

**MINUTES OF REGULAR BOARD MEETING  
CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT**

**Thursday, February 4, 2021**

**Location-201 West Gray Norman, OK 73069**

Due to expiration of the emergency amendments of the Open Meeting Act that allowed all Board Members to meet virtually by videoconference, the February 4, 2021, meeting is required to be in-person with a quorum of Board Members in attendance at the meeting location. However, to accommodate the public, including presenters of Agenda items, who wish to participate but not to attend the meeting in person, videoconference and teleconference capability is being made available. Although this accommodation is provided, members of the public including presenters are welcome to attend the meeting in-person.

To participate and listen to the meeting by telephone, call toll free, 1-877-309-2073  
enter access code: 221-465-309.

To participate and listen via a computer, smartphone, or tablet, go to  
<HTTPS://GLOBAL.GOTOMEETING.COM/JOIN/221465309> meeting access code: 221-465-309

For all those attending the meeting in person, face masks and social distancing will be required to protect yourself and others attending.

**A. Call to Order**

President Amanda Nairn called the meeting to Order at 6:30 pm.

**Roll Call:**

**Board Members Present:**

President Amanda Nairn  
Vice President Casey Hurt  
Treasurer Jann Knotts  
Secretary Michael Dean

**Board Members Absent:**

Roger Frech  
William Janacek  
Kevin Anders

**Staff Present:**

Kyle Arthur, General Manager  
Kelley Metcalf, Office Manager  
Tim Carr, Operations & Maintenance Supervisor  
Dean Couch, Legal Counsel

**Guests:** Geri Wellborn, Cole Niblett

**Callers Announced:**

Roger Frech, William Janacek, Kevin Anders, Tim Barnes, Alan Swartz, Jerrod Shouse, Paul Streets, Beverly Palmer

**B. Statement of compliance with Open Meeting Act**

Kelley Metcalf, Office Manager, stated the Notice of the monthly board meeting had been posted in compliance with the Open Meeting Act.

**C.1. Status report of the Del City Pipeline Project from Alan Plummer Associates, Inc.**

Alan Swartz reported:

Line 1:

- 3,600 LF of 18-inch HDPE liner has been installed, tested, and put into service between the Del City Water Treatment Plant and Cinder Drive. Contractor is working to reestablish easement to preconstruction conditions.
- 2,300 LF of 21-inch HDPE liner has been installed, tested, and put into service between Crutch Creek and the connection at Line 2.
- Contractor is currently excavating insertion and receiving pits for the Interstate 240 crossing and the crossing under Sooner Road.

Lines 2 and 3:

- Contractor has laid sod at the erosion prone areas and sprayed hydro mulch along a significant portion of the remaining easement.
- Completed miscellaneous piping at the air release and blow-off valve vaults
- Continued to install posts for the pipeline markers.

Project completion is still expected to be April 1<sup>st</sup>.

Kyle Arthur asked Mr. Swartz to give a brief budget update. Mr. Swartz stated the project is still expected to come in under the bid price.

**C.2. Legislative update by Jerrod Shouse of Shouse & Associates Consulting**

Mr. Shouse updated the Board on SB 1031 and HB 2049. SB 1031, reinstating certain temporary provisions; specifying expiration of temporary provisions to the Oklahoma Open Meeting Act, was passed by the Senate. The bill will be presented to Governor Stitt on Monday, February 8<sup>th</sup>. HB 2049 proposes to increase the dollar amount of contracts that require certain advertisement and a competitive bidding process. The bill would increase the limit to \$100,000, an increase from the current \$50,000.

**C.3. Discussion of initial draft budget FY 2021-2022**

Kyle Arthur gave a PowerPoint presentation on the 3-year budget (FY2022-2024). The PowerPoint presentation and draft budget was provided to the Board and can also be found on the District website in the February packet. Mr. Arthur highlighted a couple of noteworthy changes from previous budgets. The amount in the new capital assets is zero for FY2022; the FY 2020-2021 budget had \$43,000.00 allocated for this item. The anticipation is that any needed capital assets will be purchased by utilizing surplus funds available. Additionally, an assessment for the Capital Expenditure and Emergency Fund (CEEF) is not included in the 3-year budget

forecast as the CEEF has reached its cap. Further, the 3-year budget includes earnings from the CEEF to offset the O&M assessment. Overall, the O&M assessment is projected to be less in the next 3 years than the previous 5 years and, specifically for FY 2022, the O&M assessment is budgeted to decrease by \$214,500.00 from the previous year.

President Nairn asked Board members to review the draft budget between now and the next Board meeting. At that time, it would be on the agenda again and any additional questions would be addressed. The plan forward is to have it as an action item at the March meeting, with approval at either that meeting or the April Board meeting.

**D. Action:** PURSUANT TO 82 OKLA. STATUTES, SECTION 541 (D) (10), THE BOARD OF DIRECTORS SHALL PERFORM OFFICIAL ACTIONS BY RESOLUTION AND ALL OFFICIAL ACTIONS INCLUDING FINAL PASSAGE AND ENACTMENT OF ALL RESOLUTIONS MUST BE APPROVED BY A MAJORITY OF THE BOARD OF DIRECTORS PRESENT, A QUORUM BEING PRESENT, AT A REGULAR OR SPECIAL MEETING.

**D.4. Consideration and possible approval of minutes of the Regular Board Meeting held on Thursday, December 3, 2020**

The minutes were reviewed and finding those in good order as presented, Michael Dean made a motion seconded by Casey Hurt to approve the Resolution. Roll call vote:

President Amanda Nairn	Yes
Vice President Casey Hurt	Yes
Treasurer Jann Knotts	Yes
Secretary Michael Dean	Yes
Member William Janacek	Absent
Member Roger Frech	Absent
Member Kevin Anders	Absent

Motion Passed

**D.5. Consideration and possible approval of financial statements for operating account for November 2020**

Treasurer Knotts drew attention that maintenance costs were under budget by \$50,000. Also, the Del City Pipeline costs for the month were \$28,452.00. Finding the financial statement in good order as presented Jann Knotts made a motion seconded by Casey Hurt to approve the Resolution.

Roll call vote:

President Amanda Nairn	Yes
Vice President Casey Hurt	Yes
Treasurer Jann Knotts	Yes
Secretary Michael Dean	Yes
Member William Janacek	Absent
Member Roger Frech	Absent
Member Kevin Anders	Absent

Motion Passed

**D.6. Consideration and possible approval of financial statements for operating account for December 2020**

Treasurer Knotts noted that from November to December there were gains in the investment account. Del City Pipeline project had one draw on the loan in the amount of \$179,311.82. Del City pipeline costs for the month were \$199,876.82. She also stated that six months into the fiscal year the expenses look good. Finding the financial statement in good order as presented Jann Knotts made a motion seconded by Michael Dean to approve the Resolution.

Roll call vote:

President Amanda Nairn	Yes
Vice President Casey Hurt	Yes
Treasurer Jann Knotts	Yes
Secretary Michael Dean	Yes
Member William Janacek	Absent
Member Roger Frech	Absent
Member Kevin Anders	Absent

Motion Passed

**D.7. Discussion, consideration, and possible vote to approve the FY 2019-2020 audit to be presented to the Board by Finley and Cook**

Mr. Tim Barnes, of Finley & Cook, presented the FY 2020 results to the Board. Mr. Barnes indicated that it was a clean audit with no surprises, major adjustments, or problem areas. As of June 30, 2020, the District is overfunded on the defined benefit pension plan by \$266,750.00. In lieu of this, there was discussion about the possibility of not providing a District match for the defined benefit plan in next year's budget. Mr. Arthur said he would investigate whether that would be possible and prudent.

Finding the audit in good order as presented Jann Knotts made a motion seconded by Casey Hurt to approve the Resolution.

Roll call vote:

President Amanda Nairn	Yes
Vice President Casey Hurt	Yes
Treasurer Jann Knotts	Yes
Secretary Michael Dean	Yes
Member William Janacek	Absent
Member Roger Frech	Absent
Member Kevin Anders	Absent

Motion Passed

**D.8. Consideration and possible approval of declaration of surplus equipment**

The surplus equipment list was provided to the Board and can also be found on the District website in the February packet. Due to the recent clean-up, additional items were identified as possible surplus items. The previous surplus auction netted almost \$60,000. Mr. Hurt suggested asking Tourism and Recreation if they could use any of the items on the surplus list. Mr. Arthur and Mr. Carr said they would check with them.

Michael Dean wanted to verify the selling of the Bobcat brush hog attachment. Tim Carr explained that the tractors have bat wing attachments that perform just as good or better than the Bobcat brush hog attachment. Finding the surplus list in good order as presented Michael Dean made a motion seconded by Casey Hurt to approve the Resolution.

Roll call vote:

President Amanda Nairn	Yes
Vice President Casey Hurt	Yes
Treasurer Jann Knotts	Yes
Secretary Michael Dean	Yes
Member William Janacek	Absent
Member Roger Frech	Absent
Member Kevin Anders	Absent

Motion Passed.

#### **E.9. Legal Counsel's Report (written report)**

- Conference call on January 14<sup>th</sup> with Kyle about temporary water contract, revisions to the Personnel Policy Manual ,and Fair Labor Standards Act issues.
- Participated in video conference meeting on January 21<sup>st</sup> with Collins Balcome and James Allard from the Bureau of Reclamation and Kyle about temporary water contract and draft amended language to provide flexibility on when temporary water is utilized by a member city. A yield study and implications were also discussed.
- Prepared issues paper and dispatched to Kyle on January 22<sup>nd</sup> regarding Fair Labor Standards Act exempt and nonexempt classifications and Oklahoma statue requirement on pay periods for nonexempt employees, and procedure for emergency acquisitions by General Manager and Board.
- Prepared draft resolutions about audit and surplus property and dispatched to Kelley.

#### **E.10. General Manager's Report**

Please see document titled "Manager's Report" in the packet.

#### **E.11. New business (any matter not known prior to the meeting and which could not have been reasonably foreseen prior to the posting of the Agenda)**

- Kyle Arthur shared with the Board that the District will be hosting the February Oklahoma Association of Reclamation Projects meeting. (weather permitting)

- President Nairn stated she was open to whatever board members are comfortable with regarding board meeting attendance moving forward, assuming passage of the amendments to the Open Meeting Act. The consensus was that the hybrid approach of both in-person option and virtual option for Board members was preferred.
- President Nairn mentioned that in May the OU Capstone Project will present their findings. Due to the number of participants the District will try to reserve Norman's council meeting room.

**F. Adjourn**

There being no further business, President Nairn adjourned the meeting at 8:47 PM.