



SIREPA

**SOUTHEAST IOWA REGIONAL
ECONOMIC & PORT AUTHORITY**

May 16, 2024

**Meeting of the Board of Directors
2:15pm**

**2495 280th St, Montrose, IA
“Lee County Career Center”**

Via Zoom

Call-In: (312) 626-6799 Meeting ID: 793 665 7959
<https://us02web.zoom.us/j/7936657959?omn=85798711264>

Agenda

I. Call to Order, Chair (Hickey):

Roll Call:

- a. Director Mike Hickey, Chair
- b. Director, Bob Dodds, Vice-Chair
- c. Director, Bruce Hardy, Secretary/Treasurer
- d. Director Michael Dunn
- e. Director Jack Smith
- f. Ex-Officio, Garry Seyb, Lee County Supervisor
- g. Ex-Officio, Tom Schultz, Lee County Supervisor
- h. Ex-Officio, Matt Larson, State Treasurer’s Office

II. Approve Agenda of May 16, 2024 Meeting (Board Action)

III. March 12, 2024 Meeting Minutes (Board Action)

IV. Financial Report

V. Clean Ports Statutory Partnership (Board Action)

VI. Broadband Update (Board Information)

VII. Career Center Community Project Funding Application Update (Board Information)

VIII. Board Vacancy, City of Fort Madison (Denise Boyer resignation)

IX. Adjourn (Board Action)



SIREPA

SOUTHEAST IOWA REGIONAL ECONOMIC & PORT AUTHORITY

Minutes of the SIREPA Board of Directors
Tuesday, March 12, 2024, 8:30 a.m.
In-Person at KL Megla Building or via Zoom
2495 280th St, Montrose, IA

I. **Call to Order** at 8:30 a.m. by Mike Hickey, Chair

Roll Call:

Members Present: Director Mike Hickey (Chair); Director Bob Dodds (Vice-Chair); Director Bruce Hardy (Secretary/Treasurer); Director Michael Dunn via Zoom; Director Denise Boyer; Director Jack Smith; Ex-Officio, Garry Seyb, Lee County Supervisor; Ex-Officio, Matt Larson, State Treasurer's Office via Zoom

Members Absent: Ex-Officio, Tom Schultz, Lee County Supervisor

SEIRPC Staff Present: Mike Norris; Zach James and Sherri Jones via Zoom

Guest(s) Present: Chuck Vandenberg, Pen City Current; Tim Fencl, Danville Mutual Telephone Company; Dennis Fraise, Lee County Economic Development Group

II. **Consider Approval of Agenda (Board Action):**

Hardy made a motion to approve the March 12, 2024, meeting agenda, second by Smith. Motion carried.

III. **Consider Approval of November 1, 2023 Meeting Minutes (Board Action):**

Smith made a motion to approve the November 1, 2023 meeting minutes, second by Hardy. Motion carried.

IV. Consider Acceptance of Financial Report (Board Action):

Norris said the financial statements are published each month with SEIRPC financials and can be viewed at www.seirpc.com. There were no significant changes and Norris said he would send the current statement to board members. No action necessary.

V. Approve Making Application to Rep. Miller-Meeks Community Project Funding for Lee County Career Center (Board Action):

Norris gave a brief background on the former KL Megla building's transition to the Lee County Career Center. He said the career center requires additional buildout to fully realize the vision. This includes classroom and industrial technology space, parking area, and training equipment for industrial technology and healthcare careers. Rep. Miller-Meeks office has created an opportunity to apply by March 15th for Community Project Funding through the Representative's office for FY2025 federal budget (October 2024 – September 2025). The project application total is \$2,201,943. Fraise said SCC, Keokuk, and Fort Madison school districts have been great partners. Fraise said a 501c3 has been formed to run the center. Norris said SIREPA's role will be to apply for the funding and if awarded SIREPA will also be the contracting entity. Dunn added that it would be appropriate for SIREPA to establish a resolution to thank the Fort Madison Building and Trade Class and Iowa Fertilizer for their contributions to the center. Fraise added we need to include Great River Health and ConAgra as well. Smith made a motion to amend "Chamber 28J" to "Chapter 28J" and approve Resolution No. 1-2024: To apply for Community Project Funding to Build Out and Equip Lee County Career Center at 2495 280th Street, Montrose, IA, second by Dodds. Motion carried.

VI. Broadband Update (Board Information):

Fencl updated the board on the current status of the broadband project: Fiber backbone construction is complete; Fiber has been spliced and the redundant ring is complete; Electronics are installed, powered up and lit at the Keokuk location; Migration of current customers to the ring will be complete by March 31; Wever permissions to install fiber received by 63 properties so far; Interest expressed by 14 additional locations outside the target area; and Fiber to the home construction will begin once permits are received from the county engineer. Future updates include: Fiber construction is estimated to be complete before September; Fiber lease payment to SIREPA will begin December 2024; Future funding for the remainder of Lee County possible by BEAD; DOM-DOIT and NTIA should release BEAD opportunities late 2024; and Any future funding discussion is unlikely until BEAD is awarded. No action necessary.

VII. Receive 2023 Annual Report (Board Action):

Norris highlighted the SIREPA 2023 Annual Report by giving a brief background and reviewing 2023 results which include: Successful ownership of Lee County Career Center (LCC) in partnership with Lee County Economic Development Group; Every 8th and 9th grader at Central

Lee, Fort Madison, and Keokuk school districts visited the center to interact with area industries and their career possibilities; The LCC is incubating a startup solar panel pallet manufacturer that has secured Dept of Energy grants, venture capital, and large orders from solar panel companies; and Lee County Broadband Expansion Program - \$1.9 million investment into Lee County for new rural services and a 14-mile fiber backbone providing redundant fiber loop for Lee County and expanded data capacity. He also discussed the 2024 plan of work which includes: Monitor construction of Lee County Broadband Expansion Project; Plan the future of Lee County Career Center and 12-acre property with LCEDG; Involvement with natural gas expansion and investment process; Plan for future broadband investments with private partners; Grow SIREPA into the most effective port authority in the Midwest; and Communicate with county stakeholders to complement development projects. Norris said FY2024 Budget includes revenues total \$36,206 and expenses total \$36,206. Hardy made a motion to accept the 2023 Annual Report, second by Smith. Motion carried.

VIII Adjourn (Board Action):

Hardy made a motion to adjourn at 9:30 a.m., second by Smith. Motion carried.

Bruce Hardy, Secretary/Treasurer

Date: _____

Southeast Iowa Regional Economic and Port Authority
Financial Summary
April 30, 2024

PROFIT & LOSS ALL CLASSES

	4/30/2024
TOTAL REVENUES :	1,266,999
TOTAL EXPENSES :	1,234,504
Excess of revenues over expenditures- note this is accrual basis	32,496

BALANCE SHEET

Connection Bank as of 2/29/2024	60,352
Building	1,000,000
Note Payable	(1,001,534)

ACCOUNTS RECEIVABLE BALANCE

	1-45	46-90	>90	TOTAL
none	-	-	-	-

ACCOUNTS PAYABLE BALANCE

	1-45	46-90	>90	TOTAL
none	-	-	-	-

CASH RECEIPTS - life to date (accrual basis)

Alliant Energy	12/2/2013	FY14	5,000
State of Iowa	7/24/2014	FY15	2,500
Lee County Auditor	4/25/2016	FY16	1,000
City of Keokuk	8/29/2016	FY16	1,000
Connection Bank -refund service fees	10/31/2017	FY18	39
Lee County Auditor	9/26/2019	FY19	2,000
City of Fort Madison	9/26/2019	FY19	2,000
City of Fort Madison	10/24/2019	FY13/FY16	3,000
City of Keokuk	10/10/2019	FY19	2,000
Alliant Energy	10/28/2019	FY20	2,000
Lee County Auditor	2/21/2020	FY20	2,000
City of Keokuk	6/19/2020	FY20	2,000
City of Fort Madison	8/13/2020	FY20	2,000
City of Keokuk	10/30/2020	FY21	2,000
City of Fort Madison	10/30/2020	FY21	2,000
Lee County Auditor	10/22/2020	FY21	2,000
Connections Bank	8/2/2021	FY22	24,701
Lee County Economic Group	8/4/2021	FY22	9,984
City of Fort Madison	8/31/2021	FY22	2,000
City of Keokuk	9/22/2021	FY22	2,000
Lee County Auditor	9/29/2021	FY22	2,000
Lee County Auditor	6/22/2022	FY22	704,013
Transfer In	7/13/2022	FY23	11,775
Lee County Auditor	12/14/2022	FY23	2,000
City of Keokuk	12/21/2022	FY23	2,000
City of Fort Madison	12/30/2022	FY23	2,000

Southeast Iowa Regional Economic and Port Authority
Financial Summary
April 30, 2024

CASH RECEIPTS - <i>life to date</i> (accrual basis) <i>continued</i>			
Transfer In	7/20/2023	FY24	13,512
City of Keokuk	7/12/2023	FY24	3,500
City of Fort Madison	8/10/2023	FY24	2,000
Lee County Auditor	8/16/2023	FY24	2,000
Lee County Auditor	12/13/2023	FY24	1,245,987

CASH DISBURSEMENTS - <i>life to date</i> (accrual basis)			
SEIRPC	7/25/2014	#1001	5,000
University of Iowa	7/25/2014	#1002	2,500
Deluxe	8/6/2014	electronic	131
SEIRPC	6/30/2015	#1003	2,694
service fee	10/31/2016	electronic	4
service fee	11/30/2016	electronic	4
service fee	12/31/2016	electronic	4
SEIRPC	4/12/2017	#1004	5,080
service fees	Jan - June 2017	electronic	26
service fees	July - Sept 2017	electronic	12
SEIRPC	12/4/2019	#1005	7,662
Closing costs	8/2/2021	-	1,534
ICAP	8/4/2021	#1006	9,984
Lee County Treasurer	11/1/2021	#1007	11,601
SEIRPC - admin (net of expenses)	12/17/2021	#1100	5,790
Lee County Treasurer	3/24/2022	#1101	11,601
Brown Winick Law	5/5/2022	#1102	1,425
James F. Dennis Law Firm	5/19/2022	#1103	1,075
Danville Telephone Company	6/29/2022	#1104	700,000
ICAP	7/18/2022	#1105	11,775
void		#1106	-
ICAP	7/19/2023	#1107	13,512
SEIRPC - admin	8/2/2023	#1108	8,242
Danville Telephone Company	12/14/2023	#1109	1,212,750



SIREPA

SOUTHEAST IOWA REGIONAL
ECONOMIC & PORT AUTHORITY

Memo

To: SIREPA Board of Directors
From: Mike Norris, Administrator
Date: May 16, 2024
Re: EPA Clean Ports Statutory Partnership

BACKGROUND

The US EPA has issued a Notice of Funding Opportunity (NOFO) for its Clean Ports grant program. Program goals are below:

Clean Ports Program goals:

- Build a foundation for the port sector to transition over time to fully zero-emissions operations, positioning ports to serve as a catalyst for transformational change across the freight sector.
- Reduce diesel pollution (criteria pollutants, GHGs, and air toxics) in near-port communities.
- Help ensure that meaningful community engagement and emissions reduction planning are port industry standard practices.

Examples of eligible projects include:

- Replacing petro-fueled mobile equipment at ports (Cargo-handling equipment, trucks, locomotives, harbor craft) with zero-emissions electric or hydrogen equipment
- Installing infrastructure for zero-emissions fueling (electric and hydrogen)
- Zero-emission support activities (planning, public engagement, monitoring, testing, permit applications, etc.)

Grant / match rate is 90/10 and eligible applicants are port authorities, state, regional, or tribal entities that have jurisdiction over a port authority or port, private entities that enter into a **Statutory Partnership** with a eligible public applicant above and own, operate or use the facilities.

PROJECT

Hall Towing in Fort Madison, IA, intends to apply for a Clean Ports grant to replace petro-fueled equipment with electric equipment.

- Replace 150-ton diesel crawler crane with 150-ton battery electric crawler crane
\$2,200,000 estimate
- Replace 77-ton diesel crawler crane with 77-ton plug in electric crawler crane
\$1,700,000 estimate

Contingency	10%
Total	\$4,290,000
Grant Share 90%	\$3,861,000
Local Share 10%	\$429,000

STATUTORY PARTNERSHIP

SIREPA is the most logical entity to serve as a statutory partner for the funds. The statutory partner can serve in a variety of roles, depending on the situation in the EPA Clean Ports guidance.

In this situation, SIREPA would essentially defer all responsibility of funding, compliance, and execution to Hall Towing. In essence, SIREPA is a gateway for the grant funding and holds no other responsibility than to grant “access” to the funds for a private applicant.

The draft partnership agreement is attached to this memo and has been created to comply with requirements in Appendix B of the NOFO that describes the statutory partnerships and lists requirements for the agreements.

Further definition (“Appendix B of Clean Ports NOFO”) is also attached.

APPENDIX B – Statutory Partnership Agreement between a Private Entity Applicant and Statutory Partner

To be eligible for funding, a private entity applicant must include in the application a copy of a written and signed Statutory Partnership Agreement with the Statutory Partner that is legally binding. At a minimum, the Partnership Agreement must specify the following:

- Who will be the applicant and the Statutory Partner.
- The applicant is responsible for the overall management, performance, oversight, and reporting responsibilities under the grant, and for making subawards to Statutory Partners and Collaborating Entities.
- The applicant will be responsible for the receipt of federal funds from the EPA and the proper expenditure of these funds and will bear liability for unallowable costs.
- The roles and responsibilities of the applicant and Statutory Partner for project activities and how disputes between them will be handled and resolved. Please note that the EPA is not a party to the Partnership Agreement, and any disputes between the parties must be resolved under the law applicable to the Partnership Agreement.
- The applicant is responsible for compliance and legal issues, and managing risks associated with the project. It must also describe the procedures for replacing a Statutory Partner with another Statutory Partner, and for ensuring the replacement has the comparable expertise, experience, knowledge, and qualifications of the replaced Statutory Partner to ensure successful grant completion within 4 years. Replacement may be necessary for various reasons including performance issues. Note that replacement requires prior approval by an authorized EPA official pursuant to 2 CFR § 200.308(c)(6).
- The applicant and Statutory Partner's agreement, if the proposed application is selected for award, to enter a subaward that complies with the subaward requirements in the grant regulations at 2 CFR § 200.331 and in the EPA's subaward Policy and related guidance and that contains terms and conditions including those above.
- Optional: For applications where the Statutory Partner is contributing mandatory cost share or leveraged resources, applicants are encouraged to describe the financial commitments being made by the Statutory Partner and the role that they will play in the proposed project.

**STATUTORY PARTNERSHIP PURSUANT TO EPA CLEAN PORTS GRANT
PROGRAM BETWEEN HALL TOWING, INC. AND SOUTHEAST IOWA
REGIONAL ECONOMIC AND PORT AUTHORITY**

Hall Towing, Inc. (hereinafter Applicant) and Southeast Iowa Regional and Economic Port Authority (hereinafter Partner) hereby enter into a “Statutory Partnership” as described in the Environmental Protection Agency (EPA) Clean Ports Notice of Funding Opportunity (NOFO), and consistent with Appendix B of said NOFO.

SECTION 1. Roles and Responsibilities

APPLICANT

1. Hall Towing, Inc. shall be the applicant.
2. Applicant shall be responsible for the overall management, performance, oversight, and reporting responsibilities under the grant.
3. Applicant shall be responsible for receipt of federal funds from the EPA and the proper expenditure of these funds, and bear liability for unallowable costs.
4. Applicant shall be responsible for compliance and legal issues under the grant award, and managing risks associated with the project.
5. Applicant shall be responsible for all required non-federal project cost share.

PARTNER

1. Southeast Iowa Regional and Economic Port Authority (SIREPA) shall be the Statutory Partner, as defined and guided by the EPA Clean Ports NOFO.
2. Partner shall not be responsible for the overall management, performance, oversight, and reporting responsibilities under the grant.
3. Partner shall not be responsible for receipt of federal funds from the EPA and the proper expenditure of these funds, and shall not bear liability for unallowable costs.
4. Partner shall not be responsible for compliance and legal issues under the grant award, and managing risks associated with the project.
5. Partner shall not be responsible for any non-federal project cost share.
6. Partner shall support Applicant’s grant application and assist in accessing EPA Clean Port funds as a net economic benefit to the SIREPA-served area.

SECTION 2. Time of Performance

The Statutory Partnership shall commence on the date of the execution of this contract, and end upon completion of the funded project through the EPA Clean Ports program.

SECTION 3. Method of Payment

The Statutory Partnership shall contain no exchange of funds between parties.

SECTION 4. Personnel

RESERVED

SECTION 5. Records Available

At any time during normal business hours and as often as necessary, each party shall make available to each other, and the EPA, all financial and administrative records related to this contract for their examination.

SECTION 6. Equal Opportunity in Employment

RESERVED

SECTION 7. Termination and Dispute Resolution

Either party may, by thirty (30) days written notice to the other party, terminate this contract in whole because of the reasonable failure of the other party to fulfill their obligations under the Partnership. Upon receipt of such notice of failure to fulfill obligations, the other party shall have thirty (30) days to correct and cure any such failures, including a joint meeting with principals from each organization. A subsequent 30-day period is available upon written agreement by both parties. The 30-day period, possible subsequent 30-day period, and joint meeting shall constitute a Dispute Resolution Process. If the parties are unable to correct and cure any failures under the partnership, the aggrieved party may terminate the partnership.

SECTION 8. Procedure for Replacing a Statutory Partner

Should either party terminate the Partnership, a replacement Statutory Partner must be found for continued EPA Clean Ports eligibility. Eligible entities proximate to the Applicant are:

- Mid-America Port Commission
- City of Fort Madison, Iowa

Within 30 days of initial Partnership termination, one or both of the above listed entities shall be contacted by the Applicant and receive a request for partnership under the rules of the EPA Clean Ports program NOFO. If a response from either eligible Statutory Partner listed above doesn't respond to the applicant within 30 days, the former Statutory Partner shall contact both of the above listed entities and request their consideration to serve as Statutory Partner. In any case, communication will continue until a suitable Statutory Partner is under contract, to ensure the project is completed within 4 years.

SECTION 9.

RESERVED

SECTION 10. Accounts

Both parties shall maintain books, records, documents, and other evidence pertaining to all costs and expenses incurred and revenues received under this Contract to the extent and in such detail as will properly reflect all costs for which payment is claimed under this contract.

SECTION 11. Retention of Records

All records in the possession of either party pertaining to this contract shall be retained by the parties for a minimum of five (5) years beginning with the date upon which the final payment is made to satisfy the contract.

Hall Towing, Inc.

Signed _____
Denise Boyer, President

Date: _____

Southeast Iowa Regional Economic and Port Authority

Signed _____
Mike Hickey, Chair

Date: _____

