

REVISED AGENDA

OKLAHOMA WATER RESOURCES BOARD

June 8, 2010

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 June 1, 2010 at 5:30 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 Rudy Herrmann**
- A. Invocation
 - B. Roll Call
 - C.
 - 1. Discussion, Amendments, and Vote to Approve Official Minutes of the May 11, 2010, Regular Meeting.
 - 2. Discussion, Amendments, and Vote to Approve Official Minutes of the May 23-26, 2010, Special Meeting
 - D. Interim Executive Director's Report. **Mr. J.D. Strong**
- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Hobart Public Works Authority, Kiowa County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Okmulgee Municipal Authority, Okmulgee County. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS

Chairman Rudy Herrmann

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 3. C through 3. P., 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>
EODD				
a.	FAP-05-0023-R	Rural Water District #3	Muskogee	\$99,999.00
KEDDO				
b.	FAP-09-0026-R	Soper Public Works Authority	Choctaw	99,999.00
OEDA				
c.	FAP-07-0039-R	Mooreland Public Works Authority	Woodward	99,999.00

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

- 1. Memorandum Agreement with The City of Moore and USGS for water monitoring and data collection.
- 2. Memorandum Agreement with The City of Ada and USGS for water monitoring and data collection.
- 3. Second Amendment Agreement with Office of the Secretary of Environment for the Clean Water Act FY08/09 §106 Water Pollution Control Program, Monitoring CA# I-006400-08M.
- 4. Memorandum Agreement with Central Oklahoma Master Conservancy District and USGS for water monitoring and data collection.

5. No-Cost Time Extension Agreement with C.H. Guernsey & Company for water transfer and reservoir viability studies in support of the update of the Oklahoma Comprehensive Water Plan.
6. Memorandum Agreement with The City of Lawton and USGS for water monitoring and data collection.
7. Memorandum Agreement between Foss Reservoir Master Conservancy District and USGS for water monitoring and data collection.
8. No-Cost Time Extension Agreement with the Department of Environmental Quality to perform public water supply assessments in support of the update of the Oklahoma Comprehensive Water Plan.
9. Agreement with American Municipal Tax-Exempt Compliance Corp. for arbitrage services in connection with the issuance of state government entity obligations and indebtedness for OWRB loan programs.
10. Lease Agreement with the Department of Central Services for leasing of office space in Tulsa, OK.
11. Interagency Agreement with Grand River Dam Authority for bathymetric surveys of the tailraces of the Robert S. Kerr dam, the Pensacola Dam, and the dam at the WR Holway Reservoir.
12. Professional Services Engagement Letter with John M. Arledge & Associates, P.C. to provide auditing services related to the Board's financial assistance programs.
13. Professional Services Engagement Letter with Crawford & Associates, P.C. to provide accounting services related to the Board's financial assistance programs.
14. Interagency Agreement with the Oklahoma Department of Environmental Quality regarding the Drinking Water State Revolving Fund.
15. Extension and Amendment Agreement with Intera Geosciences and Engineering for professional engineering services in connection with the update to the Oklahoma Comprehensive Water Plan.
16. Joint Funding Agreement with USGS for continuation of monitoring program.
17. Interagency Agreement with Grand River Dam Authority for Fish and Wildlife Mitigation Activities in Grand Lake.
18. Interagency Agreement with Grand River Dam Authority for Fish and Wildlife Mitigation Activities in Lake Hudson.

19. Extension Amendment Agreement with Charles Dumars.
- E. Applications for Temporary Permits to Use Groundwater:
1. Garvin County Rural Water District No. 2, Garvin County, #2009-567
 2. Taylor Ranch, L.L.C., Cleveland County, #2010-513
 3. Brent & Sheri White, Harmon County, #2010-521
 4. Oklahoma Department of Wildlife Conservation, Caddo County, #2010-523
- F. Applications to Amend Temporary Permits to Use Groundwater:
None
- G. Applications for Regular Permits to Use Groundwater:
1. Randy B. Lehr, James C. Hartman & Mark A. Hartman, Texas County, #2010-522
- H. Applications to Amend Regular Permits to Use Groundwater:
1. Robert A. & Nedra R. Funk, Canadian County, #1976-870
 2. Chaparral Energy, L.L.C., Beaver County, #1977-866
- I. Applications to Amend Prior Rights to Use Groundwater:
None
- J. Applications for Regular Permit to Use Stream Water::
1. Oka Hayaka Hunt Club, L.L.C., Pottawatomie County, #2010-010
- K. Forfeitures of Stream Water Rights:
None
- L. Well Driller and Pump Installer Licensing:
1. New Licenses, Accompanying Operator Certificates and Activities:
 - a. Licensee: Tyler Electric, LLC DPC-0798
 1. Operator: Michael A. Tyler OP-1773
 - Activities: Water well pumps
 - b. Licensee: Landon 9 Ranch Supply DPC-0802
 1. Operator: Landon Nine OP-1777
 - Activities: Pump installation
- M. Applications to Construct, Enlarge, Repair or Alter Dam and/or Spillway:
1. Pontotoc County Conservation District, Pontotoc County, #OK01283
 2. Warrenton Lake, Tulsa County, #OK11091
- N. Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
1. Oklahoma Department of Transportation, Garvin County, #FP-10-09

- O. Applications for Accreditation of Floodplain Administrators:
Names of floodplain administrators to be accredited and their associated communities are individually set out in the June 8, 2010 packet of Board materials.
- P. Application for Approval of Acquisition of Assets of Rural Water District.
 - 1. Application by City of Sand Springs to Acquire Assets of Rural Water District No. 1, Tulsa County, Application No. RWA-2010-001.

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

- A. No items.

05000 5. SPECIAL CONSIDERATION Chairman Rudy Herrmann

For INDIVIDUAL PROCEEDINGS, a majority of a quorum of Board members, in a recorded vote, may call for closed deliberations for the purpose of engaging in formal deliberations leading to an intermediate or final decision in an individual proceeding under the legal authority of the Oklahoma Open Meeting Act, 25 O.S. 2001, Section 307 (B)(8) and the Administrative Procedures Act, 75 O.S. 2001, Section 309 and following. A majority vote of a quorum of Board members present, in a recorded vote, may authorize an executive session for the purposes of CONFIDENTIAL COMMUNICATIONS between the 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 the pending investigation, litigation, or proceeding in the public interest, under the legal authority of the Oklahoma Open Meetings Act, 25 O.S. 2001, Section 307(B)(4); Proposed Findings, Conclusions and Order are Recommended for Approval in the following matters:

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

06000 6. PRESENTATION OF AGENCY BUDGET REPORT Ms. Leslie Nance

**07000 7. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY
Chairman Herrmann**

8. ELECTION OF OFFICERS Chairman Herrmann

• **9. PROPOSED EXECUTIVE SESSION** **Chairman Herrmann**

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 “[d]iscussing the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee.” Item added

Pursuant to these provisions, the Board proposes to hold an executive session for the purpose of:

Discussion of the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of the Executive Director and Interim Executive Director.

- A. *Vote on whether to hold Executive Session – before an executive session can be convened, it 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*

• **10. VOTE ON MATTER DISCUSSED IN EXECUTIVE SESSION - Return to open meeting and possible vote on any matters discussed in the Executive Session.**
Item added

11. NEW BUSINESS (Renumbered) **Chairman Herrmann**

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 (Renumbered) **Chairman Herrmann**

The next meeting of the Oklahoma Water Resources Board will be on Tuesday, July 13, 2010, at 9:30 a.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK

6/01/10