

**354th MEETING OF THE  
STATE ENVIRONMENTAL IMPROVEMENT  
AND ENERGY RESOURCES AUTHORITY  
EIERA Office  
425 Madison Street, Second Floor  
Jefferson City, Missouri**

**June 29, 2022  
10:00 a.m.**

**[Join WebEx Meeting](#)**

Teleconference Call Number: **1-650-479-3207**  
WebEx Meeting Number (Access Code): **2454 924 2108**  
Meeting Password: **gqJpJFPz724**

1. Call to Order
2. Approval of Minutes
  - A. Approval of the Minutes from the 353<sup>rd</sup> Open WebEx Meeting of the Authority held May 11, 2022, in Jefferson City, Missouri
  - B. Approval of the Minutes from the 353<sup>rd</sup> Closed WebEx Meeting of the Authority held May 11, 2022, in Jefferson City, Missouri
3. State Revolving Fund Program
  - A. Program Update
4. Missouri Market Development Program
  - A. Program Update
  - B. Consideration of the Funding Recommendation for the Bluebird Composting, LLC Project and Authorizing the Director or Designee to Enter Into an Agreement on Behalf of the Authority
  - C. Consideration of the Funding Recommendation for the Holliday Construction Company Project and Authorizing the Director or Designee to Enter Into an Agreement on Behalf of the Authority
  - D. Consideration and Approval of the MORA Conference Sponsorship Request
  - E. Other
5. Raytown Water Company Issuance Resolution
6. Selection of Bond Counsel to the Authority
7. Consideration and Approval of FY2023 Authority Budgets
8. Election of Officers

9. Other Business

- A. Opportunity for Public Comment (Limit of Four Minutes per Individual)
- B. Next Meeting Date
- C. Other

10. Closed Meeting Pursuant to Section 610.021(1), (3) and (11) RSMo. (as needed)

11. Adjournment of Closed Meeting and Return to Open Meeting

12. Adjournment of Open Meeting

The Authority may vote to close a portion of the meeting in conjunction with the discussion of litigation matters (including possible legal actions, causes of action, any confidential or privileged communications with its attorneys and the negotiation of items of a contract), real estate matters, personnel matters (including the hiring, firing, disciplining or promoting of personnel), or specification for competitive bidding pursuant to Section 610.021 (1), (3) or (11) RSMo.

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Members to be Present:

Caleb Arthur, Chair  
Mary Fontana Nichols, Vice Chair  
Deron Cherry, Treasurer, Assistant Secretary  
Nancy Gibler, Secretary

Staff to be Present:

Joe Boland, Executive Director  
Mark Pauley, Deputy Director  
Kristin Allan Tipton, Development Director  
Angie Powell, Missouri Market Development Director  
Cathy Schulte, Fiscal Manager  
Genny Eichelberger, Office Support Assistant

Legal Counsel to be Present:

David Brown, Lewis Rice LLC

**MINUTES OF THE 353RD MEETING OF THE  
STATE ENVIRONMENTAL IMPROVEMENT  
AND ENERGY RESOURCES AUTHORITY**

**EIERA Office  
425 Madison Street, Second Floor  
Jefferson City, Missouri**

**WebEx/In Person Meeting  
May 11, 2022  
10:00 a.m.**

<b>EIERA MEMBERS:</b>	Caleb Arthur, Chair Mary Fontana Nichols, Vice Chair Deron Cherry, Treasurer/Assistant Secretary Nancy Gibler, Secretary
<b>EIERA STAFF:</b>	Joe Boland, Executive Director Mark Pauley, Deputy Director Kristin Allan Tipton, Development Director Angie Powell, Missouri Market Development Director Cathy Schulte, Fiscal Manager Genny Eichelberger, Office Support Assistant
<b>LEGAL COUNSEL:</b>	David Brown Lewis Rice LLC
<b>OTHER PARTICIPANTS:</b>	Eric Cowan BofA Securities, Inc.  Dennis Lloyd Khalen Dwyer Columbia Capital Management, LLC  Guy Nagahama Samuel A. Ramirez & Co., Inc.  Larry Richardson Huntington Securities, Inc.

**(AGENDA ITEM #1) CALL TO ORDER**

Vice Chair Nichols called the 353rd meeting of the State Environmental Improvement and Energy Resources Authority (the “Authority”) to order at 10:00 AM. Vice Chair Nichols took roll call and asked that the meeting record reflect a quorum was present via WebEx video conference.

**(AGENDA ITEM 2) APPROVAL OF MEETING MINUTES**

**(AGENDA ITEM #2A) APPROVAL OF 352ND OPEN TELECONFERENCE MEETING MINUTES (FEBRUARY 23, 2022)**

The next order of business was to review and approve the open teleconference meeting minutes of the 352nd meeting (February 23, 2022) of the Authority.

**MOTION:** Motion was made by Mr. Cherry and seconded by Ms. Gibler to approve the open teleconference minutes of the 352nd meeting of the Environmental Improvement and Energy Resources Authority. By roll call vote, Vice Chair Nichols, Mr. Cherry, Ms. Gibler and Chair Arthur all voted in favor. Motion carried.

**(AGENDA ITEM #2B) APPROVAL OF 352ND CLOSED TELECONFERENCE MEETING MINUTES (FEBRUARY 23, 2022)**

The next order of business was to review and approve the closed teleconference meeting minutes of the 352nd meeting (February 23, 2022) of the Authority.

**MOTION:** Motion was made by Mr. Cherry and seconded by Ms. Gibler to approve the closed teleconference minutes of the 352nd meeting of the Environmental Improvement and Energy Resources Authority. By roll call vote, Vice Chair Nichols, Mr. Cherry, Ms. Gibler and Chair Arthur all voted in favor. Motion carried.

Mr. Boland introduced the Authority’s two new employees, Mr. Pauley and Ms. Powell to the Board. The Board welcomed the new employees.

**(AGENDA ITEM #3) INDUCEMENT RESOLUTION FOR RAYTOWN WATER COMPANY PRIVATE ACTIVITY BOND**

Vice Chair Nichols called upon Mr. Boland to explain the Inducement Resolution.

Mr. Boland deferred to Mr. Pauley for comment.

Mr. Pauley reported to the Board that the Authority received an application from Raytown Water Company (RWC) requesting the Authority issue tax-exempt Private Activity Bonds (PAB) in an amount not-to-exceed \$5,000,000. The project being financed is required to update their entire water metering system to AMI (advanced metering infrastructure) by replacing all manually read meters with radio reads. They will also upgrade meter wells as needed, install new data collectors and update metering software to make live metering information available to customers through the company website. In addition to the meter upgrades, RWC will be purchasing new trucks and build a new garage for the company-owned vehicles. A new bulk water station will be installed for public access.

Mr. Pauley said that an application for private activity bond cap allocation has been forwarded to the Department of Economic Development. Next, there would be a Tax Equity and Fiscal Responsibility Act (TEFRA) hearing; afterwards, a request will be sent to the Governor's Office for Governor Parson to sign the Certificate of Approval. Staff will be returning to the Board at a future board meeting for approval of the issuance resolution and the project will conclude with pricing of the bonds and bond closing.

Mr. Pauley stated that staff recommends the approval of the resolution on behalf of RWC. He asked if there were any questions.

Mr. Cherry asked how many trucks would be added and how large the garage facility would be.

Mr. Boland said the entire fleet of 10 trucks would be replaced and expects the garage to be at least 10 bays.

Mr. Brown added that the Authority had issued PAB's for RWC before.

Vice Chair Nichols asked if there was a motion.

**MOTION:** Motion was made by Ms. Gibler and seconded by Mr. Cherry to Approve the Resolution of Official Intent of the State Environmental Improvement and Energy Resources Authority of the State of Missouri to Issue the Authority's Revenue Bonds to Provide Funds to be loaned to the Raytown Water Company to Finance Certain Water System Facilities. By roll call vote, Vice Chair Nichols, Mr. Cherry, Ms. Gibler and Chair Arthur all voted in favor. Motion carried.

(Said Resolution 22-01 is attached hereto and made a part of these minutes as "Attachment A.")

**(AGENDA ITEM #4) APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH DIVISION OF ENERGY**

Mr. Boland stated that the Memorandum of Understanding (MOU) was more like a Cooperation Agreement with the Department of Natural Resources' Division of Energy (DNR-DE) documenting each agency's commitment to work together to develop an infrastructure bank for energy projects.

Mr. Boland said that the Authority has a Cooperation Agreement already in place with the division from when the Authority issued bonds for the division in 2002, 2004 and 2006; however, the original agreement is too specific and outdated to be used for the Energy Bank development. The new MOU has been simplified and is broader in scope. If the Board approves the MOU, it will be sent to DNR-DE for signature.

Mr. Boland offered to answer any questions. There were no questions.

**MOTION:** Motion was made by Mr. Cherry and seconded by Ms. Gibler to approve a Memorandum of Understanding between the State Environmental Improvement and Energy Resources Authority and the Department of Natural Resources' Division of Energy. By roll call vote, Vice Chair Nichols, Mr. Cherry, Ms. Gibler and Chair Arthur all voted in favor. Motion carried.

**(AGENDA ITEM #5) MISSOURI MARKET DEVELOPMENT PROGRAM**

**(AGENDA ITEM #5A) PROGRAM UPDATE**

Chair Arthur called upon Ms. Tipton to give an update on the Missouri Market Development Program.

Ms. Tipton stated that she had one application for the Board's consideration.

**(AGENDA ITEM #5B) CONSIDERATION OF THE FUNDING RECOMMENDATION FOR THE SUMMIT TRANSFER LLC PROJECT AND AUTHORIZING THE DIRECTOR OR DESIGNEE TO ENTER INTO AN AGREEMENT ON BEHALF OF THE AUTHORITY**

Ms. Tipton reported to the Board that Summit Transfer LLC, located in Lee's Summit, requested \$250,000 to purchase equipment costing \$425,000 that would be part of a \$3.5 million construction and demolition waste recycling facility. She said that this was an exciting project that would have more than a local impact – it would have a regional impact. Ms. Tipton added that the owner/developer has been in contact with her for a couple of years.

Ms. Tipton said that the facility would focus primarily on recovering the larger markets in the waste stream, such as wood, metals and paper. Smaller markets, such as asphalt shingles and gypsum, may be developed over time. A shredder, the specialized equipment to be purchased with this award, will break larger items into smaller, more manageable pieces.

Ms. Tipton stated that the facility would be the first ever MDNR permitted construction and demolition waste facility in Missouri.

Ms. Tipton noted that Summit Transfer anticipates diverting 46,800 tons annually from the waste stream and creating twenty-two full time employee positions with this project.

The Missouri Market Development Program Steering Committee, which includes staff from the Missouri Department of Natural Resources, Missouri Department of Economic Development, the Solid Waste Advisory Board, and the Authority, recommends funding this project in the amount of \$240,000, not to exceed 75% of the cost of the equipment. This is the maximum amount for which the project is eligible. This funding recommendation was unanimous.

**MOTION:** Motion was made by Mr. Cherry and seconded by Ms. Gibler to authorize the director or designee to negotiate and enter into an agreement on behalf of the Authority with Summit Transfer, LLC for an amount up to \$240,000, not to exceed 75 percent of the cost of the equipment. By roll call vote, Vice Chair Nichols, Mr. Cherry, Ms. Gibler and Chair Arthur all voted in favor. Motion carried.

**(AGENDA ITEM #5C) OTHER**

There was no discussion.

**(AGENDA ITEM #6) OTHER BUSINESS**

**(AGENDA ITEM #6A) OPPORTUNITY FOR PUBLIC COMMENT (LIMIT OF FOUR MINUTES PER INDIVIDUAL)**

Vice Chair Nichols asked if anyone would like to make a public comment at this time. There were no comments.

**(AGENDA ITEM #6B) NEXT MEETING DATE**

Mr. Boland stated that the next meeting would be held in June, 2022.

**(AGENDA ITEM #6C) OTHER**

Vice Chair Nichols asked if there was any other business to address. There was none.

**(AGENDA ITEM #7) CLOSED MEETING PURSUANT TO SECTION 610.021 (13) RSMO**

**MOTION:** Motion was made by Mr. Cherry and seconded by Ms. Gibler to close the meeting for the purposes of discussing specifications for competitive bidding pursuant to Sections 610.021(11) Revised Statutes of Missouri. By roll call vote, Vice Chair Nichols, Mr. Cherry, Ms. Gibler and Chair Arthur all voted in favor. Motion carried.

**(AGENDA ITEM #8) ADJOURNMENT OF CLOSED MEETING AND RETURN TO OPEN MEETING**

**(AGENDA ITEM #9) ADJOURNMENT OF OPEN MEETING**

There being no further business to come before the Board, there was a motion to adjourn.

**MOTION:** Motion was made by Mr. Cherry and seconded by Ms. Gibler to adjourn the meeting. By roll call vote, Mr. Cherry, Ms. Gibler and Chair Arthur all voted in favor. Motion carried.

Respectfully submitted,

(SEAL)

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Vice Chair of the Authority

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Secretary of the Authority



State Environmental Improvement and Energy Resources Authority  
354<sup>th</sup> Board Meeting  
June 29, 2022

**Agenda Item #4B**  
**MISSOURI MARKET DEVELOPMENT PROGRAM**  
**Bluebird Composting, LLC**

**Issue:**

Bluebird Composting, LLC, requested \$100,000 to purchase a larger compost (trammel) screener costing \$195,000 that will enable the company to increase diversion of food waste, yard waste and other organic materials.

**Action Needed:**

Consideration of the funding recommendations for Bluebird Composting, LLC project.

**Staff Recommendation:**

Staff recommends funding this project in the amount of \$100,000, not to exceed 75% of the cost of the equipment.

**Staff Contact:**

Angie Powell, Market Development Program Director

**Background:**

Bluebird Composting, LLC, located in Fulton, requested \$100,000 to purchase a larger compost (trammel) screener costing \$195,000 that will enable the company to increase diversion of food waste, yard waste and other organics materials. A larger screener would allow them to improve production, quality, and efficiency to help keep up with demand. The larger, more versatile screener would also enable them to explore additional product lines, custom blends, etc.

The current screener being used has a small capacity hopper and they are struggling to keep up with the demand. A new, larger compost screener would be able to handle larger volumes of materials, which would increase production speed and output. The newer/larger screeners provide an option to interchange screen sizes for finer quality compost, custom blends and new products. Bluebird has opened a retail location in Columbia that has struggled to keep up with the current demand. They have also been successful in marketing their products nationwide via the Amazon Store.

Currently Bluebird, a successful past program participant, composts 7,539 tons of food waste, 3,597 tons of yard waste and 3,208 tons of other waste (such as sawdust, horse bedding, etc.) The company started business in 2012 with one employee, a skid steer

and a truck. The business has grown steadily and now operates a fleet of trucks, trailers and heavy equipment with six full-time and several part-time employees. Bluebird estimates the larger screener will increase diversion by 3,155 tons annually and create 4 full time positions.

The Missouri Market Development Program Steering Committee, which includes staff from the Missouri Department of Natural Resources, Missouri Department of Economic Development, the Solid Waste Advisory Board, and the Authority, recommends funding this project in the amount of \$100,000, not to exceed 75% of the cost of the equipment. This is the maximum amount for which they are eligible.

AP:ge

State Environmental Improvement and Energy Resources Authority  
354<sup>th</sup> Board Meeting  
June 29, 2022

**Agenda Item #4C**  
**MISSOURI MARKET DEVELOPMENT PROGRAM**  
**Holliday Construction Company**

**Issue:**

Holliday Construction Company requested \$461,160 to purchase a large gasification unit costing \$461,160 that would allow the company to gasify/carbonize contaminated waste and fines to create biochar.

**Action Needed:**

Consideration of the funding recommendation for Holliday Construction Company.

**Staff Recommendation:**

Staff recommends funding this project in the amount of \$230,500 not to exceed 50% of the cost of the equipment.

**Staff Contact:**

Angie Powell, Market Development Program Director

**Background:**

Holliday Construction Company requested \$461,160 to purchase a large gasifier that would allow the company to gasify/carbonize contaminated waste and fines at the Missouri Organic Recycling, Inc. facility in Kansas City to create biochar. The biochar would then be added as a supplement to compost created at Missouri Organics in Kansas City and sold in bags and in bulk to citizens and farmers. Biochar is used as an amendment or supplement to increase the benefits of compost (i.e. adds additional nutrients and helps with water retention). Holliday Construction also intends to pursue other end markets such as using the biochar in filtration systems for waste water treatment plants.

Holliday Construction reached an agreement with Missouri Organic Recycling (a successful past program participant) to place the gasification unit at their location. Processing on site will eliminate costly transportation related expenses associated with acquiring feedstock and transporting finished product. Missouri Organic Recycling provided a letter of intent that was included as part of their application.

Holliday Construction was incorporated in 1992 when they started building and remodeling houses in the Columbia/Boonville area. The company grew and started

building entire subdivisions and became committed to sustainable building and construction. One subdivision was incorporated into the Village of Windsor in 2005. The Village of Windsor is self-sufficient with a no-discharge sewer system. Holliday Construction also partnered with a local company in geothermal heating and cooling in 2010 to place the largest geotherm system of this kind in the United States.

Holliday Construction indicated this project would divert 4,380 tons of waste annually and create 2 full time employees and 2 part-time employees immediately.

The Missouri Market Development Program Steering Committee, which includes staff from the Missouri Department of Natural Resources, Missouri Department of Economic Development, the Solid Waste Advisory Board, and the Authority, recommends funding this project in the amount of \$230,500 not to exceed 50% of the cost of the equipment. This is the maximum amount for which they are eligible.

AP:ge

**Agenda Item #4D**  
**MISSOURI MARKET DEVELOPMENT PROGRAM**  
**CONSIDERATION OF THE MORA CONFERENCE SPONSORSHIP REQUEST**

**Issue:**

The Missouri Recycling Association (MORA) is requesting a conference sponsorship from the Missouri Market Development Program.

**Action Needed:**

Consideration of the funding recommendation for MORA conference sponsorship.

**Staff recommendation:**

Staff recommends that the Board sponsor the MORA conference in the amount of \$2,500.

**Staff Contact:**

Angie Powell, Market Development Program Director

**Background:**

The 2022 Missouri Recycling Association Annual Conference is scheduled to take place at the Stoney Creek Inn in Independence, October 11-13. Strategies for Circularity is the theme for the 2022 conference.

Staff is requesting approval of a \$2,500 sponsorship for this event. Many of the Missouri Market Development Program's past and current participants will be presenting at, or attending the conference and the conference is a fantastic forum for these businesses to network with others in the industry. Staff feels that participating in the conference is a tremendous opportunity to help program participants share knowledge and grow their businesses. The conference committee is planning to offer a tour of Missouri Organics, a successful past program participant.

For the past several years, the Market Development Program has sponsored the conference at the \$2,500 level. This year's event will feature a variety of national speakers and workshops that are very supportive of the Market Development Program mission and staff believes that our sponsorship will enable MORA to continue this work in the best manner possible.

A \$2,500 sponsorship includes registration for two people and an ad in the conference program. Conference sponsors are also heavily promoted in conference materials.

The sponsorship would be drawn from the MMDP "Sponsorships" budget category which is \$10,000 for FY2022.

AP:ge

State Environmental Improvement and Energy Resources Authority  
354<sup>th</sup> Board Meeting  
June 29, 2022

**Agenda Item #5**  
**ISSUANCE RESOLUTION FOR**  
**RAYTOWN WATER COMPANY**  
**PRIVATE ACTIVITY BONDS**

**Issue:**

The Raytown Water Company (RWC), Raytown, Missouri, has requested the Environmental Improvement and Energy Resources Authority (EIERA) to issue tax-exempt Private Activity Bonds in an amount not-to-exceed \$5,000,000.

**Action Needed:**

Consideration and adoption of this final resolution to issue Private Activity Bonds on behalf of RWC.

**Staff Recommendation:**

Staff recommends the approval of the resolution on behalf of RWC.

**Staff Contact:**

Mark Pauley, Deputy Director

**Background:**

RWC is a private corporation governed by a board of directors and regulated by the Missouri Public Service Commission. It was established in 1925 to provide water utility service to industrial, commercial and residential customers primarily in the City of Raytown, Missouri. RWC also serves part of the City of Independence and parts of unincorporated Jackson County Missouri.

The proceeds from the EIERA transaction will primarily be used to update their entire water metering system to AMI (advanced metering infrastructure) by replacing all manually read meters with radio reads. They will also upgrade meter wells as needed, install new data collectors and update metering software to make live metering information available to customers through the company website. In addition to the meter upgrades, RWC will be purchasing new trucks and build a new garage for the company-owned vehicles. Additionally, a new bulk water station will be installed for public access.

As you recall, the Board has already approved an intent resolution to issue these bonds for RWC during the May 11, 2022 meeting. Since then, the Authority conducted a public hearing on Monday June 13, 2022, as required by the Tax Equity and Fiscal Responsibility Act (TEFRA).

The purpose of the hearing was to provide information regarding the project and to seek public input. No comments were received.

The minutes of the hearing will be provided to the Governor's Office along with a Certificate of Approval for his signature upon approval of the issuance resolution. Raytown water would like to close on July 12, 2022.

The issuance resolution is attached for your review.

MP:ge

Attachment

**STATE ENVIRONMENTAL IMPROVEMENT AND ENERGY RESOURCES AUTHORITY**  
**(STATE OF MISSOURI)**

**RESOLUTION AUTHORIZING THE ISSUANCE OF WATER FACILITIES  
REVENUE BONDS (THE RAYTOWN WATER COMPANY) SERIES 2022 IN AN  
AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,000,000 AND  
CERTAIN OTHER ACTIONS AND DOCUMENTS.**

**WHEREAS**, the State Environmental Improvement and Energy Resources Authority, a body corporate and politic and a governmental instrumentality of the State of Missouri (the "Authority"), is authorized and empowered pursuant to the provisions of Sections 260.005 to 260.125, inclusive, and Appendix B(1) Revised Statutes of Missouri, as amended (the "Act"), to issue bonds and/or notes (the "revenue obligations") for paying or financing any part of the cost of any project authorized under the Act to be financed, acquired or constructed for the purpose of developing energy resources or preventing or reducing pollution or the disposal of solid waste or sewage or providing water facilities or resource recovery facilities including expenses incurred in acquiring or constructing any facility including land, disposal areas, incinerators, buildings, fixtures, machinery and equipment relating to any such project, including the cost of demolition and removing any existing structures, interest expenses incurred during the construction of any such project, and any other expenses incurred for the engineering, research, legal consulting and other expenses necessary or incidental to determine the feasibility or practicability of any such project and in carrying out the same and to issue refunding bonds to refund any bonds previously issued and, further, to acquire, construct, reconstruct, enlarge, improve, furnish, equip, maintain, repair, operate, lease, finance and sell or lease such projects to any private person, firm or corporation or to any public body, political subdivision or municipal corporation; and

**WHEREAS**, The Raytown Water Company, a Missouri corporation (the "Company") submitted an Application dated August 20, 2021 (the "Application") requesting that the Authority issue its bonds in the aggregate principal amount of not to exceed \$5,000,000, designated as the Water Facilities Revenue Bonds (The Raytown Water Company), Series 2022 ("Series 2022 Bonds"), to be used to provide funds to (i) to acquire, construct, extend and improve facilities for the furnishing of water for community purposes (the "Project"), and (b) to pay certain costs related to the issuance of the Series 2022 Bonds.

**WHEREAS**, the Authority adopted Resolution 22-01 at its May 11, 2022 meeting approving the Application, declaring its intent to issue revenue bonds of the Authority pursuant to the Act and authorizing the Authority to conduct a public hearing with respect to the issuance of its bonds; and

**WHEREAS**, the Series 2022 Bonds will be issued under the Indenture of Trust (the "Indenture") between the Authority and UMB Bank, N.A. (the "Trustee"); and

**WHEREAS**, in consideration of the issuance of the Series 2022 Bonds, the Company, pursuant to the terms of the Loan Agreement (the "Loan Agreement") between the Authority and the Company, will covenant and agree to make payments thereunder in an amount sufficient to provide for the payment of the principal of, premium, if any, and interest on the Series 2022 Bonds; and

**WHEREAS**, it is proposed that the Series 2022 Bonds be sold pursuant to the terms of a Bond Purchase Agreement (the "Purchase Agreement"), by and among the Authority, the Company and Kansas City Financial Corporation, a subsidiary of UMB Bank, N.A. (the "Purchaser"); and



**WHEREAS**, it is necessary for the Authority to authorize the execution and delivery of other certificates, documents and papers and the performance of the acts necessary or convenient in connection with the issuance and sale of the Series 2022 Bonds and implementation of this Resolution; and

**WHEREAS**, there have been prepared for and presented before the Authority at this meeting the following documents:

1. Form of Indenture.
2. Form of Loan Agreement.
3. Form of Purchase Agreement.
4. Form of Tax Compliance Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE STATE ENVIRONMENTAL IMPROVEMENT AND ENERGY RESOURCES AUTHORITY OF THE STATE OF MISSOURI, AS FOLLOWS:**

**Section 1.** Pursuant to the Act, the Authority does hereby approve and authorizes the financing of the costs to improve the water system of the Company and pay certain costs related to the issuance of the Series 2022 Bonds in accordance with the Indenture and the Loan Agreement and does hereby determine that such financing is in furtherance of the public purposes set forth in the Act.

**Section 2.** To provide for the financing costs described herein and in the Indenture, the Authority does hereby authorize the issuance of revenue bonds of the Authority under the Act to be designated “Water Facilities Revenue Bonds (The Raytown Water Company) Series 2022” in an aggregate principal amount not to exceed \$5,000,000. The Series 2022 Bonds shall have the form, details, call provisions and specifications as set out in the Indenture (or as such provisions may be modified). The Series 2022 Bonds shall be sold on the terms as provided in the herein approved Bond Purchase Agreement; provided that (1) the Series 2022 Bonds shall mature no later than 2042, (2) interest on the Series 2022 Bonds shall accrue and be payable from their dated date all in accordance with the provisions of the Indenture at such rates per annum initially not to exceed a true interest cost of 4.00% per annum, and (3) shall be subject to optional redemption prior to maturity no later than 2027.

**Section 3.** The action of posting notice on the Authority’s webpage beginning on June 6, 2022 regarding a public hearing held on June 13, 2022, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), is in all respects hereby authorized, directed, ratified, and approved. The Authority hereby approves the financing of the Project and recommends the issuance of the Series 2022 Bonds for approval by the Governor of the State of Missouri, the applicable elected representative (as defined in Section 147(f) of the Code) of the State of Missouri, and requests the Governor to sign a statement signifying such approval. The Director and Deputy Director of the Authority or the Director’s designee is hereby authorized and directed to take all necessary action in regard to obtaining the approval of the Governor, and the Secretary and Assistant Secretary of the Authority is authorized and directed to deliver such request to the Governor with a summary of any comments made at the public hearing regarding the proposed plan to issue the Bonds.

**Section 4.** The Series 2022 Bonds shall be limited obligations of the Authority payable solely out of the payments, revenues and receipts and other amounts received by or on behalf of the Authority pursuant to the Loan Agreement. The Series 2022 Bonds shall not constitute or create an indebtedness,

liability or moral obligation of the State of Missouri or any political subdivision thereof within the meaning of the Constitution or statutes of the State of Missouri or otherwise and shall never constitute or create a charge against the credit of the Authority or a charge against the credit or the taxing power of the State of Missouri or any political subdivision thereof. The issuance of the Series 2022 Bonds shall not directly or indirectly obligate the State of Missouri or any political subdivision thereof to provide any funds for their payment. Neither the State of Missouri nor any political subdivision thereof shall in any manner be liable for the performance of any agreement or pledge of any kind which may be undertaken by the Authority nor shall any breach thereof by the Authority create any obligation upon the State of Missouri or any political subdivision thereof.

**Section 5.** The Series 2022 Bonds shall be executed on behalf of the Authority by the manual or facsimile signature of its Chairman or Vice Chairman and attested by the manual or facsimile signature of its Vice Chairman, Secretary or Assistant Secretary. The official seal of the Authority shall be impressed or a facsimile shall be imprinted on the Series 2022 Bonds. If any of the officers who have signed or sealed any of the Series 2022 Bonds shall cease to be such officers of the Authority before the Series 2022 Bonds so signed and sealed shall have been actually authenticated by the Trustee or delivered by the Authority, such Series 2022 Bonds nevertheless may be authenticated, issued and delivered with the same force and effect as though the person or persons who signed or sealed such Series 2022 Bonds had not ceased to be such officer or officers of the Authority; and also any such Series 2022 Bonds may be signed and sealed on behalf of the Authority by those persons who, at the actual date of execution of such Series 2022 Bonds, shall be the proper officers of the Authority, although at the nominal date of such Series 2022 Bonds any such person shall not have been such officers of the Authority.

**Section 6.** The Authority is hereby authorized to enter into the following documents (the “Authority Documents”), in substantially the forms on file in the office of the Authority, subject to the terms contained in **Section 2** herein, with such changed therein as shall be approved by the officers of the Authority executing such documents, such officers’ signatures thereon being conclusive evidence of their approval thereof:

- (a) Indenture pursuant to which the Series 2022 Bonds shall be issued;
- (b) Loan Agreement (the “Loan Agreement”) pursuant to which the Company will agree to make payments thereunder in an amount sufficient to provide for the payment of the principal of, premium, if any, and interest on the Series 2022 Bonds;
- (c) Bond Purchase Agreement pursuant to which the Authority will sell the Series 2022 Bonds to the Purchaser upon the terms and conditions as set forth in the Bond Purchase Agreement; and
- (d) Tax Compliance Agreement among the Authority, the Trustee and the Company entered into in order to set forth certain representations, facts, expectations, terms and conditions relating to the use and investment of the proceeds of the Series 2022 Bonds, to establish and maintain the exclusion of interest on the Series 2022 Bonds expected to have interest excluded from gross income for federal income tax purposes, and to provide guidance for complying with applicable arbitrage rebate provisions of Code § 148(f) as set forth in the Tax Compliance Agreement.

**Section 7.** Due to the characteristics of the Series 2022 Bonds, the principal amount thereof, the acceptability in the public market of similar issues and the prevailing market conditions, the Authority hereby finds and determines that it is in the best interest of the Authority to sell the Series 2022 Bonds to the Purchaser in a private sale.

**Section 8.** The Company has agreed to directly pay all costs of issuance of the Series 2022 Bonds (including, but not limited to, any issuance and legal fees due the Authority) without reimbursement from the Authority or any other source.

**Section 9.** The Chairman, Vice Chairman, Secretary and Assistant Secretary are hereby authorized and directed to execute, attest, seal and deliver any and all documents, agreements and certificates and do any and all things deemed necessary to effect the issuance and sale of the Series 2022 Bonds and the execution and/or delivery of the Loan Agreement, the Indenture, the Purchase Agreement, the Tax Compliance Agreement, and other agreements and instruments and to carry out the intent and purposes of this Resolution, including the preamble hereto.

**Section 10.** All of the acts of the members, officers, agents, directors and employees of the Authority which are in conformity with the intent and purposes of this Resolution, whether heretofore or hereafter taken or done, shall be and are hereby ratified, confirmed and approved.

**Section 11.** The provisions of this Resolution are hereby declared to be separable and if any section, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions.

**Section 12.** Capitalized terms used herein and not otherwise defined shall have the meanings assigned to them in the Indenture.

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**ADOPTED** by the State Environmental Improvement and Energy Resources Authority this 29<sup>th</sup> day of June, 2022.

**STATE ENVIRONMENTAL IMPROVEMENT AND  
ENERGY RESOURCES AUTHORITY**

[SEAL]

By: \_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Secretary

**Agenda Item #7**  
**ADOPTION OF FISCAL YEAR 2023 BUDGETS**

**Issue:**

Adoption of Fiscal Year 2023 Budgets to be in effect on July 1, 2022.

**Action Needed:**

Consideration and adoption of FY23 Budgets for the Authority, Market Development Program and Brownfields Revolving Loan Fund.

**Staff Recommendation:**

Staff recommends that the attached budgets be adopted.

**Staff Contact:**

Joe Boland, Kristin Tipton and Cathy Schulte

**Background:**

Attached you will find information pertaining to the FY22 adopted budgets, the anticipated final FY22 expenditures and FY23 proposed budgets.

The proposed budgets are being presented for approval so we have an operating budget for the upcoming fiscal year. They are based upon a combination of FY21 and FY22 actual expenses. If any revisions are necessary as the year goes on, staff will return to the Board for approval of those changes.

Revenues are expected to remain stable and are conservatively estimated. There is possibly a large bond issuance on the horizon for the SRF program, however it has not fully materialized, and therefore the fees were not included in the revenue projections. Expense categories are generally in line with FY22 amounts. One major change that continues from FY21 is that we no longer have to commit any matching funds for the Brownfields program since the federal grant ended June 30, 2020.

The Market Development Budget revenues reflect the FY23 allocation of the Solid Waste Management Fund as well as those monies not expended in previous years. Some expenses have been adjusted based on current year, but overall they are not significantly different from FY22. The exception would be program salaries; since we have a new full time person, this category was increased to reflect that.

The budget for the Brownfields program assumes that the Remains loan will be repaid in full this fiscal year. At present, we anticipate little activity in this program but provided a conservative spending plan if a reasonable project did present itself.

JB:ge

Attachments

**FY 2023 BUDGET  
AUTHORITY**

Attachment "A"

		<b>FY22 Budget</b>	<b>FY22 Anticipated Actuals at year end 6/30/22</b>	<b>Variance</b>	<b>FY23 Budget</b>
<b>Revenues/Reimbursements:</b>					
MMDP Reimbursement	\$	45,000	\$ 45,000	\$ -	\$ 45,000
SRF Reimbursement	\$	200,000	\$ 127,794	\$ 72,206	\$ 200,000
NRD Reimbursement	\$	5,000	\$ 180	\$ 4,820	\$ 5,000
Application Fees	\$	2,500	\$ -	\$ 2,500	\$ 5,000
Issuance fees	\$	50,000	\$ -	\$ 50,000	\$ 100,000
Investment Income	\$	20,000	\$ 7,363	\$ 12,637	\$ 15,000
Misc. Income	\$	1,675	\$ 1,675	\$ -	\$ 1,675
<b>TOTAL REVENUES</b>	<b>\$</b>	<b>324,175</b>	<b>\$ 182,012</b>	<b>\$ 142,163</b>	<b>\$ 371,675</b>
<b>Expenses:</b>					
<b>Personal Services</b>					
Per Diem	\$	750	\$ 350	\$ 400	\$ 750
Office Salaries	\$	300,000	\$ 211,577	\$ 88,423	\$ 300,000
Payroll Taxes & Fringe	\$	150,000	\$ 120,291	\$ 29,709	\$ 160,000
Travel Expense Staff	\$	7,500	\$ 1,109	\$ 6,391	\$ 7,500
Travel Expense Board	\$	1,500	\$ 129	\$ 1,371	\$ 1,500
<b>Total Personal Services</b>	<b>\$</b>	<b>459,750</b>	<b>\$ 333,456</b>	<b>\$ 126,294</b>	<b>\$ 469,750</b>
<b>Professional Services</b>					
Legal Fees & Exps (General)	\$	10,000	\$ 8,733	\$ 1,267	\$ 10,000
Legal Fees & Exps (SRF Misc.)	\$	5,000	\$ -	\$ 5,000	\$ 5,000
Legal Fees & Exps (Other Projects)	\$	1,000	\$ -	\$ 1,000	\$ 1,000
Accounting Fees	\$	10,000	\$ 5,218	\$ 4,782	\$ 10,000
Audit Fees	\$	20,000	\$ 20,000	\$ -	\$ 21,000
Misc. Professional Fees	\$	60,000	\$ 35,853	\$ 24,147	\$ 60,000
<b>Total Professional Services</b>	<b>\$</b>	<b>106,000</b>	<b>\$ 69,804</b>	<b>\$ 36,196</b>	<b>\$ 107,000</b>
<b>Operating Expenses</b>					
Equipment Maintenance	\$	500	\$ -	\$ 500	\$ 500
Telephone & Ethernet	\$	7,500	\$ 7,580	\$ (80)	\$ 10,000
Office Supplies & Printing	\$	2,000	\$ 854	\$ 1,146	\$ 2,000
Postage & Shipping	\$	1,000	\$ 340	\$ 660	\$ 1,000
Membership Dues	\$	4,000	\$ 2,950	\$ 1,050	\$ 4,000
Conference Registration	\$	2,000	\$ 653	\$ 1,347	\$ 2,000
Subscriptions	\$	-	\$ -	\$ -	\$ -
Training	\$	1,500	\$ -	\$ 1,500	\$ 1,500
Board Meeting Expense	\$	750	\$ 36	\$ 714	\$ 750
Misc & Administrative	\$	300	\$ 217	\$ 83	\$ 500
Advertising	\$	1,500	\$ -	\$ 1,500	\$ 1,500
Office Maintenance	\$	200	\$ 12	\$ 188	\$ 200
Rent	\$	38,000	\$ 37,018	\$ 982	\$ 37,400
Insurance	\$	800	\$ 734	\$ 66	\$ 850
Equipment Purchases	\$	2,000	\$ 1,273	\$ 727	\$ 2,000
Computer Purchases	\$	4,000	\$ 4,693	\$ (693)	\$ 2,000
Computer Software	\$	1,500	\$ 1,567	\$ (67)	\$ 2,000
Workers Comp Contingency	\$	4,500	\$ -	\$ 4,500	\$ 4,500
NRD Direct Costs	\$	3,000	\$ -	\$ 3,000	\$ 3,000
<b>Total Operating Expense</b>	<b>\$</b>	<b>75,050</b>	<b>\$ 57,927</b>	<b>\$ 17,123</b>	<b>\$ 75,700</b>
<b>TOTAL EXPENSES</b>	<b>\$</b>	<b>640,800</b>	<b>\$ 461,187</b>	<b>\$ 179,613</b>	<b>\$ 652,450</b>
<b>Net Increase (Decrease) in Funds</b>		<b>(\$316,625)</b>	<b>(\$279,175)</b>		<b>(\$280,775)</b>

# FY 2023 Budget

## Missouri Market Development Program

	FY22 Budget	FY22 Anticipated Actuals at fiscal year end 6/30/22	Variance	FY23 Budget
<b>Revenues:</b>				
Solid Waste Management Fund	\$ 2,414,906	\$ 967,370	\$ 1,447,536	\$ 2,247,536
Investment Income	\$ -	\$ 94	\$ (94)	\$ -
<b>TOTAL REVENUES</b>	<b>\$ 2,414,906</b>	<b>\$ 967,464</b>	<b>\$ 1,447,442</b>	<b>\$ 2,247,536</b>
<b>Expenses:</b>				
<b>Administrative</b>				
Program Salary/Fringe	\$ 80,000	\$ 61,881	\$ 18,119	\$ 111,504
Travel	\$ 1,000	\$ 281	\$ 719	\$ 1,500
Legal Expenses & Fees	\$ 2,000	\$ 192	\$ 1,808	\$ 2,000
Accounting Fees	\$ 2,500	\$ 2,675	\$ (175)	\$ 2,700
Membership Fees	\$ 1,500	\$ 323	\$ 1,177	\$ 1,500
Conference/Registration Fees	\$ 1,500	\$ 375	\$ 1,125	\$ 1,000
Sponsorships	\$ 10,000	\$ -	\$ 10,000	\$ 5,000
EIERA Costs	\$ 45,000	\$ 45,000	\$ -	\$ 45,000
Direct Costs	\$ 5,000	\$ 3,212	\$ 1,788	\$ 4,000
Training	\$ 1,000	\$ -	\$ 1,000	\$ 500
<b>Total Administrative</b>	<b>\$ 149,500</b>	<b>\$ 113,939</b>	<b>\$ 35,561</b>	<b>\$ 174,704</b>
<b>Business Assistance</b>				
Travel	\$ 1,500	\$ 899	\$ 601	\$ 2,500
Legal Expenses & Fees	\$ 25,000	\$ 34,413	\$ (9,413)	\$ 35,000
Promos/Publication Design & Production	\$ -	\$ -	\$ -	\$ 1,000
Miscellaneous Expense	\$ -	\$ -	\$ -	\$ -
Direct Financial Assistance	\$ 1,008,173	\$ 349,000	\$ 659,173	\$ 944,014
Direct Financial Assistance-Encumbered	\$ 1,130,483	\$ 229,119	\$ 901,364	\$ 1,065,318
Business Initiatives	\$ 100,000	\$ -	\$ 100,000	\$ 25,000
Business Initiatives - Encumbered	\$ 250	\$ -	\$ 250	\$ -
<b>Total Business Assistance</b>	<b>\$ 2,265,406</b>	<b>\$ 613,431</b>	<b>\$ 1,651,975</b>	<b>\$ 2,072,832</b>
<b>TOTAL EXPENSES</b>	<b>\$ 2,414,906</b>	<b>\$ 727,370</b>	<b>\$ 1,687,536</b>	<b>\$ 2,247,536</b>

# FY 2023 Budget

## Brownfields Revolving Loan Fund - Grant Closed

<b>FY23</b>	<b>Estimated</b>	<b>FY 23</b>
<b>Revenues:</b>	<b>Fund Balance</b>	<b>Budget</b>
Balance of Repayment Funds Available	\$ 345,013	\$ 345,013
Anticipated Loan Repayments*	\$ 272,600	\$ 272,600
	\$ -	\$ -
<b>TOTAL REVENUES</b>	<b>\$ 617,613</b>	<b>\$ 617,613</b>
<b>Expenses:</b>		
Office Salaries, Payroll Taxes & Fringe	\$ 7,500	\$ 7,500
Travel	\$ 250	\$ 250
Supplies	\$ 1,000	\$ 1,000
Contractual	\$ 50,000	\$ 50,000
Grant/Loans	\$ 558,863	\$ 558,863
<b>TOTAL EXPENSES</b>	<b>\$ 617,613</b>	<b>\$ 617,613</b>

\* Assumes full repayment of Remains outstanding obligation.