

**MINUTES OF REGULAR BOARD MEETING  
CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT  
Thursday, May 4, 2017  
6:30 P.M.**

PRESIDING: Roger Frech, Chairman

MEMBERS PRESENT: Mark Edwards, Amanda Nairn, William Janacek, Jann Knotts, Kevin Anders, Casey Hurt

MEMEBERS ABSENT:

OTHERS PRESENT: Randy Worden, General Manager; Kelley Metcalf, Administrative Assistant; Mike Wofford, District Counsel; Kyle Kruger, Garver; Scott Aynes, City of Norman; Paul Koenig, OWRB; Ken Komiske, City of Norman; Julie Chambers, OWRB; Jet Stine, OWRB; Marty Karr, Bicycle League of Norman; Terri Herrian, Norman Resident; Marvin Herrian, Norman Resident; Leigh Bell, Norman Resident. City of Norman Mayor Lynne Miller, and Norman Resident Kevin Young missed introductions but were present.

Call to Order. The meeting was called to order at 6:30 P.M. by Roger Frech, Chairman. The General Manager stated he had posted notice of the monthly board meeting in compliance with the open meetings act.

1. Discussion/Consideration of Minutes from previous meetings. Mark Edwards made the motion and William Janacek seconded the motion to approve the minutes as presented of the regular board meeting held on Thursday, March 2, 2017. Roll call vote:

Chairman Roger Frech	Yes
Vice Chairman Mark Edwards	Yes
Treasurer Jann Knotts	Yes
Secretary Kevin Anders	Yes
Member William Janacek	Yes
Member Amanda Nairn	Yes
Member Casey Hurt	Abstain

Motion Passed.

2. Consideration of financial statements for operating account for February 2017 and March 2017 payment of claims. Casey Hurt made the motion and Jann Knotts seconded the motion to approve the financial statements and payment of claims. Roll call vote:

Chairman Roger Frech	Yes
Vice Chairman Mark Edwards	Yes
Treasurer Jann Knotts	Yes
Secretary Kevin Anders	Yes
Member William Janacek	Yes
Member Amanda Nairn	Yes
Member Casey Hurt	Yes

Motion Passed.

3 Presentation from OWRB regarding 2016 water quality monitoring. Mr. Paul Koenig, of OWRB presented the board a presentation/handout of Lake Thunderbird Water Quality 2016 Draft Report and answered questions.

4. Discussion, consideration and possible approval of engagement letter from Finley and Cook Certified Public Accountants for annual audit, FY 2016-2017. The General Manager recommended awarding Finley and Cook the contract. The cost of the audit is the same as last year. Jann Knotts made the motion and Amanda Nairn seconded the motion to award Finley and Cook Public Accountants the contract to conduct FY 16-17 annual audit. Roll Call Vote:

Chairman Roger Frech	Yes
Vice Chairman Mark Edwards	Yes
Treasurer Jann Knotts	Yes
Secretary Kevin Anders	Yes
Member William Janacek	Yes
Member Amanda Nairn	Yes
Member Casey Hurt	Yes

Motion Passed.

5. Discussion, consideration and possible approval of purchase policy. The General Manager presented a draft purchasing policy and shared an email received from District Counsel with recommendations, primarily, regarding local preference. Discussion held. The Committee (Casey Hurt, Mark Edwards, and Amanda Nairn) will discuss revisions to the draft, finalize a purchase policy and present it at the next board meeting. No motion was needed and no action taken.

6. Discussion, consideration and possible approval of pay plan and employee classification review. The General Manager periodically reviews the District's Pay plan and employee classifications. After discussion, the General Manager recommends no change. Mark Edwards made the motion and Kevin Anders seconded the motion to make no changes to the pay plan and employee classification. Roll Call vote:

Chairman Roger Frech	Yes
Vice Chairman Mark Edwards	Yes
Treasurer Jann Knotts	Yes
Secretary Kevin Anders	Yes
Member William Janacek	Yes
Member Amanda Nairn	Yes
Member Casey Hurt	Yes

Motion Passed.

7. Discussion, consideration and possible approval of contract with Oklahoma Water Resources Board for water quality monitoring beginning July 1, 2017 ending June 30, 2018. The General Manager stated RFP's were sent out to several entities. The District received responses from OWRB, and OU/OSU

as a joint venture. OWRB had the lowest cost proposal and the proposal is in line with the fee the District has been paying. The General Manager recommends OWRB to conduct the water quality monitoring, with one revision that the contract term be changed to April 1, 2017 to March 30, 2018. William Janacek made the motion and Mark Edwards seconded the motion to award OWRB the contract for water quality monitoring beginning April 1, 2017 ending March 30, 2018. Roll call vote:

Chairman Roger Frech	Yes
Vice Chairman Mark Edwards	Yes
Treasurer Jann Knotts	Yes
Secretary Kevin Anders	Yes
Member William Janacek	Yes
Member Amanda Nairn	Abstain
Member Casey Hurt	Yes

Motion Passed.

#### 8. Executive session

#### 9. Action from executive session

★Chairman Roger Frech asked to move items #8, and #9 till the end of the meeting, trading places with #10 and #11. There was no objection.

#### 10. General Manager's Report:

- Drafted purchasing policy and sent to committee for review
- Conducted weekly safety meetings with District staff
- Completed riprap project at Calypso Cove marina. Turned out great. Thanks to Del City for donating excavator and operator to place stone.
- Completed Field Services Grant and submitted to Reclamation.
- Prepared RFQ for Del City Pipeline Replacement engineering, advertised in newspaper and fielded questions from interested engineering companies.
- Prepared RFP for water quality monitoring and distributed.
- Received proposals for water quality monitoring and reviewed.
- Prepared accomplishments and goals for annual evaluation.
- Cleared approximately 2 miles of boundary.
- Constructed approximately 1 ½ miles of new fence.
- Revisited pay plan, employee classifications and performed pay survey for area.
- Met with multiple engineering firms regarding the Del City Pipeline RFQ.
- Reclamation checked and tested piezometers at dam.
- Responded to Reclamation inquiry into reuse plan.
- Attended OARP meeting in Davis at Arbuckle MCD.
- Moved and placed fill material over Relift pipeline at Marquez property.
- Repaired damaged gates at Indian Hills.
- Attended meeting and spoke at meeting for Friends of Lake Thunderbird regarding HCR1003.
- Staff completed first aid and CPR training to renew certifications.
- Staff attended training for mill operation.
- Inspected construction of driveway crossing on MWC line.
- Last sampling for CEC study completed.
- Met with Norman plant personnel to discuss carbon injection at plant for taste and odor control.
- Liquid oxygen tank rehab completed and tank reset for SDOX system.

A slideshow was shared with the Board, before and after photos of the Calypso Cove riprap project.

The General Manager indicated that Duane Winegardner came by last week. He has been working on a project for the last couple years to try to quantify the inter reaction between Lake Thunderbird and the Garber Wellington Aquifer. When he is finished, he has been invited to present it to the Board, possibly in October or November.

At the City of Norman's request the District initiated the temporary water withdrawal. When the lake elevation returns to 1039 the temporary permit ceases.

#### 11. Legal Counsel Report:

The General Counsel was asked at the March meeting of the Board to research and advise the Board on the State law that allows meetings of the Board to be held by videoconference.

State law allows this but there are significant restrictions in the statute that make videoconference meetings, or for that matter participation in a meeting by any of the Board members by videoconference, not very feasible in many circumstances.

Title 25§307.1 of the State Open Meeting Act provides:

- A. A public body may hold meetings by videoconference where each member of the public body is visible and audible to each other and the public through a video monitor, subject to the following:
  1. **No less than a quorum of the public body shall be present in person at the meeting site as posted on the meeting notice and agenda.**  
[So, individual members can participate remotely by videoconference, but only when a quorum of members is present together in person at the meeting.]
  2. **The meeting notice and agenda prepared in advance of the meeting, as required by law, shall indicate the meeting will include videoconferencing locations and shall state:**
    - a. **the location, address, and telephone number of each available videoconference site, and**
    - b. **the identity of each member of the public body and the specific site from which each member of the body shall be physically present and participating in the meeting;**  
[A member cannot participate by videoconference on the spur of the moment. The remote site must be published in the meeting notice.]
  3. **After the meeting notice and agenda are prepared and posted, as required by law, no member of the public body shall be allowed to participate in the meeting from any location other than the specific location posted on the agenda in advance of the meeting;**
  4. **In order to allow the public the maximum opportunity to attend and observe each public official carrying out the duties of the public official, a member or members of a public body desiring to participate in a meeting by videoconference shall participate in the videoconference from a site and room located within the district or political subdivision from which they are elected, appointed, or are sworn to represent.**  
[A member videoconference participant must be participating from a place somewhere within the District. No one can participate from out of state or even from outside the District boundaries in Cleveland or Oklahoma counties.]
  5. **Each site and room where a member of the public body is present for a meeting by videoconference shall be open and accessible to the public, and the public shall be allowed into that site and room. Public bodies may provide additional videoconference sites as a convenience to the public, but additional sites shall not be used to exclude or discourage public attendance at any videoconference site;**  
[ This makes it somewhat difficult, but not impossible, to participate from a health care facility, for example.]
  6. **The public shall be allowed to participate and speak, as allowed by rule of policy set by the public body, in a meeting at the videoconference site in the same manner and to the same extent as the public is allowed to participate or speak at the site of the meeting;**

[ This makes it impossible to participate from a room where someone is convalescing, for example. It could be possible to participate from a hospital or other health facility conference room if the facility allows it. It might be possible to participate from Tinker Air Force Base if the base would allow members of the public in to the facility to be present with the Board member participant. If so, any matters bearing upon access to Tinker and the specific location would need to be spelled out in the notice of the meeting.]

7. **Any materials shared electronically between members of the public body, before or during the videoconference, shall also be immediately available to the public in the same form and manner as shared with members of the public body; and**
8. **All votes occurring during any meeting conducted using videoconferencing shall occur and be recorded by roll call vote.**
- B. **No public body shall conduct an executive session by videoconference.**

★ Legal Counsel asked the General Manager if he had seen anything on the dismissal of the garage encroachment case. The General Manager stated he had not.

12. 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.

Roger Frech, the Chairman, entertained the idea of taking a 5 to 6-minute break. Kevin Anders made the motion and Mark Edwards seconded the motion to take a 5 to 6-minute break. Roll call vote:

Chairman Roger Frech	Yes
Vice Chairman Mark Edwards	Yes
Treasurer Jann Knotts	Yes
Secretary Kevin Anders	Yes
Member William Janacek	Yes
Member Amanda Nairn	Yes
Member Casey Hurt	Yes

Motion Passed.

Break time 8:07 PM

Kevin Anders made the motion to begin executive session and Amanda Nairn seconded the motion. Roll call vote:

Chairman Roger Frech	Yes
Vice Chairman Mark Edwards	Yes
Treasurer Jann Knotts	Yes
Secretary Kevin Anders	Yes
Member William Janacek	Yes
Member Amanda Nairn	Yes
Member Casey Hurt	Yes

Motion Passed. Executive Session started at 8:24 PM

Minutes after resuming regular session of the board.

Kevin Anders moved the following resolution: “We recommend that no action be taken on HCR 1003 in this legislative session. We believe that additional study is needed to address concerns raised about title transfer by the public.” Amanda Nairn seconded the motion. Roll call vote: Roger Frech aye, Jann Knotts aye, Casey Hurt aye, Mark Edwards aye, Kevin Anders aye, Amanda Nairn aye, Bill Janacek aye. Motion passed.

The President then requested the General Manager to write to the mayors and city managers of the user cities Del City, Midwest City, and Norman to inform them of the resolution. The General

Manager stated that he would convey the information on the passage of the resolution as requested and that he will also inform the legislative author to HCR 1003 without delay.

Kevin Anders moved for the Board to adjourn the meeting, seconded by Jann Knotts. Roll call vote: Roger Frech aye, Jann Knotts aye, Casey Hurt aye, Mark Edwards aye, Kevin Anders aye, Amanda Nairn aye, Bill Janacek aye. Motion passed.

Adjourn