

MINUTES OF REGULAR BOARD MEETING
CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT

Thursday, May 6, 2021

Location- 2801 E Hwy 9 Norman OK 73071

Main Ballroom, Salon JKL

In accordance with Senate Bill 1031, an Act relating to the Oklahoma Open Meeting Act; amending 25 O.S. 2011, Sections 307.1 and 311, as last amended by Sections 3 and 4, Chapter 3, O.S.L. 2020 (25 O.S. Supp. 2020, Sections 307.1 and 311), which relate to videoconferences and teleconferences and notice; reinstating certain temporary provisions; specifying expiration date of temporary provisions; requiring publication of certain documents or materials; prohibiting modification of method of public meeting under certain circumstances; and declaring an emergency, the Central Oklahoma Master Conservancy District hosted a virtual meeting option for the Regular Board Meeting on May 6, 2021 at 5:30 P.M. using the following options:

Teleconference dial in number 1-877-309-2073, access code 870-201-997

Videoconference <https://global.gotomeeting.com/join/870201997>

Board Meeting packet can be found on website: comcd.net

A. Call to Order

President Amanda Nairn called the meeting to Order at 5:30 pm.

Roll Call:

President Amanda Nairn

Vice President Casey Hurt (videoconference)

Treasurer Jann Knotts

Secretary Michael Dean

Board Member Roger Frech

Board Member Kevin Anders (videoconference)

Board Member William Janacek (videoconference)

Board Members Absent:

None

Staff Present:

Kyle Arthur, General Manager

Kelley Metcalf, Office Manager

Tim Carr, Operations & Maintenance Supervisor

Dean Couch, Legal Counsel

Guests:

Alan Swartz, Alan Plummer & Associates

Dr. Robert Nairn, OU School of Civil Engineering & Environmental Science

Dr. Robert Knox, OU School of Civil Engineering & Environmental Science

17 OU Students (sign in sheet available by request)

Paul Streets

Don Maisch

Geri Wellborn

Chris Mattingly

Carrie Evenson
Michele Loudenback
Morgan Wolfe

Videoconference/telephone guests:
19 guests (list available upon request)

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, Oklahoma Area Leader)

Alan Swartz reported:

General:

- Substantial Completion was achieved on April 19th
- The Project Walk-through was completed on May 3rd and the punch list is being prepared

Line 1:

- Project area has been seeded
- Fences have been replaced/reinstalled
- Miscellaneous appurtenances are being finished (painting piping in ARV/BOV vaults, installation of stem extensions, etc.)

Line 2:

- Project area has been seeded
- Miscellaneous appurtenances are being finished (painting piping in ARV/BOV vaults, installation of stem extensions, etc.)

Line 3:

- The final compressed fit liner pull under I-240 was completed after significant dewatering efforts
- Some fences and gates have been installed
- Several areas have been seeded
- Miscellaneous appurtenances are being finished (painting piping in ARV/BOV vaults, installation of stem extensions, etc.)

Mr. Arthur stated the required forms will be completed and delivered to DEQ and DEQ will inform OWRB. In March, a construction interest payment was made in the amount of \$200,850.52. This was due in March if construction had not been completed per the loan agreement.

C.2. Presentation of Capstone Project from University of Oklahoma

The OU Environmental Science and Engineering Capstone class gave a presentation to the Board.

Dr. Robert Nairn thanked the COMCD Board for allowing the presentation tonight. He introduced Dr. Robert Knox and M’Kenzie Dorman. He stated that the senior students are taught a real-world project. The students identify and define the project. The project was worked on for more than a year. The project is team-driven. The goal was to have it benefit the student’s education and be beneficial for the District. Three different teams were formed, Enviro-Shield Solutions, H₂OU Engineering and Jay Engineering. The teams used 20-years’ worth of water quality data that OWRB performed at Lake Thunderbird (2000 to 2020). The teams also took samples at Lake Thunderbird in March 2021.

The presentation opened with a framing of the issues to be analyzed and addressed, including an introduction to the watershed and the past/current water quality challenges, followed by a discussion of the methods utilized. Each team then presented their results.

Enviro-Shield recommended constructed wetlands and bioretention basins to reduce sediment loading, total phosphorus (TP), total nitrogen (TN) and total suspended solids (TSS) and listed corresponding loading reductions and costs.

H₂OU Engineering recommended constructed wetlands and pervious pavement to achieve reductions in TN, TP and TSS, as well as pervious pavement for watershed level mitigation.

Jay Engineering recommended constructed wetlands as well, to address TN, TP and TSS. Further, they recommended shoreline revegetation to mitigate shoreline erosion, thereby decreasing sediment loading and, additionally, creating opportunities for nutrient uptake by the plant species.

Q&A followed.

President Nairn called for a 5-minute break at 6:42 PM. The meeting reconvened at 6:55 PM.

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.3. Consideration and possible approval of minutes of the Regular Board Meeting held on Thursday, March 4, 2021

The minutes were reviewed and finding those in good order as presented, Michael Dean made a motion seconded by Roger Frech 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	Yes
Member Roger Frech	Yes
Member Kevin Anders	Yes

Motion Passed

D.4. Consideration and possible approval of minutes of Special Board Meeting held on Tuesday, March 23, 2021

President Nairn found an error. The Special Meeting was held on Tuesday, March 23, 2021, not Thursday, March 23, 2021. After reviewing the documents and finding them in good order as corrected, Michael Dean made a motion seconded by Roger Frech 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	Yes
Member Roger Frech	Yes
Member Kevin Anders	Yes

Motion Passed

D.5. Consideration and possible approval of financial statements for operating account for February 2021

Treasurer Knotts pointed out that there was a typo on page 1 of the balance sheet. Del City pipeline costs for the month should be \$663,448.41 instead of \$863,448.41. An adjusting entry was made to prior years' equity to conform the equity accounts to the auditor's balance sheet. Several new accounts have been added. Most of the \$229,802.99 increase in assets is due to the current overfunding of the District's pension plan.

The District received a \$46,231.12 refund from Bureau of Reclamation for unused funds to support possible title transfer.

Finding the financial statement in good order as amended 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	Yes
Member Roger Frech	Yes
Member Kevin Anders	Yes

Motion Passed

D.6. Consideration and possible approval of financial statements for operating account for March 2021

Treasurer Knotts pointed out the first construction interest payment, in the amount of \$200,850.52, was made on the Del City pipeline project, resulting in an increase to the fixed asset.

Personnel costs have decreased due to a District employee's passing.

Ms. Knotts remarked that the Consultants and Engineers' budget line has not yet been utilized. Mr. Arthur explained that Worth Hydrochem will be invoicing the District soon for consulting and engineering for the programming and deployment of the new HMI software, Ignition.

On the LPL Financial statement there is a negative \$10,000+ outflow. Mr. Arthur reminded the Board that the Budgeting Policy, approved by the Board in November 2020, states if the CEEF balance is greater than or equal to \$4,000,000 interest earnings will be transferred to the O&M account to offset costs to the cities. This payment is the first monthly installment resulting from the implementation of that policy. Each month's deposit of earnings will vary slightly.

Finding the financial statement in good order as presented Jann Knotts made a motion seconded by Roger Frech 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	Yes
Member Roger Frech	Yes
Member Kevin Anders	Yes

Motion Passed

D.7. Consideration and possible approval of contract between Bureau of Reclamation and the District for delivery of temporary water, and corresponding Resolution

President Nairn had 2 requests to table item D.7 and D. 8 until the June board meeting. Ms. Nairn made a motion seconded by Roger Frech to table item D.7 and D. 8.

Roll call vote:

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

Motion Passed

D.8. Consideration and possible approval of contract between the District and City of Norman Utilities Authority for delivery of temporary water, and corresponding Resolution

See D.7 above

D.9. Consideration and possible approval of contract extension to Alan Plummer & Associates and corresponding Resolution

Mr. Arthur reported that the construction timeframe has extended beyond the 12-month contract period anticipated, and continued construction management services including continuation of field activities, general contract administration, and project management are needed by Plummer through the end of the construction phase. The amendment agreement allows for \$11,927.10 additional compensation. Mr. Arthur told the Board he believes it is an appropriate request and recommended approval to the Board. Michael Dean made a motion seconded by Jann Knotts 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	Yes
Member Roger Frech	Yes
Member Kevin Anders	Yes

Motion Passed

D.10. Consideration and possible approval of transferring items deemed surplus to Oklahoma Tourism and Recreation Department and corresponding Resolution

Mr. Arthur reminded the Board that at the February meeting they approved items for surplus. At that time, Mr. Hurt made a recommendation to ask Tourism and Recreation if they could use any of the items on the list. Tourism responded that they could use two items. Therefore, Mr. Arthur and Mr. Couch are recommending approval of a resolution by the Board to formalize the transfer of the following items:

1. Welder (serial # MA270036L)
2. Power washer (serial # 0615-1225)

Michael Dean made a motion seconded by Roger Frech 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	Yes
Member Roger Frech	Yes
Member Kevin Anders	Yes

Motion Passed

E.11. Legal Counsel's Report

- Assisted Kyle and Tim in reviewing ESO generator bid documents and drafted notice of award and contract documents in anticipation of board action on ESO bid
- Participated in conference call on March 11 about ESO bid issues, and participated in the March 23 special meeting on consideration of generator bid award and contract
- Reviewed sales tax exemption certificate for generator acquisition and provided form to Kyle to provide to ESO for generator acquisition
- Reviewed statute regarding disposal of surplus property of the District to a state agency and requirements for transfer and communication with Kyle about the same
- Initiate review of records retention policy and review Kristen Brightmire comments about same
- Review and comment to Kelley about March 23 special board meeting agenda language
- Review and provide comments on draft temporary water contract between the District and Bureau and draft new contract for temporary water supply between District and Norman to ensure consistency with Bureau contract
- Review original contract and amendments to Alan Plummer contract and prepared draft amended contract using language from draft provided by Alan Swartz along with summary of contracts and amendments previously approved
- Researched and provided information to Kyle about signatories needed for Plummer contract
- Reviewed draft agenda for May 6 meeting and prepared draft resolution for Kelley

E.12. General Manager's Report

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

Item not included in report: Mr. Arthur stated the profit from the surplus items in the most recent auction was just under \$85,000.

E.13. 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)

President Nairn informed the Board that all public body meetings in Oklahoma will have to be in-person again starting on June 3, 2021. The June board meeting is tentatively scheduled to be in Midwest City. President Nairn requested Mr. Arthur and Mr. Couch to review the attendance policy regarding pandemic attendance for board members.

F. Adjourn

There being no further business, President Nairn adjourned the meeting at 7:47 P.M.