

Enhanced Oil Recovery Commission



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MEETING MINUTES

Friday, January 21, 2022, 9:00-11:00 AM MST

EORI Conference Room, 2435 King Blvd, Casper

Or via ZOOM: <https://uwyo.zoom.us/j/99872432294>

Commission Members Present

Ken Hendricks, Chairman

Robert King

Eli Bebout (via Zoom)

Chad Brister (via Zoom)

Randall Luthi, Representing Governor Mark Gordon (via Zoom)

Dave True, University of Wyoming Trustee (via Zoom)

Holly Krutka, SER Executive Director

Commission Members Excused:

Erin Campbell (WY State Geologist)

Representative Donald Burkhart

Commission Staff Present:

Micah Christensen, Assistant Attorney General

Guests Present:

Jennifer (? Anadarko)

Enhanced Oil Recovery Institute Staff Present:

Lon Whitman, Acting Director (via Zoom)

Gabe Tullis, EORI Accountant

Shane Singleton, Meeting Support

I. Call to Order

****9:00 AM Chairman Hendricks called the meeting to order; roll was taken, and a quorum was established.**

II. Minutes

No Minutes to approve

III. Reports and Updates

Welcome Rep. Burkhart – Chairman Hendricks

Representative Don Burkhart will now be the Legislative representative on the EORC replacing Rep. Mike Greear who is stepping down. Commissioner Bebout asked if there was a letter from Representative Greear about resigning from EORC. Chairman Hendricks replied that he had personal communication with Representative Greear. Rep. Greear explained his schedule was overly full and regretted having to hand off his EORC position to Representative Burkhart. Nothing more official was received by the EORC and Rep. Greear gave no official notice.

Commissioner Terms – Updates Chairman Hendricks

New commission members or reappointments. Three current Commissioners have terms on the EORC ending in March. The Commissioners with terms ending and their current status:

- Commissioner Hendricks – reappointment to WYOGCC is in discussion and therefore continuing on EORC is possible. Waiting for the Governor’s selection/Legislative approval.
- Commissioner Brister – reapplication in process/awaiting Legislative approval.
- Commissioner True – reapplication in process/awaiting Legislative approval.

Commissioner Bebout suggests a Letter of Support for EORC member re-appointments be written and delivered to the Senate leadership and have in place.

Financial Report – Gabe Tullis

An EORI Cost Center Approver at SER costs EORI \$1,000/month. **Commissioner Bebout** asks if we need approval from the Commission to sign off on expenditures. **Chairman Hendricks** explains that the Cost Center Approver needs EORC approval for EORI expenses that fall outside of the standard approval protocols at SER.

Chairman Hendricks formally stated and suggested this clarity be in the developing new MOU with the University of Wyoming. A quick sentence needs to be added into new MOU “to do” list: “Utilize their services for cost center approver and a position the Commission might take.”

Assistant AG Christensen will add language into the developing MOU.

Commissioner True asked that the previous meeting minutes be reviewed at meetings. This would confirm that the Commission actually did take action and acknowledged this \$1,000 coming out of the budget for the Cost Center Approver and that the commission did approve the dollar amount. **Commissioner True** stated it would be cleaner to approve minutes in today’s meeting.

Commissioner True suggests that the financial report format YTD Budget comparison and cash flow and doesn’t give YTD budget comparison. Anticipating the report being a budget to

expenditure comparison Commissioner True sees it as a cash flow. The budget doesn't tell where we are in the overall budget on the appropriations.

- **Commissioner True** requests to know "Where are we with our YTD budget and would like a YTD budget comparison."
- **Commissioner True** suggests "Overall financials for EORI (state appropriations and grants) – Would it be informative for the commissioners? This might give us the whole picture instead of focusing on state appropriation dollars, but we don't see the whole picture."
- **Commissioner True** mentioned it may be good to see the details and commentary that Gabe has provided in the past, didn't get the detail but only a 50,000 ft view of where we stood in the full year budget, done in the past would like to see it going forward.
- **Commissioner Bebout** - Grant part should be brought out separately because it is nice to know what actual operating expenses are YTD. Grant dollars could skew what the budget reflects. It would be beneficial to know what the operating expenses are YTD and budget vs. actual and watch how grant dollars flow through the financials. It would be beneficial to be given the actual grants information and numbers.
- The Commission would like to see more information on the grant funds. YTD financials compared to Budget would be useful. The Commission agrees not to mix state appropriations and grant info, no need to blend the two. It is important to know where we are with our grant money.
- **Chairman Hendricks** wants new format for financials and some example formats sent to Commissioners.

Director Krutka offered that Acting Director Whitman and EORI Accountant Tullis could work with SER to see how SER handles their budget reporting. Acting Director Whitman will have example formats developed and sent to Commissioners to see what is preferred.

Chairman Hendricks suggests to Acting Director Whitman that a new system for Zoom and audio microphone is needed in the conference room. The meeting had many interruptions because of the microphone.

Dr. Krutka asked Assistant Attorney General Christensen to make sure all parties that are impacted by the next MOU, and are part of that process developing the MOU, be included when he sends out a copy of the current MOU in development.

Chairman Hendricks asked Assistant Attorney General Christensen to share draft document with everyone.

Chairman Hendricks also asked that the direction and objectives of the EORI Director be determined by the EORC. The supervision of EORI is up to the Director of SER but needs to

follow guidelines and objectives of EORC. Include the word “mission” when describing the direction and objectives of the EORI Director.

Commissioner True would like the legal and practical difference between consultation vs collaboration to be identified. Employment of EORI Director should be fully the Commission’s responsibility and authority. The commission should seek and heed the advice of the SER director, SER director should not be able to trump the commission’s authority. Commission should have full authority on employment of its director. SER Director should be part of the process and that’s why Consultation was suggested by **Dr. Krutka**.

Assistant Attorney General Christensen was asked to clarify the difference between consultation and collaboration.

Assistant Attorney General Christensen was asked to send draft of the current MOU to EORC Commissioners for their review and consultation.

IV. Open Discussion

Commissioner True asked if the EORC had a budget reduction or is the FY23/24 Budget holding steady? Director Whitman replied EORI’s 2021-2022 biennium was \$4.4 MM, the Budget going into the JAC meeting was \$4.2 MM. This amount goes to the Legislature for approval in February.

V. Future Meeting Dates

Commissioner re-appointments/appointments need to be approved by the Legislature before scheduling the next meeting. The Legislature begins mid-February for 20 days. Mid to late March should work fine for the next EORC Meeting. March. Acting Director Whitman will work with Commissioners to confirm dates that will work for everyone. Chairman Hendricks requests a 3-3 ½ meeting in the future. Acting Director Whitman reassured he would schedule EORC meetings for the requested 3-3 ½ hour period.

VI. Adjourn

Vice Chairman Bob King moved to adjourn into executive session, and Commissioner Bebout seconded the motion.

****Meeting adjourned executive session at 10.25 AM****

Ken Hendricks, Chairman