



**Kansas Municipal Energy Agency
Executive Committee Meeting Minutes
August 12, 2020
Conference Call/GoToMeeting**

Committee Members	City	Present/ Absent	KMEA Staff Present	Other Attendees Present
Tyson McGreer	City of Colby	Present	Gerry Bieker	Sarah Steele, Gilmore & Bell
Mike Muirhead	City of Garden City	Present	Paul Mahlberg	Terry Jarrett, Healy Law Offices
Robert Mills	City of Garnett	Present	Sam Mills	Doug Healy, Healy Law Offices
Jonathan Mitchell	City of Hoisington	Present	Jennifer Moore	Colin Hansen, KMU
Ira Harrison	City of Holton	Present	Mike Schmaderer	Duane Banks, City of Russell
Greg DuMars	City of Lindsborg	Present	Joni Shadonix	
Dennis Tharp	City of Ottawa	Present		
Jon Quinday	City of Russell	Present		
Matt Rehder	City of Seneca	Present		

Item No. 1 – Call the Meeting to Order

President Mike Muirhead called the meeting to order at 10:32 a.m. via Conference Call/GoToMeeting. A quorum was present.

Item No. 2 – Seek Approval of the following items:

- **Minutes from the July 1, 2020 Executive Committee Meeting**
Dennis Tharp made a motion to approve, as written, the July 1, 2020, Executive Committee minutes. The motion was seconded by Ira Harrison and carried unanimously.
- **Appropriations for June and July and Financials for June 2020**
Jennifer Moore reviewed the appropriations for June and July and financials for June.

Robert Mills made a motion to approve the appropriations for June and July and financials for June. The motion was seconded by Dennis Tharp and carried unanimously.

The Committee discussed the need to develop a policy to address failure of a member to pay for a large project performed by Mid-States. Following discussion, the Committee directed staff to develop a non-payment policy to present at a future meeting.

- **Resolution No. 220, approving equipment lease/purchase agreement with Altec Capital Services**

Paul reported that the KMEA Executive Committee previously authorized staff to move forward with an equipment lease/purchase option on a bucket truck and digger derrick for the Dighton Project, subject to legal counsel's review. He reviewed the terms of the proposed agreement and indicated that Altec Capital Services, the leasing company, has requested formal approval by resolution for the agreement. He further indicated that Gilmore & Bell prepared Resolution No. 220, reviewed the Altec equipment lease/purchase agreement and incumbency certificate included into today's meeting materials.

Jon Quinday made a motion to adopt Resolution No. 220, authorizing the execution and delivery of an equipment lease/purchase agreement with Altec Capital Services, and related instruments, and determining other matters in connection therewith. The motion was seconded by Tyson McGreer and carried unanimously.

Item No. 3 – General Manager Report

Prior to the General Manager's report, Paul asked Colin Hansen to provide a legislative and regulatory update.

Paul then reported on the following topics:

- **Sunflower Merger** – Negotiations continue on one remaining issue. KMEA staff and other intervenors will participate in a conference call on Friday and are hopeful a settlement can be reached.
- **City of Pittsburg Municipalization** – The City of Pittsburg's commission voted to suspend municipalization efforts.
- **Coop Merger** – Nemaha-Marshall and Doniphan, two electric cooperatives located in the Northeastern part of Kansas, have announced plans to merge.

Item No. 4 – Member Services Update

Gerry Bieker reported that KMEA is looking into the feasibility of purchasing an AMI virtual metering server in KMEA's name that could be shared by our members. Costs for the server would be passed through to members utilizing the service.

Item No. 5 – Operations Update

Sam reviewed highlights of the SPP 2019 annual update recently released by the market monitor and provided an update on the status of the Anthony Magellan and Moundridge interconnect projects. Mike Schmaderer presented a video showcasing the projects.

Item No. 6 – Mid-States Update

- **Work-Load** – Several members have requested Mid-States assistance with projects, including Colby, St. John, Stockton, Holton, Arma, and Sterling.
- **Mobile Substation** – Mike reported that staff is in the process of collecting data from communities to determine the most commonly used transformers by voltage. Discussion was held on the feasibility of the purchase of a mobile substation or the purchase a spare transformer(s) that could be used by our members in the event of a transformer failure. Staff will continue to collect information and provide updates at future meetings.
- **Mid-States Member vs. Non-Member issue** – Paul asked for feedback and direction as to how to handle non-KMEA municipals requesting services from Mid-States. Several considerations and options were presented and discussed. The Committee chose Option 3 and staff was directed to bring an official proposal back to the Committee.
- **Staffing** – Paul and Mike Schmaderer discussed the need to hire an additional part-time employee to assist communities with metering issues that arise. They indicated that they have a highly qualified and respected individual in mind to fill this position. Following discussion there was a consensus of the Committee to authorize staff to hire a part-time employee to be utilized only when Mid-States could bill out for his services. This employee would need to sign a confidentiality agreement.

Paul also noted that now that we have expanded insurance capabilities, we are working on the gas side to potentially hire a part-time employee that would be able to provide gas services on

an as-needed basis in conjunction with KMU. This employee would be a KMEA employee, but be fully funded by KMGGA.

Item No. 7 – Old Business

- **Annual Conference Update** – Paul reported that staff recommends the cancellation of this year’s Annual Conference since it is not possible to social distance and further recommends virtual KMEA and KMGGA Board meetings only be held on October 29th. The meetings would be limited to necessary business only – approval of minutes, 2021 annual budgets, election of officers and at-large executive committee members, and the addition/withdrawal of members. Paul also noted that KMEA would not be financially obligated for the hotel or keynote speakers as long as we use them next year. The Committee concurred.

Item No. 8 – New Business

President Muirhead recommended that this year’s Annual Gathering be limited to meetings only at KMEA’s office in Overland Park. A Joint Board meeting is necessary to perform Paul’s annual performance review. The Committee concurred. He also suggested that KMEA hold next month’s Executive Committee meeting on the same day. Paul will confirm the plan with KMGGA Executive Committee members next week and send out a Doodle poll to see which day during the week of September 14th or September 21st works for most folks.

Item No. 9 – Executive Session to discuss matters covered by attorney-client relationship

Jon Quinday made a motion for the KMEA Executive Committee members, KMEA staff, and outside legal counsel go into executive session for 20 minutes beginning at 11:55 a.m. to discuss matters covered by the attorney-client relationship, with the open session to resume via Conference Call/GoToMeeting at 12:15 p.m. The motion was seconded by Dennis Tharp and carried unanimously.

The regular session resumed at 12:15 p.m., via Conference Call/GoToMeeting. No action was taken.

Greg DuMars made a motion for the KMEA Executive Committee members, KMEA staff, and outside legal counsel go into executive session for 10 minutes beginning at 12:15 p.m. to discuss matters covered by the attorney-client relationship, with the open session to resume via Conference Call/GoToMeeting at 12:25 p.m. The motion was seconded by Matt Rehder and carried unanimously.

The regular session resumed at 12:25 p.m., via Conference Call/GoToMeeting. No action was taken. Paul will prepare an outline to discuss at a future meeting.

Item No. 10 – Announce date, time and location for the next Executive Committee Meeting

The date, time and location of the September KMEA Executive Committee meeting will be announced after Paul receives the results of the Doodle poll.

Item No. 11 – Adjourn Meeting

The meeting was adjourned at 12:27 p.m.



Robert Mills
Secretary/Treasurer