

SPECIAL OPEN MEETING MINUTES OF THE ST. JOSEPH REGIONAL PORT AUTHORITY

Board of Commissioners
April 12, 2022

Members Present: Ken Beck, Pat Dillon, Chris Dunn, Joe Houts, Glen Drake, Mark Woodbury

Others Present: Marty Novak, Lee Sawyer, Andy Macias, Bill Becker, Brad Lau, Kenneth Reeder

1. CALL TO ORDER

Ken Beck called the meeting to order at 4:00 p.m. The meeting was held in the conference room of the Transport 360 office at the St. Joseph Regional Port facility.

2. OVERVIEW OF BUCKET CONVEYOR SYSTEM AND DISCUSSION OF ACCEPTING PARTIAL ALLOCATION OF MODOT CAPITAL FUNDING

Brad Lau reviewed the bucket conveyor capital project. This project was moved into the Missouri Port Association FY23 funding cycle due to a lack of funding in FY21 during the grain bin project. Brad discussed the option of accepting a portion of the funding in FY22 and the remainder of the funding in FY23, which technically begins July 1, 2022. This would be a slight risk if the funding in FY23 was not actually available. Brad believes \$120,000 would cover the costs associated with the mobilization of the contractor, engineering and down payment on the conveyor. Brad explained to the Commissioners the urgency to decide is due to the 21-day bidding process. Bids would need to open by May 18, 2022. If the project comes in over budget, the contract with Snyder & Associates would only require payment for the hourly work associated with the bid specifications. The actual project total is \$650,000, which \$520,000 would be from MoDOT funding with \$130,000 related to the Port Authority's 20% match requirement. Most of the project cost is associated with the bucket conveyor and may take up to 8-9 months to receive. Lau referenced a sheet behind the meeting notice, the breakout of the project, what would be received in FY22 and the remaining allocation associated with FY23 funding.

Glen Drake began to make a motion. Chris Dunn requested further discussion before the motion was made. Chris Dunn's preference was to authorize the grant agreement amendment for FY22 funding and hold off on authorizing the grant agreement amendment for FY23 until a source for the required match was determined.

3. AUTHORIZATION FOR EXECUTIVE DIRECTOR TO EXECUTE ELECTRONIC FY22 MODOT GRANT AGREEMENT AND FY23 MODOT GRANT AGREEMENT (AMENDMENT)

Glen Drake made a motion authorizing the Executive Director to execute the electronic FY22 MoDOT Grant Agreement Amendment and the FY23 Grant Agreement (Amendment). There was discussion that authorizing the grant agreement amendment was accepting partial allocation of MoDOT capital funding and that reference did not need to be a separate motion or a part of the motion. The motion being made

by Glen Drake was seconded by Joe Houts, all in favor signify by roll call vote – Ken Beck – yes, Pat Dillon – yes, Glen Drake – yes, Joe Houts – yes, Mark Woodbury – yes, Chris Dunn – no. Motion approved.

Following the vote, Mark Woodbury asked Chris Dunn what his reservation was associated with his no vote. Chris stated he was in favor of the accepting the FY22 funds, it was the FY23 funds and the associated match that he was concerned about. He would have preferred to just accept the FY22 grant agreement amendment at this time.

Following the approval of the motion there was lengthy discussion regarding match options with the ARRA funding and using revenue from the new asset. Mark Woodbury stated we should figure out as soon as possible how to cover the FY23 match. Lee Sawyer stated there was the possibility the County could step up, he didn't want to speak for the other Commissioners, but the County does have funding for economic development that is always open for discussion.

4. MOTION TO AMEND FY22 BUDGET

Brad Lau requested a motion to amend the FY22 budget to add \$120,000 in capital funds and line of credit match. A motion was made by Joe Houts and seconded by Glen Drake. Chairman Ken Beck called for "All in Favor Signify by Saying Yes," with a majority signifying yes. Chairman Ken Beck called for those opposed, Chris Dunn signified as opposed. Motion approved.

5. AUTHORIZATION FOR CHAIRMAN TO EXECUTE SERVICES CONTRACT WITH SNYDER AND ASSOCIATES RELATED TO ENGINEERING, BIDDING AND CONSTRUCTION MANAGEMENT OF BUCKET CONVEYOR SYSTEM

Brad Lau requested Andy Macias give a breakdown on the services contract related to engineering, bidding and construction management, which totals \$29,500. Andy explained \$5,000 is associated with restructuring the contract to include the new plans and specifications, wage rates and the cost of the bucket conveyor and the engineering required. The bidding services total \$7,000 and \$17,500 relates to construction management.

Ken Beck requested a motion to approve the Chairman to execute the services contract with Snyder and Associates related to engineering, bidding and construction management of the bucket conveyor system. A motion was made by Mark Woodbury and seconded by Pat Dillon. All in favor signify by yes. All in favor. Motion approved.

6. UPDATE ON EVERGY EASEMENT REQUEST AT TRUCK STAGING PROPERTY

Mark Woodbury gave an update on the Evergy easement request at the truck staging property. Mark said that Evergy has now come back requesting an additional 20 foot of easement to the original 60 foot that the Commissioners approved. He told Evergy there would be a need to pay for the easement as a result of additional footage now requested. Evergy has also indicated as they go through this process of evaluating and updating transmission lines, there may be the opportunity for the line running across the port facility property to be decommissioned. This would be of real value as it would open up space at the port for construction and improve safety associated with cranes at the facility. Evergy has agreed to language in the easement that if the line running through the port facility is ever decommissioned, Evergy agrees to abandon and release the easement for free.

Ken Beck requested a motion to approve Mark Woodbury to negotiate a paid 80-foot easement with Evergy at fair market value or more, and Evergy further agrees in writing that if the transmission line on the port facility is ever abandoned and the line is decommissioned, that Evergy will release the associated easement running across the port facility for free. A motion was made by Glen Drake and seconded by Chris Dunn. All in favor signify by yes. All in favor. Motion approved.

7. OTHER BUSINESS

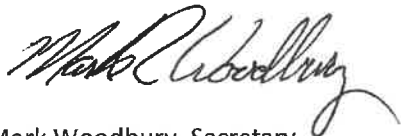
Brad Lau stated that based on the approvals today, the bidding will move forward with bids being opened no later than May 18, 2022. There will be the need for a Special Meeting likely the week of May 15, 2022.

There was no other business.

8. ADJOURN

Motion to adjourn made by Joe Houts and seconded by Pat Dillon.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Mark Woodbury".

Mark Woodbury, Secretary
