

A G E N D A

OKLAHOMA WATER RESOURCES BOARD

May 21, 2013

9:30 a.m.

3800 N. Classen Boulevard
Oklahoma City, OK 73118

A copy of this notice of meeting and agenda has been posted in a prominent location at the offices of the Oklahoma Water Resources Board, 3800 North Classen Blvd., Oklahoma City, Oklahoma, on May 17, 2013 at 3:40 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov. Revised items are indicated by “•” and italics.

- 01000 1. CALL TO ORDER** **Chairman Ford Drummond**
- A. Roll Call
 - B. Discussion, Amendments, and Vote to Approve Official Minutes of the April 16, 2013, Regular Meeting.
 - C. Executive Director's Report. **Mr. J.D. Strong**
 - D. Monthly Budget Report **Ms. Amanda Storck**
- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Salina Public Works Authority, Mayes County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Antlers Public Works Authority, Pushmataha County. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Broken Bow Public Works Authority, McCurtain County. Recommended for Approval.
 - D. Consideration of and Possible Action on a Proposed Order Approving Increase in Obligation of Drinking Water Funds for Grove Municipal Services Authority, Delaware County. Recommended for Approval.
 - E. Resolution Authorizing the Issuance of Oklahoma Water Resources Board State Loan Program Revenue Bonds in Aggregate Principal Amount not to Exceed \$25,000,000;

Approving And Authorizing Execution of a Twenty-Fifth Supplemental Bond Resolution; Providing for the Issuance of Said Bonds; Waiving Competitive Bidding on the Bonds and Authorizing the Sale Thereof by Negotiation and at a Discount Pursuant to the Terms of a Contract of Purchase Pertaining Thereto; Approving a Preliminary Official Statement with Respect to Said Bonds; Directing Deposit of Proceeds Derived From the Issuance of the Bonds in the State Treasury and Requesting the State Treasurer to Remit Such Proceeds to the Bond Trustee; Ratifying and Approving the Form of Promissory Note and Loan Agreement to be Executed by Borrowers in the State Loan Program; Authorizing Execution of Such Other and Further Instruments, Certificates and Documents as may be Required for the Issuance of the Bonds; Directing Payment of Costs of Issuance and Containing Other Provisions Relating to the Issuance of the Bonds. Recommended for Approval.

- F. Report by Board Audit Committee and Report of and Possible Action on Audits of Oklahoma Water Resources Board State Loan Program Revenue Bonds and Clean Water State Revolving Fund Program (CWSRF) Financial Statements as of June 30, 2012 and 2011, Audits of the CWSRF Administrative Fund and the Drinking Water Treatment Loan Administrative Fund as of June 30, 2012 and 2011.
- G. Report on Recent Presentations and Discussions with the Board Finance Committee Regarding Proposed 2013 Drinking Water State Revolving Fund Bond Issue and Proposed Refunding of Series 2003 Drinking Water State Revolving Fund Bonds, and Consideration of and Possible Action on Allocation of Interest Savings between Board and Local Borrowers Potentially Affected by Interest Savings Generated by Proposed Refunding of Series 2003 Drinking Water State Revolving Fund Bonds.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS Chairman Drummond

Any item listed under this Summary Disposition Agenda may, at the request of any member of the Board, the Board's staff, or any other person attending this meeting, be transferred to the Special Consideration Agenda. Under the Special Consideration Agenda, separate discussion and vote or other action may be taken on any items already listed under that agenda or items transferred to that agenda from this Summary Disposition Agenda.

- A. Requests to Transfer Items from Summary Disposition Agenda to the Special Consideration Agenda, and Action on Whether to Transfer Such Items.
- B. Discussion, Questions, and Responses Pertaining to Any Items Remaining on Summary Disposition Agenda and Possible Action on Items Listed Below. Recommended for Approval:
- C. Financial Assistance Division Items:
 - 1. Rural Economic Action Plan (REAP) Grant Applications:

<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Amount Recommended</u>
ACOG				
a.	FAP-12-0017-R	Rural Water and Sewer District #5	Canadian	\$ 99,999.00

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b.	FAP-12-0030-R	Chattanooga Public Works Authority	Comanche	99,650.00
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c.	FAP-12-0005-R	Frontier Development Authority	Custer	99,850.00
d.	FAP-11-0016-R	Rural Water, Sewer & Solid Waste Management District #3	Roger Mills	99,124.00

D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:

1. Lease Agreement Renewal with Burgess & Burgess, Inc. for the OWRB Lawton office.
2. Professional Services Agreement with Sparks Write, Inc. to perform assignments which assist the Board in implementing the Board's responsibilities under the Comprehensive State Water Planning Program.
3. Amendment of Joint Funding Agreement with U.S. Geological Survey for the project "Garber-Wellington Aquifer Management, Central Oklahoma".
4. Memorandum of Agreement with Oklahoma 4-H Foundation, Inc. for 4-H Speech Contest and Recognition Program.
5. Interagency Agreement with the Oklahoma Department of Environmental Quality regarding the Drinking Water State Revolving Fund.
6. Interagency Agreement with Grand River Dam Authority for Dissolved Oxygen Monitoring Project for FY 2014.
7. Easement and Agreement with Robert R. Sauer and Lorene R. Sauer for Groundwater Level Monitoring in Custer County.
8. Interagency Agreement with Oklahoma Department of Wildlife Conservation for vegetated wetland project at Fort Cobb Lake.
9. Professional Services Contract with Records Solutions, Inc. to perform assignments to assist the Board in implementing various projects to improve management of the Board's electronic and paper records.
10. Extension and Amendment Agreement with The City of Ardmore to perform certain mapping and analysis services needed and requested by the City for the City's lakes.
11. Lease Agreement with Mori White for OWRB Woodward office lease.
12. Extension and Amendment Agreement with AMEC Environment and Infrastructure, Inc. for Professional Engineering Services for Allocation Modeling of a Portion of Red River System.
13. Lease Agreement with ELF Properties LLC for OWRB McAlester office lease.

- E. Applications for Temporary Permits to Use Groundwater:
1. Bryan Family Land & Cattle, LLC, Kingfisher & Garfield Counties, #2012-684
 2. Pete & Mary Nell Mileta, Caddo & Washita Counties, #2012-691
 3. H. J. Rickabaugh, Grant County, #2013-511
 4. Bobby & Beverly Jackson, Caddo County, #2013-528
 5. Enid Municipal Authority, Woods County, #2013-530
 6. Dale & Neva Taff, Caddo County, #2013-531
 7. Matt & Autumn Steinert and Steinert Land, L.P., Logan County, #2013-533
 8. David & Paula Harman, Canadian County, #2013-543
- F. Applications to Amend Temporary Permits to Use Groundwater:
None
- G. Applications for Regular Permits to Use Groundwater:
None
- H. Applications to Amend Regular Permits to Use Groundwater:
1. American Fidelity Investments Co., Garvin County, #1998-581
- I. Applications for Regular Permits to Use Stream Water:
1. Blake Ventures, Kingfisher County, #2012-072
 2. Earl A. Pierce, Garfield County, #2013-001
- J. Applications to Amend Regular Permits to Use Stream Water:
1. Daniel B. & Cynanne R. Williams, Haskell County, #2002-056
- K. Well Driller and Pump Installer Licensing:
1. New Licenses, Accompanying Operator Certificates and Activities:

a. Licensee:	North Fork Drilling	DPC-0877
1. Operator:	Matthew T. Schnitzler	OP-1973
Activities:	Groundwater wells, groundwater test holes and observation wells	
b. Licensee:	Ryan's Water Well Drilling, L.L.C.	DPC-0879
1. Operator:	Ryan Poeling	OP-1974
Activities:	Groundwater wells, groundwater test holes and observation wells	
c. Licensee:	Best Drilling Services, Inc.	DPC-0883
1. Operator:	Ali Firouzbakht	OP-1977
Activities:	Monitoring wells and geotechnical borings	
2. Operator:	Lloyd Bruce Milton	OP-1978
Activities:	Monitoring wells and geotechnical borings	
 2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:

a. Licensee:	Smith Pump & Supply	DPC-0287
1. Operator:	Brian Smith	OP-0534
Activities:	Groundwater wells, groundwater test holes and observation wells (currently licensed in water well pumps)	
b. Licensee:	Mohawk Drilling, Inc.	DPC-0563
1. Operator:	Billy Lee Guinn, II	OP-1976
Activities:	Monitoring wells and geotechnical borings	
c. Licensee:	Fugro Consultants, Inc.	DPC-0795
1. Operator:	Sheldon Collins	OP-1975
Activities:	Monitoring wells and geotechnical borings	

- L. Dam and Reservoir Construction:
 - 1. Seaboard Foods, Texas County, #OK30449

- M. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
 - 1. Oklahoma Department of Transportation, Woodward County, #FP-13-01
 - 2. Oklahoma Department of Transportation, Woodward County, #FP-13-02
 - 3. Oklahoma Department of Transportation, Payne County, #FP-13-03
 - 4. Oklahoma Department of Transportation, Payne County, #FP-13-04
 - 5. Oklahoma Department of Transportation, Stephens County, #FP-13-07
 - 6. Oklahoma Department of Transportation, Hughes County, #FP-13-08
 - 7. Cameron University, Comanche County, #FP-13-10

- N. Applications for Accreditation of Floodplain Administrators:
Names of floodplain administrators to be accredited and their associated communities are individually set out in the May 21, 2013 packet of Board materials.

04000 4. QUESTIONS AND DISCUSSION ABOUT AGENCY MATTERS AND OTHER ITEMS OF INTEREST Chairman Drummond

- A. No items

05000 5. SPECIAL CONSIDERATION Chairman Drummond

- A. Application for Temporary Groundwater Permit No. 2012-587, Comanche County Rural Water District No. 2, Comanche County:
 - 1. Summary – **Ms. Julie Cunningham**
 - 2. Discussion and presentation by parties
 - 3. Possible executive session
 - (a) Vote on whether to enter executive session
 - (b) If executive session approved, designation of person to keep minutes
 - (c) Executive session on proposed order - vote or action taken on any item of business considered in executive session must be taken in public meeting
 - 4. Vote on whether to approve the proposed order as presented or as may be amended, or vote on any other action or decision relating to the proposed order

- B. Items transferred from Summary Disposition Agenda, if any.

6. PROPOSED EXECUTIVE SESSION Chairman Drummond

As authorized by the Oklahoma Open Meeting Act in Section 307(B)(4) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation or proceeding in the public interest.

Pursuant to this provision, the Board proposes to hold an executive session for the purpose of discussing Chickasaw Nation and Choctaw Nation v. Fallin, et al., Oklahoma Water Resources Board v. United States on behalf of the Choctaw Nation et al. and Tarrant Regional Water District v. Herrmann, et al.

Statement by legal counsel advising on whether disclosure of the discussion of the litigation will seriously impair the ability of the Board and State to conduct the present and proposed litigation in the public interest.

- A. Vote on whether to hold Executive Session upon determination that disclosure of the discussion of the litigation will seriously impair the ability of the Board and State to conduct the present and proposed litigation in the public interest. Before it can be held, the Executive Session must be authorized by a majority vote of a quorum of members present and such vote must be recorded.
- B. Designation of person to keep written minutes of Executive Session, if authorized.
- C. Executive Session, if authorized.

Return to open meeting and possible vote or action on any matter discussed in the Executive Session.

7. VOTE(S) ON POSSIBLE ACTION(S), IF ANY, RELATING TO MATTERS DISCUSSED IN EXECUTIVE SESSION IF AUTHORIZED.

8. NEW BUSINESS Chairman Drummond

Under the Open Meeting Act, this agenda item is authorized only for matters not known about or which could not have been reasonably foreseen prior to the time of posting the agenda or any revised agenda.

9. ADJOURNMENT Chairman Drummond

The next regular meeting of the Oklahoma Water Resources Board will be held Tuesday, June 18, 2013, at 9:30 a.m., at the Oklahoma Water Resources Board, 3800 N. Classen Boulevard, Oklahoma City, Oklahoma.

5/17/2013