

## 2<sup>nd</sup> DRAFT AGENDA

### OKLAHOMA WATER RESOURCES BOARD

July 16, 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 \_\_\_\_\_, 2013 at \_\_\_\_\_ p.m. A copy of this agenda is available on the OWRB website at [www.owrb.ok.gov](http://www.owrb.ok.gov). Revised items are indicated by “•” and italics.

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- 01000 1. CALL TO ORDER** **Chairman Ford Drummond**
- A. Roll Call
  - B. Discussion, Amendments, and Vote to Approve Official Minutes of the June 18, 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 Quinton Public Works Authority, Pittsburg County. Recommended for Approval.
  - B. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Rural Water District No. 6, Mayes County. Recommended for Approval.
  - C. Consideration of and Possible Action on a Proposed Order Approving Assumption of Drinking Water Loan of Pottawatomie County Development Authority by Shawnee Municipal Authority, Pottawatomie County. Recommended for Approval.
  - D. Resolution Authorizing the Issuance of Oklahoma Water Resources Board State Loan Program Revenue Bonds in Aggregate Principal Amount not to Exceed \$25,000,000; at a Net Interest Cost not to Exceed Six Percent (6.0%); Approving and Authorizing Execution of a Twenty-Sixth Supplemental Bond Resolution and, if Deemed Advisable, an Additional Supplemental Bond Resolution for Each Additional Series; Providing for the Issuance of Said Bonds in One or More Series; 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; Authorizing the Chairman or Vice Chairman to Deem Preliminary Official Statements for Additional Series of Bonds Final; 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.

**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>
ASCOG				
a.	FAP-09-0010-R	Medicine Park Public Works Authority	Comanche	\$33,000.00
COEDD				
b.	FAP-11-0004-R	Lone Chimney Water Association	Pawnee	99,990.00
EODD				
c.	FAP-05-0051-R	Westville Utility Authority	Adair	72,300.00
INCOG				
d.	FAP-11-0015-R	Depew Public Works Authority	Creek	81,000.00
NODA				
e.	FAP-10-0010-R	Rural Water District #6	Garfield	68,000.00
SODA				
f.	FAP-11-0037-R	Rural Water District #2	Atoka	71,500.00
SWODA				
g.	FAP-12-0003-R	Custer City Public Works Authority	Custer	99,975.00

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

1. Contract with Oklahoma Department of Environmental Quality for laboratory analysis and related services.
2. Memorandum Agreement with USGS and Hardage Site Remedy Corporation for water monitoring and data collection.
3. No-Cost Time Extension Agreement with USGS for the program “Comparison of the Historic Drought of 2011 with Previous Droughts of the 20<sup>th</sup> Century in Oklahoma”.
4. Interagency Agreement with Oklahoma Department of Agriculture, Food and Forestry for collecting groundwater samples at licensed managed feeding operations and providing statistical review of the analyzed data from the LMFO samples.
5. Memorandum Agreement with USGS and Grand River Dam Authority for water monitoring and data collection.
6. Memorandum Agreement with USGS and Fort Cobb Reservoir Master Conservancy District for water monitoring and data collection.

E. Applications for Temporary Permits to Use Groundwater:

1. Matthew & Autumn Steinert, Garfield County, #2011-677
2. Ronald L. & Pat Dalrymple, Custer County, #2013-529
3. Bryan Kroeker Revocable Trust, Kingfisher County, #2013-536
4. David Nault, Caddo County, #2013-551
5. Danny & Joy Lawrence, Major County, #2013-559
6. Oryn Treadway Sheffield Jr. & Cynthia Rene Sheffield, Love County, #2013-562
7. Danny & Joy Lawrence, Major County, #2013-566
8. Wehling Family Trust II, Garfield County, #2013-568

F. Applications to Amend Temporary Permits to Use Groundwater:

1. Daryl W. & Jeanine M. Scales, Caddo County, #1979-591B
2. David L. & Toni C. Roland, Caddo County, #1983-548
3. Heath & Deana Beanland, Harmon County, #1995-514
4. Top Farm Inc., Caddo County, #1996-512
5. Southern Hills Country Club, Tulsa County, #2002-508

G. Applications for Regular Permits to Use Groundwater:

1. Johnnie Lynn Dixon, Custer County, #2012-648
2. Bruce M. & Karyl L. Stewart, Tillman County, #2012-665
3. Luckie Farms, L.L.C., Harper County, #2012-698

H. Applications to Amend Regular Permits to Use Groundwater:

1. Mark Witt and Neal Hofferber, Texas County, #1996-599
2. Dustin & Sonya Donley, Woodward County, #2012-636

- I. Applications for Regular Permits to Use Stream Water:
  - 1. James L. Shelby, Grady County, #2013-018
  - 2. Wehling Family Trust II, Garfield County, #2013-020
  - 3. Jesse D. Snyder, Pottawatomie County, #2013-021
  
- J. Applications to Amend Regular Permits to Use Stream Water:
  - 1. Kermit Scott, Canadian County, #2011-058
  
- K. Applications for Seasonal Permit to Use Stream Water:
  - 1. The Waterfowler Trust, Lincoln County, #2013-013
  
- L. Well Driller and Pump Installer Licensing:  
None
  
- M. Applications for Acquisition of Assets:
  - 1. Osage County Rural Water District No. 15, Osage County, #2013-01
  
- N. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:  
None
  
- O. Applications for Accreditation of Floodplain Administrators:  
Names of floodplain administrators to be accredited and their associated communities are individually set out in the July 16, 2013 packet of Board materials.

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

- A. No items

**05000 5. SPECIAL CONSIDERATION Chairman Drummond**

- A. No items.
- B. Items transferred from Summary Disposition Agenda, if any.

**6. ELECTION OF OFFICERS**

**7. 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.

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

**9. PROPOSED EXECUTIVE SESSION Chairman Drummond**

As authorized by the Oklahoma Open Meeting Act in Section 307(B)(1) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee.

Pursuant to this provision, the Board proposes to hold an executive session for the purpose of discussing the employment (evaluation, possible increase in salary, and other terms and conditions of employment) of the Executive Director.

- A. Vote on whether to hold Executive Session. 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.
- D. Return to open meeting.

- 10.** Consideration of and possible action on employment, including but not limited to evaluation of performance, increase in salary, or other change in terms and conditions of employment, of the Executive Director. **Chairman Drummond**

**11. 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.

**12. ADJOURNMENT** **Chairman Drummond**

The next regular meeting of the Oklahoma Water Resources Board will be held Tuesday, August 20, 2013, at 9:30 a.m., at the Oklahoma Water Resources Board, 3800 N. Classen Boulevard, Oklahoma City, Oklahoma.

7/8/2013