

# A G E N D A

## OKLAHOMA WATER RESOURCES BOARD

**June 21, 2016**  
**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 17, 2016, at 4:00 p.m. A copy of this agenda is available on the OWRB website at [www.owrb.ok.gov](http://www.owrb.ok.gov).

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**01000 1. CALL TO ORDER Chairman Linda Lambert**

- A. Roll Call
- B. Discussion, Amendments, and Vote to Approve Official Minutes of the May 17, 2016, Regular Meeting.
- C. Executive Director's Report. **Mr. J.D. Strong**
- D. Monthly Budget Report **Mr. Cleve Pierce**

**02000 2. FINANCIAL ASSISTANCE DIVISION Mr. Joe Freeman**

- A. Consideration of and Possible Action on a Proposed Order Approving Emergency Grant for McCloud Public Works Authority, Pottawatomie County. Recommended for Approval.
- B. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Broken Arrow Municipal Authority, Tulsa County. Recommended for Approval.

**03000 3. SUMMARY DISPOSITION AGENDA ITEMS Chairman Lambert**

All of the items listed below under this Summary Disposition Agenda are recommended for approval.

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.
- C. Consideration of and Possible Action on 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>
None				

- D. Consideration of and Possible Action on Contracts and Agreements:
  - 1. Professional Services Engagement Letter with Arledge & Associates, P.C. to provide auditing services related to the Board’s financial assistance programs for CWSRF and DWSRF loan administrative funds.
  - 2. Professional Services Engagement Letter with Arledge & Associates, P.C. to provide auditing services related to the Board’s financial assistance programs for revenue bond issues.
  - 3. Professional Services Engagement Letter with Arledge & Associates, P.C. to provide auditing services related to the Board’s financial assistance programs for the Oklahoma Clean Water State Revolving Fund Loan Account Program.
  - 4. Professional Services Engagement Letter with Crawford & Associates, P.C. to provide accounting services related to the Board’s financial assistance programs.
  - 5. Agreement with Arbitrage Compliance Specialist, Inc. for arbitrage services in connection with the issuance of state government entity obligations and indebtedness for OWRB loan programs.
  - 6. Interagency Agreement with the Oklahoma Department of Environmental Quality regarding the Drinking Water State Revolving Fund.
  - 7. Amendment of Joint Funding Agreements with U.S. Geological Survey to extend the end date of the agreement to December 31, 2016.
  - 8. Professional Services Contract between OWRB and the Oklahoma Rural Water Association for training and education for water systems, board members and operators.
  - 9. Interagency Agreement with Department of Environmental Quality for bathymetric survey of select dissolved oxygen impaired reservoirs for Clinton, Fairfax City and Crowder lakes.

10. Joint Funding Agreement with the U.S. Geological Survey to do groundwater hydrological survey on sections ("reaches") 3 and 4 of the Washita River Alluvium and Terrace Groundwater Basin.
  11. Engagement Letter with Bachelor Integrity Accounting, PC for Escrow Verification Services in connection with the Drinking Water State Revolving Fund Revenue Bonds, Series 2010.
  12. Letter Agreement with U.S. Army Corps of Engineers through District Engineer for the Tulsa District to complete a Programmatic Work Plan ("PWP") for the Grand River Comprehensive Water Plan, Phase 1. The PWP will outline how to protect and enhance the beneficial uses of the surface and groundwater resources in the Grand Region.
- E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:
1. Orca Operating, Co., L.L.C., Dewey County, #2015-603
  2. Triple S Farms, L.C., Blaine County, #2016-509
  3. Jeremy & Jamie Brooks, Major County, #2016-511
  4. Continental Carbon Co., Kay County, #2016-513
  5. Mary Boepple Trust et. al., Garfield County, #2016-515
  6. Steinert Land, L.P., Garfield County, #2016-519
- F. Consideration of and Possible Action on Applications to Amend Temporary Permits to Use Groundwater:
1. Edward D. Repp and Mary Jane Repp Revocable Trusts, Caddo County, #1995-502
  2. Edward D. Repp and Mary Jane Repp Revocable Trusts, Washita County, #1995-503
  3. Steve Blevins Revocable Trust, Beckham County, #2013-545
- G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:
1. Van & Rose Anna Messner, Beaver County, #2012-586
  2. Texas County Rural Water District No. 1, Texas County, #2015-585
  3. Greg L. & Amanda L. Clement, Marshall County, #2016-518
- H. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Groundwater:
1. Johnston County Rural Water District No. 3, Johnston County, #1976-775
  2. El Reno Rod & Gun Development Co., Canadian County, #1978-626
  3. Russell Family Partnership, Cimarron County, #1978-732
- I. Consideration of and Possible Action on Applications to Amend Prior Rights to Use Groundwater:
1. Edward D. Repp and Mary Jane Repp Revocable Trusts, Caddo County, #1956-069
- J. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:  
None

- K. Consideration of and Possible Action on Applications to Amend Permits to Use Stream Water:
1. C-Gawf Real Estate, L.L.C., Okmulgee County, #1997-014
  2. Lawrence C. Reheman, Jr., Kingfisher County, #2006-022
- L. Consideration of and Possible Action on Dam and Reservoir Construction:
1. Esperanza Owners Association, Inc., Oklahoma County, #OK02409
  2. Esperanza Owners Association, Inc., Oklahoma County, #OK02409
  3. Oklahoma City Water Utilities Trust, Cleveland County, #OK02580
  4. City of Pawhuska, Osage County, #OK11044
  5. Tallgrass Terminals, L.L.C., Lincoln County, #OK30491
  6. City of Grandfield, Tillman County, #OK30493
- M. Consideration of and Possible Action on Well Driller and Pump Installer Licensing:
1. New Licenses and Operators:
    - a. Licensee: Ace Water Well Service DPC-0932
      1. Operator: Chris Hudgens OP-2155
    - b. Licensee: Select Drilling Services, L.L.C. DPC-0934
      1. Operator: Stanley Grover OP-1922
  2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
    - a. Licensee: Associated Environmental Industries DPC-0269
      1. Operator: Cody Hurley OP-2156
    - b. Licensee: B & H Construction DPC-0765
      1. Operator: Isaiah Hodges OP-2157
    - c. Licensee: Mesa Products DPC-0931
      1. Operator: Howard Berry OP-2158
    - d. Licensee: Layne Christensen DPC-0123
      1. Operator: Ricky Evans OP-2160
- N. Consideration of and Possible Action on Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
1. Oklahoma Department of Transportation, Cleveland County, #FP-16-06
  2. Oklahoma Department of Transportation, Mayes County, #FP-16-10
  3. Oklahoma Department of Transportation, Pontotoc County, #FP-16-14
  4. Oklahoma Department of Transportation, Pontotoc County, #FP-16-15
  5. Oklahoma Department of Transportation, Pontotoc County, #FP-16-16
  6. Oklahoma Department of Transportation, Stephens County, #FP-16-19
  7. Oklahoma Department of Transportation, Stephens County, #FP-16-20
  8. Oklahoma Department of Transportation, Stephens County, #FP-16-21
  9. Oklahoma Department of Transportation, Pottawatomie County, #FP-16-24
  10. Oklahoma Department of Transportation, Pottawatomie County, #FP-16-25
  11. Oklahoma Department of Transportation, Seminole County, #FP-16-27
  12. Oklahoma Department of Transportation, Custer County, #FP-16-29
  13. Oklahoma Department of Transportation, Ottawa County, #FP-16-30
- O. Consideration of and Possible Action on Applications for Accreditation of Floodplain Administrators:
1. Ronald L. Johnson, CFM, Town of Goldsby, #FPA-683
  2. Heather K. Rard, City of McLoud, #FPA-684

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

A. No items.

**05000 5. SPECIAL CONSIDERATION** **Chairman Lambert**

A. No items.

**6. ELECTION OF OFFICERS** **Chairman Lambert**

**7. PROPOSED EXECUTIVE SESSION** **Chairman Lambert**

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., and Oklahoma Water Resources Board v. United States on behalf of the Choctaw Nation 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. PROPOSED EXECUTIVE SESSION**

**Chairman Lambert**

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.
9. 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.

**10. NEW BUSINESS**

**Chairman Lambert**

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.

**11. ADJOURNMENT**

**Chairman Lambert**

The next regular meeting of the Oklahoma Water Resources Board will be held at 9:30 a.m., July 19, 2016, at the OWRB Offices located at 3800 N. Classen Boulevard, Oklahoma City, Oklahoma.

6/17/2016