

MINUTES OF THE REGULAR BOARD MEETING  
CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT

Thursday, September 5, 2024

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

Secretary-Treasurer Dave Ballew

Edgar O'Rear

Espaniola Bowen

Steve Carano

Bryan Hapke

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, Midwest City

Mark Roberts, Midwest City

Andy Bruehl, Norman

Virtual

Carrie Evenson, Midwest City

Ms. Nairn asked the guests to introduce themselves.

**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. Report- June and July 2024 financials

Ms. Nairn briefed the two board members that were absent at the last meeting, regarding the approved Resolution appointing Mr. Ballew to interim Secretary-Treasurer. She also explained that the District Bylaws state that the Treasurer and the Secretary may be one and the same person. Ms. Nairn also announced that elections will be held at the October meeting.

Mr. Ballew said the decision was made to provide the LPL Financial statement on a quarterly basis. He asked if anyone wanted that changed back to monthly to let him know. As such, the LPL statement was not included in the packet for this meeting.

Mr. Ballew pointed out on the Balance Sheet that the LPL investment account balance is approximately 4 million dollars and generally holding steady. Mr. Ballew asked if anyone had any questions. Mr. Arthur added, since the last meeting, that two Treasury Bills (T-Bills) matured, and both were reinvested. \$500,000 was reinvested for 6 months at the rate of 5.185%, maturity date in January. \$250,000 was reinvested for 6 months at the rate of 4.982%, maturity date in February.

Mr. Ballew stated the Federal Reserve's annual Jackson Hole Economic Symposium Conference was recently held, during which the Fed signaled a likely rate cut in the 3<sup>rd</sup> quarter of  $\frac{1}{4}$  of a point, or  $\frac{1}{2}$  of a point. Mr. Ballew stated Wall Street has already priced in a  $\frac{1}{2}$  point. Mr. Ballew said when future Certificate of Deposits (CD's) and T-bills come due it will be more difficult to obtain an interest rate above 4.5%.

Mr. Ballew said the District's weighed average adjustment rate on all the investments is in a nice place.

Mr. Dean asked a question on the June 2024 Profit and Loss statement regarding \$3,714.60 in expense account 5826,(Auction Commission Expense). Mr. Arthur stated that is the 10% commission fee for utilizing the company that held the on-line auction. Ms. Nairn asked if all the items had been picked up, and Mr. Arthur said yes.

Ms. Nairn asked if there were any other questions, hearing none she moved to item #3.

## 3. Forebay Cleanout update

Ms. Nairn reminded everyone, in March, a contract was entered into to clean out the forebay at the Relift Station. The contract was written to not exceed \$100,000. She stated that the entire process will almost certainly exceed the initial cost estimate.

Ms. Nairn stated the forebay has not been cleaned since 2007. The first phase of cleaning out the forebay occurred in May, at a cost of approximately \$40,000.

Mr. Arthur shared pictures and gave a brief description and a footprint of the project. Additionally, he detailed some of the challenges with the project and the lessons learned during Phase I. He stated that two hundred thousand gallons of sediment are estimated to be in the forebay, which is equal to 4 to 5 feet of sludge. It is estimated that 30,000 gallons of sediment were removed.

Mr. Carano asked if the District was having any trouble delivering water due to the sediment buildup. Mr. Arthur answered no, and he doesn't think there is any threat of not being able to deliver water, however every year a little bit more capacity is being lost.

Mr. Hapke stated that maybe the objective should not be to clean it entirely this year, but rather going forward clean it out on a routine basis to incrementally remove all the sediment. He stated that 4 feet in 18 years is the sedimentation rate, and 30,000 gallons have already been removed. Mr. Arthur stated his original goal was to clean it out, but this approach could be considered.

Mr. Dean stated the design of the final catch is 3 feet higher causing water to move with the current and possibly allowing more sediment to enter. He wonders if testing for turbidity at the forebay, Midwest City and Del City would be helpful information. Mr. Dean suggested spending the rest of the contract monies.

Mr. Streets asked if the drain daylight as a pipe. Mr. Arthur said it did, on the west side. Mr. Streets suggested the possibility of flushing the sediment down the drainpipe and removing it by vac truck at that location. Mr. Arthur said that was a good thought and they would think more about that. Mr. Arthur also stated that, in line with Mr. Streets' comments, there had been conversations among staff about digging an earthen impoundment there to catch and remove the sediment.

Ms. Nairn stated the District will exhaust all the left-over contract amount on attempt #2, when demand is down. Ms. Nairn stated future discussions will take place.

Hearing no other questions, Ms. Nairn moved to the action portion of the 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, 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:**

4. Minutes of the regular board meeting held on Thursday, July 11, 2024, and corresponding Resolution

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

Michael Dean made a motion seconded by Bryan Hapke to approve the minutes and corresponding Resolution.

Roll call vote:

President Amanda Nairn Yes

Vice President Michael Dean Yes

Secretary-Treasurer Dave Ballew Yes

Member Edgar O'Rear Yes

Member Espaniola Bowen Yes

Member Steve Carano Yes

Member Bryan Hapke Yes

*Motion Passed*

5. Agreement for Sale of Surplus Water from Del City to Norman, and corresponding Resolution

Ms. Nairn reminded the Board that this contract was discussed at the last meeting. Since then, Norman and Del City have already approved and signed the agreement. Ms. Nairn then asked Mr. Dean to give a brief explanation of the conception of the agreement. Mr. Dean did so and then asked if anyone had any questions.

Hearing none she entertained a motion.

Dave Ballew made a motion seconded by Espaniola Bowen to approve the Agreement and corresponding Resolution.

Roll call vote:

President Amanda Nairn Yes

Vice President Michael Dean Abstain

Secretary-Treasurer Dave Ballew Yes

Member Edgar O'Rear Yes

Member Espaniola Bowen Yes

Member Steve Carano Yes

Member Bryan Hapke Yes

*Motion Passed*

6. 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

Ms. Nairn stated Mr. Couch was to be present during the executive session.

Bryan Hapke made a motion seconded by Steve Carano to enter executive session. The motion passed unanimously.

Ms. Nairn announced a 5-minute break.

Executive session began at 7:38 P.M.

Return to regular session at 8:26 P.M.

7. 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 aloud. The paragraphs with the blanks were filled out as follows; IT IS HEREBY RESOLVED that the performance of the General Manager since the most recent performance review, in July 2023, has been very positive. IT IS FURTHER RESOLVED that the General Manager shall receive a 5% increase in salary effective July 1, 2024, plus a \$5,000 bonus.

Ms. Nairn entertained a motion.

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  
Secretary-Treasurer Dave Ballew Yes  
Member Edgar O’Rear Yes  
Member Espaniola Bowen Yes  
Member Steve Carano Yes  
Member Bryan Hapke Yes  
*Motion Passed*

Mr. Arthur thanked the Board!

**E. Discussion**

8. Legal Counsel’s Report

July 15	Complete draft bid documents for ARPA SCADA upgrade and send to Kyle Arthur
August 19	Response to Oklahoma Water Resources Board Bonnie Moats request for additional information for term permit application #2022-013 for 10,000 acre-feet per year from flood pool with a term requested of 40 years
August 26	Review Surplus Water Agreement between Del City and Norman and draft resolution for Board consideration
August 30	Review temporary water contract between Bureau of Reclamation and COMCD to confirm need to submit written request renewal of five-year term before May 2025

Mr. Couch said he was happy to answer any questions.

Mr. Dean asked about the August 19<sup>th</sup> bullet. Mr. Couch explained in 2022 the District filed an application for a 40-year term to use temporary water. The Bureau of Reclamation required the District to enter into a 5-year contract with provisions for renewals. The District submitted a request with Oklahoma Water Resources Board (OWRB) for a permit to use over and above, and separate, from the vested right that the District has to use water from the conservation pool. Mr. Arthur explained the District has always had to request individual temporary permits when flood pool water is available but desires a standing term permit instead. Ms. Nairn asked if the new permit has been approved to date, Mr. Couch said no not yet, and OWRB has now requested additional information. Mr. Couch stated before the permit begins the District must publish public notice.

Hearing no further questions, Ms. Nairn proceeded to the General Manager's Report.

9. General Manager's Report

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

Construction of the new equipment building has begun. Mr. Carr shared pictures.

10. President's Report

Ms. Nairn announced the Fish Fry is scheduled for Friday, October 25, 2024. She encouraged everyone to invite friends, family, etc...

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)

None

**F. Adjourn**

There being no further business, President Nairn adjourned the meeting at 8:46 P.M.