

REVISED AGENDA

OKLAHOMA WATER RESOURCES BOARD

September 14, 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, September 7, 2010 at 4:45 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. Discussion, Amendments, and Vote to Approve Official Minutes of the August 10, 2010, Regular Meeting.
 - D. Discussion and Possible Action on Work and Recommendations of Executive Director Selection Committee.
 - E. 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 Emergency Grant for Carney Public Works Authority, Lincoln County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Adair Municipal Authority, Mayes County. Recommended for Approval.
 - C. Report and Update on American Recovery and Reinvestment Act Funding through the State Revolving Fund Loan Programs.

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>
None				
- D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:
 - 1. Professional Services Contract with Scott Huler for keynote speaking presentation at 2010 Governor’s Water Conference and Symposium.
 - 2. Contract for Lab Analysis with Oklahoma Department of Environmental Quality.
 - 3. Interagency Agreement with Oklahoma Wheat Utilization, Research and Market Development Commission to provide support of information technology hardware, software, and IT services for Commission owned workstations, laptop computers, servers, networking equipment and Internet connections.
 - 4. Specific Cooperative Agreement with USDA, Agricultural Research Service for monitoring and evaluating water resources in central Oklahoma watersheds.
 - 5. Joint Funding Agreement with U.S. Geological Survey for the project “Garber-Wellington Aquifer Management, Central Oklahoma”.

6. No-cost Time Extension Agreement with Oklahoma Department of Environmental Quality for public water supply assessments in support of the Update to the Oklahoma Comprehensive Water Plan.
 7. Amendment Agreement No. 1 with Oklahoma Rural Water Association for technical assistance and training to rural water and wastewater system operators and board members.
- E. Applications for Temporary Permits to Use Groundwater:
1. Bromide Public Works Authority, Johnston County, #2010-502
 2. Paul W. Davis, Jackson County, #2010-524
 3. Logan County Rural Water District No. 2, Logan County, #2010-536
- F. Applications to Amend Temporary Permits to Use Groundwater:
1. Logan County Rural Water District No. 2, Logan County, #1974-453
 2. Kingfisher Public Works Authority, Kingfisher County, #1997-559
 3. City of Kaw City, Kay County, #2004-555
 4. Oklahoma Baptist Home for Children, Inc., Oklahoma County, #2004-566B
- G. Applications for Regular Permits to Use Groundwater:
1. Stephen G. & Cynthia J. Barnes, Texas County, #2010-531
 2. Joe Carroll & Mary Leonene Gribble, Texas County, #2010-534
- H. Applications to Amend Regular Permits to Use Groundwater:
1. Wright Farms, Inc., Texas County, #1976-692
- I. Applications for Regular Permits to Use Stream Water:
1. Ted & Jayne Morse, Choctaw County, #2010-015
- J. Forfeitures (Continue in Effect) of Stream Water Rights:
1. Eddie D. Metzler, Major County, #1982-120
- K. Forfeitures (Cancellation) of Stream Water Rights:
1. Bertha Klaassen, Caddo County, #1994-009
 2. Eddie Zaloudek and Sons, Inc., Grant County, #1994-040
 3. Ronald J. & Pamela S. Deatherage, Pottawatomie County, #1995-027
 4. James & Pauline Rogers, Rogers County, #1996-011
 5. Ernest Blum, Washington County, #1996-049
 6. Brad & Henrietta Blehm, Blaine County, #1997-002
 7. Coburn Snyder, Garfield County, #1975-084
 8. Ralph Rothgeb, Kay County, #1953-214
 9. B & L Ranch, Pottawatomie County, #1982-069
 10. B. G. Green, Pottawatomie County, #1976-134
 11. George Blaney, Lincoln County, #1991-028
 12. Larry Lockwood, Cherokee County, #1973-003
 13. J. C. Rickabaugh, Grant County, #1945-007

- 14. Gilbert Mooney, McClain County, #1974-279
- 15. J & J Farms, Inc., Canadian County, #1965-347

L. Proposed Resolution Appointing Persons to Serve as Members of the Water Well Drillers and Pump Installers Advisory Council:

Names of persons to serve as members are individually set out in the September 14, 2010 packet of Board materials

M. Well Driller and Pump Installer Licensing:

- 1. New Licenses, Accompanying Operator Certificates and Activities:
 - a. Licensee: OK Rental Equipment LLC DPC-0816
 - 1. Operator: Cody Sander OP-1792
 - Activities: Pump installation
 - 2. New Operators and/or Activities for Existing Licenses:
 - a. Licensee: Burgess Engineering & Testing DPC-0484
 - 1. Operator: Curtiss Lackey OP-1793
 - Activities: Monitoring wells and geotechnical borings
 - b. Licensee: Sunbelt Industrial Services, Inc. DPC-0701
 - 1. Operator: Robert L. Flair, Jr. OP-1794
 - Activities: Monitoring wells and geotechnical borings
 - c. Licensee: Talon/LPE DPC-0619
 - 1. Operator: William Burton Shepherd, II OP-1795
 - Activities: Monitoring wells and geotechnical borings

N. Dam and Reservoir Construction:

- 1. Basil Savage, Marshall County, #OK30187
- 2. TPH Capital, L.L.C., Johnston County, #OK30373
- 3. Alfalfa County Conservation District, Alfalfa County, #OK30374

O. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:

- 1. Oklahoma Department of Transportation, Lincoln County, #FP-10-13
- 2. Oklahoma Department of Transportation, Lincoln County, #FP-10-14
- 3. Oklahoma Department of Transportation, Lincoln County, #FP-10-15

P. Applications for Accreditation of Floodplain Administrators:

Names of floodplain administrators to be accredited and their associated communities are individually set out in the September 14, 2010 packet of Board materials.

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

- A. Update Report on Oklahoma Comprehensive Water Plan Activities. **Mr. Kyle Arthur**

05000 5. SPECIAL CONSIDERATION

Chairman 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. Application for Regular Permit to Use Groundwater No. 2008-520, Roy L. Ryan, Tillman 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.

06000 6. DISCUSSION AND POSSIBLE ACTION ON AGENCY BUDGET REPORT AND FORMAT.

Ms. Leslie Nance

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

• **8. 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 individual applicants for the Executive Director position.

- 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*

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

10. 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.

11. ADJOURNMENT (Renumbered) Chairman Herrmann

The next meeting of the Oklahoma Water Resources Board will be on Tuesday, October 12, 2010, at 9:30 a.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK

The Governor's Water Conference and Water Resources Research Symposium will be held October 26-27, 2010 at the Embassy Suites Conference Center, Norman, OK.