda item pertained to the Board Policy Manual and the revised manual had been provided to the Board. He stated the manual had been reviewed and updated by Staff and submitted in a "redline/track change mode" for the Board's review and comment. Mr. Huston reviewed revisions to the document, noting no action was being requested at this time regarding the Board Policy Manual and stated that approval would be requested at the July Board meeting.

Mr. Huston stated at the June 6, 2024, City Council meeting, Mayor Brad Bark forwarded the City of Muscatine's Board of Commission Nominating Committee's recommendation to City Council to appoint Tammi Drawbaugh to the Board of Water, Electric, and Communications Trustees, and the City Council ratified the appointment. Mr. Huston continued that Ms. Drawbaugh will complete a term on the MPW Board of Trustees that begins on July 1, 2024, and will end June 30, 2030, upon which date Ms. Drawbaugh will be eligible for reappointment. Trustee Fields moved, seconded by Trustee Eversmeyer, to receive and place on file the Certificate of Appointment for Tammi Drawbaugh to the Board of Trustees for a period of July 1, 2024, through June 30, 2030. All Trustees voted aye. Motion carried.

Mr. Huston stated the Board of Trustees usually elects new officers at the June meeting for the following year. It was recommended Trustee Bradford be elected Chairperson and Trustee

Eversmeyer be elected Vice-Chairperson for the 2024-25 term, beginning July 1, 2024. As part of the process of electing new Board officers, the Board Secretary is also appointed; it was recommended Ms. Miller continue as Board Secretary. Mr. Huston also recommended the following appointments for the 2024/2025 Board Committees:

Audit/Finance – Kevin Fields and Steven Bradford (Committee Chair)

Planning and Operations – Susan Eversmeyer and Kevin Fields (Committee Chair)

Personnel & Public Relations – Tammi Drawbaugh and Keith Porter (Committee Chair)

Trustee McGinnis moved, seconded by Trustee Bradford, to elect Trustee Bradford as Chairperson, Trustee Eversmeyer be elected Vice-Chairperson and Ms. Miller be elected as Board Secretary for the 2024/2025 term, and receive and place on file the 2024/2025 Board Committee appointments. All Trustees voted aye. Motion carried.

Mr. Huston next introduced a motion to Appoint Trustee Porter to the MAGIC Governing Board due to the departure of Trustee McGinnis from the board. Mr. Huston recommended that Trustee Porter be appointed to the MAGIC Board effective July 1, 2024, for a two-and-a-half-year term to represent Muscatine Power and Water, with his term ending December 31, 2026. Trustee McGinnis was thanked by Mr. Huston and the Board for her term of service on the MAGIC Board, which ends June 30, 2024. Trustee Eversmeyer moved, seconded by Trustee Bradford, to appoint Trustee Porter to the MAGIC Board effective July 1, 2024, for a two-and-a-half-year term. All Trustees voted aye. Motion carried.

The next item on the agenda was a recommendation for a resolution recognizing Ms. Tracy McGinnis for 12 years of service, from July 1, 2012 to June 30, 2024, as a member of the MPW Board of Trustees. Mr. Huston shared some of the highlights of Ms. McGinnis's tenure as a Trustee and thanked her for her support of MPW and the community and citizens of Muscatine. The following resolution was submitted to recognize Ms. McGinnis's service:

#### **RESOLUTION 24-13**

WHEREAS, Ms. Tracy McGinnis served as a member of the Board of Water, Electric, and Communications Trustees of the City of Muscatine, Iowa for the period of July 1, 2012 through June 30, 2024, during which time Trustee McGinnis graciously contributed her knowledge and personal time toward the betterment and efficient operation of the municipal water, electric, and communications systems of the City of Muscatine, Iowa; now therefore,

BE IT RESOLVED, by the Board of Water, Electric, and Communications Trustees of the City of Muscatine, Iowa, that the appreciation of the Board of Trustees and of the citizens of Muscatine, Iowa to Trustee McGinnis be evidenced by forwarding a copy of this resolution to her duly signed on behalf of this Board; and,

BE IT FURTHER RESOLVED, that the resolution be included in the minutes of the Board.

Trustee Fields moved, seconded by Trustee Bradford, that said resolution be passed, approved, and adopted this 25<sup>th</sup> day of June 2024. On roll call Trustees Bradford, Fields, McGinnis, Eversmeyer, and Porter voted aye. Voting nay, none. Resolution carried.

In the General Manager's Report, Ms. Olson reviewed the 2024 State Legislative Wrap Up discussing the 2020 Transmission Right of First Refusal (IOU ROFR) bill that was overturned by the Iowa Supreme Court on a technicality in late 2023. She also mentioned that with the increasing costs for publishing local government information in local papers and the growing reliance on internet-based information sources, MPW with other IAMU members have been advocating for changes to the statutory publication requirements. This year, the issue gained support from public entities throughout the state (all of which are legally required to publish meeting information, budgets, payables, etc.). Ms. Olson also stated another recurring topic this session was open government. HF 2539 was introduced to add to the open meeting law. Unfortunately, late added amendments created loopholes that would have undermined other important components of existing open meeting laws. The Governor's office supports revisiting this next session; specifically, increasing fines for non-compliance. Mr. Huston mentioned that Muscatine Power and Water received an American Public Power Association E.F. Scattergood System Achievement Award during the American Public Power Association's National Conference in San Diego, California on June 12. The award honors APPA member systems that have enhanced the prestige of public power utilities through sustained achievement and customer service. MPW was one of just four public power utilities across the country to receive the award in 2024.

The May Financial Operating Statements and Balance Sheets were presented as previously submitted to all Board members. Mr. Roberts reviewed the MPW dashboard and the May Financial Results Summary for each Utility.

There was one entry on the Competitive Quotes for Public Improvements Report for the Pine Street Substation Retaining Wall Repair Project.

Mr. Huston reviewed the Project Status Report and Variance Analysis.

Mr. Huston provided a high-level review of the May Departmental Reports, and Mr. White provided a Powering the Future status report.

Trustee McGinnis moved, seconded by Trustee Eversmeyer to receive, and place on file the June 2024 Utility Reports. All Trustees voted aye. Motion carried.

The meeting was adjourned at 6:10 p.m.

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



Kelly Miller  
Board Secretary