

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

Thursday, October 7, 2021

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

Treasurer Jann Knotts

Secretary Michael Dean

Board Member Kevin Anders

Board Member William Janacek

Board Member Roger Frech

Board Members Absent:

Vice President Casey Hurt

Staff Present:

Kyle Arthur, General Manager

Kelley Metcalf, Office Manager

Tim Carr, Operations & Maintenance Supervisor

Others Present:

Jason Vogel

Mark Roberts

Alan Swartz

Virtually:

Curt Dikes

James Decker

Julie Chambers

Dan Storm

Grant Graves

Max O'Brien

Keith Strevett

Beverly Palmer

Don Maisch

Geri Wellborn

Heather Poole

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

C.1. Final draft report and presentation for the Shoreline Stabilization/Floating Wetlands Project by the Oklahoma Water Survey at the University of Oklahoma

Please see document titled “Utilizing Floating Wetland Breakwaters for Reducing Shoreline Erosion in Reservoirs” and “Lake Thunderbird Shoreline Erosion Research Project, Final Project Report” in the packet.

Dr. Jason Vogel thanked the Bureau of Reclamation and the District for the opportunity to do this research project. Dr. Vogel also thanked his team, Max O’Brien, Grant Graves, Saliou Diallo and Keith Strevett. Thanks, was also given to Steve Patterson of Bio x Design and Dan Storm, retired professor at Oklahoma State University, Biosystems, and Agricultural Engineering.

Mr. Vogel stated, from a wave energy dissipation standpoint, the floating wetland breakwater design worked as well or better than any other system found in the literature.

Grant Graves and Max O’Brien presented the Power Point highlighting the findings of the research. Grant explained the project goal and the project outline: design, optimize, implement, and monitor a floating wetland breakwater for wave reduction to reduce overall shoreline erosion at Lake Thunderbird. Grant and Max spoke specifically about other floating wetland projects and nutrient reductions, the design of the units used in this project and associated testing at the Aquatic Research Facility at OU, implementation in the lake and data collection including wave energy reduction calculations, plant growth and fish survey results, costs and lessons learned.

Mr. O’Brien spoke about lessons learned: leaky seams, support braces, plant establishment and wave measurement were a few discussed. Next steps would be to develop Roto-mold for one-piece frame, additional demonstration site with new frame, allowing ample time for plant establishment, focus on Poly-Flo media, continue researching best plants for these situations. Max O’Brien acknowledged the District, the Bureau of Reclamation, Steve O’Donnell with Oklahoma Department of Wildlife Conservation who completed the fish surveys and the undergraduates and staff at the Oklahoma Water Survey.

Mr. Arthur also spoke about lessons learned. The deployment and redeployment of the units was difficult. The anchors weighed approximately 900 pounds, thus requiring rental of a barge for removal. A diving team was utilized to locate a few misplaced anchors. Maintenance was not insignificant, keeping the units chained together was problematic.

President Nairn stated her opinion was that the wave reduction was successful, but the Wetlands had a lot of issues. Several issues were not controllable. Mr. Nairn also pointed out on the Final Draft Report there was an error. The report states that Lake Thunderbird is on the Army Corps of Engineers 303 (d) list, that list is actual maintained by DEQ.

C.2. Report of Annual Monitoring results by the Oklahoma Water Resources Board

Please see the presentation titled “Lake Thunderbird 2020 Water Quality” and document titled “2020 Final Report” in the packet.

Curt Dikes thanked the District for continuing to fund this ongoing monitoring effort.

Mr. Dikes made a presentation regarding the written report of the OWRB’s evaluation of Lake Thunderbird Water Quality 2020. Among the highlights, Curt stated that the BOR concluded that total volume of the lake has

declined by 11% since construction in 1965, with an annual 50-year sedimentation rate of approximately 428 acre-feet per year and 1.93 ac-ft/square mile/year from the watershed. The BOR considers this to be high. In 2020, chlorophyll-a values were nearly 3 times higher than sensitive water supply criterion. Taste and odor had a 75% increase over 2019. Geosmin and MIB were also responsible for six complaints between November and December 2020, indicating active algal processes are occurring in winter. Total phosphorus, total nitrogen also increased. Data collected in 2020 fails to meet Oklahoma water quality standards criteria for chlorophyll and turbidity. Data collected for dissolved oxygen (DO) showed lower levels than in the past. However, the lake is still not meeting the DO volumetric standard when considering the past data. High levels of nutrients from external and internal loading continue to drive algal growth. In summary, the lake is still not supporting its beneficial uses for the criteria DO, chlorophyll and turbidity.

The District entered into an agreement with OWRB to conduct a long-term Trend Analysis of Lake Thunderbird. Paul Koenig and Monty Porter are working on this project, and it is projected to be completed by the end of 2021.

The Internal Nutrient Loading study agreement between OWRB and the District is ongoing. OWRB has contracted Baylor University for some of the laboratory analyses. The first samples were collected in late July 2021. The initial results are expected in December 2021. Additional samples will be obtained in early 2022.

OWRB's recommendations are nutrient sampling at all sites to minimize data gaps, incorporate results from Trends and Internal Loading studies to guide decision making, implement in-lake and watershed level best management practices, and continue active leadership role within the watershed.

In closing, President Nairn stated she was pleased with the presentation and looks forward to the upcoming reports.

President Nairn announced a 5-minute break at 8:02 P.M.

Open session resumed at 8:15 P.M.

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. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND APPROVED, DISAPPROVED, AMENDED, TABLED OR OTHER ACTION TAKEN:

D.3. Minutes of the Regular Board Meeting held on Thursday, September 2, 2021, and corresponding Resolution
The minutes were reviewed and finding those in good order as presented, Kevin Anders made a motion seconded by Michael Dean to approve the Resolution.

Roll call vote:

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

Motion Passed

D.4. Financial statements for operating accounts for August 2021, and corresponding Resolution

Treasurer Knotts pointed out the balance in the operating account increased by \$276,106.23. This is primarily from monthly payments vs quarterly payments from the cities. \$36,000 was added to the Del City Pipeline Loan. On the profit and loss page there was an increase in personnel wages. Mr. Arthur explained an employee sold annual leave.

Mr. Arthur and Treasurer Knotts will discuss the possibility of reviewing financials quarterly vs monthly.

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	Absent
Treasurer Jann Knotts	Yes
Secretary Michael Dean	Yes
Member William Janacek	Yes
Member Roger Frech	Yes
Member Kevin Anders	Yes

Motion Passed

D.5. Districts' Schedule of Regular Meetings for calendar year 2022

Finding the Schedule of Regular Meetings for calendar year 2022 in good order as presented, Kevin Anders made a motion seconded by William Janacek to approve the Resolution.

Roll call vote:

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

Motion Passed

D.6. Annual Report for FY 20-21 to Cleveland County Court

Mr. Arthur stated he compared this report to last year and cash decreased by \$384,000. Mr. Arthur reminded the Board that many expenses were paid for and not assessed to the cities, most specifically for the Del City pipeline project and the new generators. President Nairn stated those expenses added up to \$1,037,000.00. The District also had additional, unbudgeted income to offset those expenses that came primarily from the surplus property sales, FY 2021 budget savings and BOR reimbursements.

The Annual Report for FY 20-21 to Cleveland County Court was reviewed and finding it in good order as presented, Kevin Anders made a motion seconded by Roger Frech to approve the Resolution.

Roll call vote:

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

Motion Passed

D.7. Additional expenditure in excess of the original contract amount for Matthews Trenching pertaining to the Del City Pipeline Project, and corresponding Resolution

Please see the supporting document in the Board packet under Section D.7

Mr. Arthur explained Matthews Trenching and its subcontractor Aegion, have submitted a request for reimbursement of costs associated with unforeseen delays during the Del City Pipeline project. The amount requested is in excess of the original Matthews contract and the corresponding OWRB loan amount. Mr. Arthur explained that the OWRB loan amount and the Matthews contract amount were the same dollar figure. Without these unforeseen delays, the project would have come in under budget. Specifically, there was a \$125,065.64 credit as a result of it being under budget. However, the additional amount requested by Matthews and Aegion is \$260,586.23. \$125,065.64 of that will be paid by the remaining loan, leaving a remaining balance of \$135,520.59. That is the amount for which authorization is requested here.

Mr. Arthur further stated that, if approved, this would result in a cost overrun of 2.4% from the original contract. Mr. Swartz stated, in his experience, that is within the normal expected range. Mr. Couch stated that the state Competitive Public Bidding Act of 1974—while not applicable here does serve as some guidance on the matter-- requires readvertisement of bids if change orders exceed 10% of the original contract amount. This falls well below that threshold.

Therefore Mr. Arthur stated he wished to be fair and reasonable with the contractor and felt this request, as negotiated, was appropriate under the conditions.

Alan Swartz, of Alan Plummer and Associates, was the negotiator on behalf of the District. He then talked through the itemized charges that Matthew and Aegion are requesting.

Kevin Anders made a motion seconded by Michael Dean to approve the Resolution.

Roll call vote:

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

Motion Passed

E. Discussion

E.8. Legal Counsel’s Report

- September 2 Attended monthly board meeting
- September 13 Review Legal Addendum draft prepared by Kelley Metcalf for inclusion in annual report
- September 27 Review annual report to be filed with Cleveland County District Court and communication with Kelley Metcalf about need for board approval before filing
- September 28 Review draft October agenda sent from Kelley Metcalf
- September 30 Video conference call with Kyle Arthur and Alan Swartz about Matthews request for change order delay costs of Aegion and Matthews due to weather and related events for Del City Pipeline project

E.9. General Manager’s Report

Please see document titled “Manager’s Report” in the packet.

Mr. Arthur made mention about the possibility of hiring an additional employee. Funds were not allocated in the current budget for additional personnel expenses. However, 2 out of the 6 employees have been off for several weeks. President Nairn stated the 2 employees are nearing retirement eligibility. President Nairn requested revisiting the possibility of hiring a new employee next month.

E.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)

President Nairn spoke to the Board regarding printed materials. Materials are emailed to all the board members prior to the meeting. A poll was taken to ask board members who wants to have printed materials provided at future meetings. Kevin Anders, and Michael Dean do not desire to have printed materials. Jann Knotts, William Janacek, Roger Frech, and President Nairn want to have printed materials. Kelley Metcalf will ask Casey Hurt what his preference is. This change will assist in less printing and shredding.

President Nairn also asked for everyone’s opinion on returning to eating dinner. Everyone is comfortable and supports having dinner again.

F. Adjourn

There being no further business, President Nairn adjourned the meeting at 9:08 P.M.