

MINUTES OF THE REGULAR BOARD MEETING
CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT

Thursday, July 6, 2023

6:30 P.M.

Location: 12500 Alameda Dr. Norman, OK 73026

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 Michael Dean
Treasurer Jann Knotts
Secretary Dave Ballew
Edgar O'Rear
Española Bowen
Steve Carano

Board Members Absent:

None

Staff Present:

Kyle Arthur, General Manager
Kelley Metcalf, Office Manager
Tim Carr, Operations & Maintenance Supervisor

Others Present:

Dean Couch
Paul Streets
Carrie Evenson
Alan Swartz

Virtually:

Andy Bruehl

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. Administrative

1. Public Comment

None

2. Treasurer Report- April 2023 and May 2023 financials

Ms. Knotts stated a new income account code (4934) was set up for Oklahoma Water Resources Board (OWRB) American Rescue Plan Act (ARPA) and code 5833 is a new expense account code for Contaminants of Emerging Concern (CEC). Both are non-budgeted items.

In April there was \$460,935.09 received for reimbursable expenses associated with ARPA.

Ms. Knotts stated 10 months into the fiscal year, for the most part, expenses are tracking under budget. She asked if there were any questions, there were none.

Ms. Knotts proceeded to discuss the May financials.

Expense account code 5834 was added for ARPA project expenses, this is a non-budgeted item.

The District's annual insurance premiums are reflected in this month's balance sheet.

Ms. Knotts stated the District currently has two Treasury Bills (T Bill), one is earning 4.89% and matures in September and the other one has a 5.044% yield and matures in October. Ms. Knotts stated the District has several certificates of deposits (CD's).

Mr. Dean suggested reviewing the current Bonds, that have a lower yield percentage. Mr. Arthur and Ms. Knotts will investigate options.

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, a quorum being present, at a regular or special meeting. The following items may be discussed, considered, and approved, disapproved, amended, tabled or other action taken:

3. Minutes of the regular board meeting held on Thursday, May 4, 2023, and corresponding Resolution

Ms. Nairn asked if there were any additions or corrections. Ms. Bowen stated she attended the meeting virtually.

Michael Dean made a motion seconded by Espaniola Bowen to approve the minutes as amended and corresponding Resolution.

Roll call vote:

President Amanda Nairn Yes
Vice President Michael Dean Yes
Treasurer Jann Knotts Abstain
Secretary Dave Ballew Yes
Member Edgar O’Rear Yes
Member Espaniola Bowen Yes
Member Steve Carano Yes
Motion Passed

4. Memorandum of Agreement with Oklahoma Water Resources Board (OWRB) and United States Geological Survey (USGS) for stream gaging Fiscal Year ending June 2024, and corresponding Resolution

Mr. Arthur stated our matching contribution increased by \$700, however the amount had been the same since 2014. Mr. Arthur stated he supports continuing as a cooperator.

Mr. Streets praised the value the stream gaging provides.

Ms. Nairn asked if there were any questions, hearing none she entertained, accepting a motion.

Finding the Memorandum Agreement in good order Steve Carano made a motion seconded by Edgar O’Rear to approve the Resolution.

Roll call vote:

President Amanda Nairn Yes
Vice President Michael Dean Yes
Treasurer Jann Knotts Yes
Secretary Dave Ballew Yes
Member Edgar O’Rear Yes
Member Espaniola Bowen Yes
Member Steve Carano Yes
Motion Passed

For the interest of visitors, Ms. Nairn moved to Section E.

E. Discussion

7. Legal Counsel’s Report

Dean Couch reported the following activities since his last report:

June 6 retrieve documents from Oklahoma Water Resources Board ARPA funding requirements and initiate work on bid documents

June 8 retrieve draft bid specs document regarding equipment needed for pump rehabilitation project sent by Kyle and begin review

June 9 email communication with Kyle about attorney statement for Contaminants of Emerging Concern project

June 13 email communication with Kyle regarding distinguishing between ARPA attorney work and CEC attorney work in monthly billings

June 16 email transmittal of draft invitation to bid and bidders documents for ARPA pump rehabilitation project to Kyle with explanatory information

June 19 email transmittal of OWRB bid packet documents for ARPA projects to Kyle and continuation of drafting bid documents for pump rehabilitation project

June 28 review email communications and draft documents from Oklahoma Water Resources Board regarding ARPA project

June 30 email communications with Kyle about OWRB comments on prohibition against bid splitting to avoid requirements of law

July 5 prepare Legal Counsel report for May 5 monthly meeting

8. General Manager's Report

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

Mr. Arthur thanked Mr. Carr and Mr. Couch for working tirelessly on putting together specs and working on the Invitation to Bid for the Pump Rehabilitation Project. He stated the advertisement will be published soon.

Mr. Arthur explained the situation with the John Deere tractor repair. It was discussed and decided the District would like to proceed with having District Counsel write a letter to P&K Equipment.

Mr. Arthur stated the Department of Tourism and Recreation will be paying the District \$17,000 annually for mowing costs specifically related to the maintenance of the fence line around the lake property. Ms. Snider initiated the Purchase Order and Mr. Arthur praised her for her work to get this money allocated. The amount of the reimbursement was based upon a best estimate considering labor and fuel costs. The COMCD staff is thankful for the monetary recognition.

Mr. Arthur pointed out the OkMRF defined benefit plan District match was budgeted at 4.75%, however, after the actuary study was released, in late April, the District's percentage recommendation would be 6.23%, thus resulting in a shortage of \$7,609.54. Mr. Arthur explained the District has a surplus of \$340,000 in the plan, which calculates to 17% overfunded. The District could default back to 4.75% if desired. After a brief discussion it was decided to stay at the 6.23% recommended percentage.

Mr. Arthur informed everyone that QuickBooks online access began today. Ms. Metcalf worked hard on the transition. Mr. Wadsack will be presented with a plaque at the August meeting, in appreciation for years of service performing the District's bookkeeping (1970 – 2023). The new CPA firm's name is Paxus. They are in Norman and woman owned.

Mr. O'Rear asked if the District could possibly be vulnerable to recapture of ARPA funds. Mr. Arthur stated the District applied for and received notice of award for the full amount from Oklahoma Water Resources Board. Mr. Arthur stated that he had heard no such concerns from anyone. Furthermore, since the funds have been applied for and set aside for the District, with identified projects, he felt it unlikely. He stated that, in his opinion, the most likely conditions under which money might be taken back would be for any funds not expended by the deadline (end of 2026) or funds that haven't been applied for or do not have identified projects. Mr. Arthur expressed his dedication to staying diligent on the matter.

Ms. Nairn announced a 5-minute break @ 7:44 P.M.

Ms. Nairn read agenda item #5.

5. Possible Executive Session

For the purpose of confidential communication regarding the employment hiring, appointment, promotion, demotion, review, disciplining or resignation of any individual salaried public officer or employee, in this case the General Manager of the District, pursuant to 25 O.S. § 307 (B) (1) of the Oklahoma Open Meeting Act; Chair Designation of staff to attend executive session and to take minutes

Executive session began at 7:52 P.M.

Return to regular session @ 8:54 P.M.

6. Return to open session and possible action deemed appropriate, if any, arising from discussions held in executive session concerning matters pertaining to employment, hiring, appointment, promotion, demotion, review, disciplining or resignation of the General Manager of the District

Ms. Nairn read the resolution starting with paragraph # 3.

It is hereby resolved that the performance of the General Manager since the most recent performance review in August 2022, exceeded expectations.

It is further resolved that the District will provide a one-time bonus to the General Manager in the amount of \$5000.00 and a 3% merit increase of the General Manger's current annual salary, plus a cost-of-living increase of 2% to the current annual salary.

Michael Dean made a motion seconded by Steve Carano to approve the resolution.

Roll call vote:

President Amanda Nairn Yes

Vice President Michael Dean Yes

Treasurer Jann Knotts Yes

Secretary Dave Ballew Yes

Member Edgar O'Rear Yes

Member Espaniola Bowen Yes

Member Steve Carano Yes

Motion Passed

9. President's Report

None

10. 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)

None

F. Adjourn

There being no further business, President Nairn adjourned the meeting at 8:56 P.M.