

PLEASE NOTIFY ACOG AT 234-2264 (TDD 234-2217) BY 5:00 P.M. MAR 22
IF YOU DESIRE A SIGN-LANGUAGE INTERPRETER AT THE MEETING



*association of central oklahoma governments
Garber-Wellington Association*

Chair
Vacant

Vice-Chair
Vacant

Secretary/Treasurer
Marsha Jefferson
Spencer Mayor

Executive Director
Zach D. Taylor

AGENDA

**GARBER-WELLINGTON ASSOCIATION
POLICY COMMITTEE
March 25, 2004 (Thursday) 2:30 P.M.
(or immediately following the ACOG Board of Director's Meeting)**

ACOG CONFERENCE ROOM
21 EAST MAIN, SUITE 100, OKLAHOMA CITY, OKLAHOMA

- I. CALL TO ORDER - Roll Call
- II. INTRODUCTION OF GUESTS
- III. APPROVAL OF MINUTES ([Attachment III](#))

Action Requested: Motion to approve minutes of the February 26, 2004 meeting.

- IV. STAFF REPORT

A. **Regional Arsenic Study** – Jim Roberts will report on the progress of the regional arsenic project.

Action Requested: None, for information only.

B. **Legislative Issues** – SB903 (Oklahoma Water Resources Development Plan) and HB2284 (The Oklahoma Floodplain Management Act). SB 903 passed the Senate 44-1; was engrossed and sent to the House. HB2284 passed the House 98-0; was engrossed and sent to the Senate. Both these bills have encountered little opposition or change during their legislative journey so far.

Action Requested: None, for information only.

- V. PROGRESS REPORT ([Attachment V](#))
- VI. NEW BUSINESS
- VII. ADJOURNMENT

MINUTES

GARBER-WELLINGTON ASSOCIATION
POLICY COMMITTEE MEETING

February 26, 2004

The first regularly scheduled meeting of the Garber-Wellington Policy Committee for the calendar year 2004 was convened on February 26, 2004 in the Association of Central Oklahoma Governments (ACOG) Board Room, 21 E. Main Street, Suite 100, Oklahoma City, Oklahoma. The meeting was held as indicated by advance notice filed with the Oklahoma County Clerk and by notice posted at the ACOG offices at least twenty-four hours prior to the meeting.

PRESIDING

CITY/AGENCY

Hon. Ron Bledsoe, Mayor

Slaughterville

POLICY COMMITTEE MEMBERS PRESENT

| | |
|-------------------------------------|-----------------|
| Hon. Grant Hedrick, Commissioner | Canadian County |
| Hon. Dave Howe, Councilmember | Choctaw |
| Hon. Larry O'Connell, Councilmember | Del City |
| Hon. Saundra Gragg Naifeh, Mayor | Edmond |
| Hon. Jason Murphey, Councilmember | Guthrie |
| Hon. Bill Haddock, Councilmember | Lexington |
| Hon. Mark Sharpton, Commissioner | Logan County |
| Hon. Eddie Reed, Mayor | Midwest City |
| Hon. Kathleen Moon, Councilmember | Mustang |
| Hon. Darrell Noblitt, Councilmember | Mustang |
| Hon. Kathy Walker, Councilmember | Nichols Hills |
| Hon. Jim Pumphrey, Councilmember | Nicoma Park |
| Hon. David Hopper, Councilmember | Norman |
| Hon. Ann Simank, Councilmember | Oklahoma City |
| Hon. Greg Banta, Mayor | Piedmont |
| Hon. John Brown, Councilmember | Piedmont |
| Hon. Scott Symes, Councilmember | The Village |
| Hon. Tom Smith, Councilmember | Warr Acres |
| Hon. Bob Bradway, Councilmember | Yukon |

GUESTS PRESENT

Bill Knox, Special Projects Officer
Mary Murphey, Commissioner's Office

CITY/AGENCY

Harrah
Logan County

ACOG STAFF PRESENT

Zach D. Taylor
John M. Harrington
Linda Koenig
Debbie Cook
John G. Johnson
Don Bown
Douglas W. Rex
Jerry Church
Ellen Owens

POSITION

Executive Director
Division Director, Water Resources
Division Director, TPDS
Director of Finance and Budget
Consultant
Consultant
Assistant to the Executive Director
Special Programs Officer, IGS
Department Secretary, Water Resources

I. CALL TO ORDER

Acting Chairperson Ron Bledsoe called the meeting to order at 2:25 p.m., noting that a quorum was present.

II. INTRODUCTION OF GUESTS

The aforementioned guests were present at the meeting.

III. APPROVAL OF MINUTES – December 18, 2003

Director Pumphrey made a motion to approve the minutes of the December 18, 2003 meeting. The motion was seconded by Director O'Connell and carried with the following vote:

AYE: Bledsoe, Hedrick, Howe, O'Connell, Naifeh, Murphey, Haddock, Sharpton, Reed, Moon, Noblitt, Walker, Pumphrey, Hopper, Simank, Banta, Brown, Symes, Smith, and Bradway

NAY: None

ABSTAIN: None

IV. STAFF REPORT

A. Legislative Issues

John Harrington spoke briefly about the 2004 Groundwater Bills. He mentioned that Senate Bill 903, the Oklahoma Water Resources Development Plan, was similar to the Texas Senate Bill 1, which essentially established water management districts in the State of Texas. He said the driving force behind SB903 is to prevent the Kiamichi River Basin water from being sold to Texas. Mr. Harrington said this was the subject of much debate at the Quartz Mountain Town Hall Academy Debate in November. He said there is a lot of language about ecological integrity. The structure they are proposing is pretty much taking the COG system and developing water planning as has been done in the State of Texas. This type of water planning is becoming more prevalent in the United States.

Mr. Harrington indicated that House Bill 2284 is the Oklahoma Floodplain Management Act, which states that any community that is a part of the National Floodplain Insurance Program (NFIP) operating in the State of Oklahoma, will need a floodplain manager who is certified, who has taken training, and who is getting continual education credits for that training.

Saundra Graff Naifeh asked if cities are permitted to offer opinions as to whether they are for or against the Bills. Mr. Harrington said that at this point, he is just letting everyone know about the Bills. John Johnson said it has always been ACOG's policy to advise its members of the status of House and Senate bills. Mr. Harrington said the NFIP requires that each community have a floodplain administrator but that floodplain administrator does not have to have training.

Bill Haddock asked if HB2284 ties into the stormwater system. Mr. Harrington said those are two different issues. The floodplain administrator studies the structural integrity and location of buildings, while stormwater looks at the quality of water in a creek. Mr. Haddock then asked what rights the Indians have to the water in Oklahoma? Mr. Harrington said the general consensus is that the Choctaw and the Cherokee have got treaties with the federal government that predate the State of Oklahoma and that gives them the rights to surface water as long the water shall flow. However, there are a variety of opinions on what that actually means.

B. Phase II Stormwater

Mr. Harrington informed the Committee that the Department of Environment Quality (DEQ) still has not turned in the State General Permit to the Environmental Protection Agency (EPA) for Phase II Stormwater regulations, and it does not appear that the Permit

will be affecting our Phase II cities for this year. He said the Permit may be approved sometime in May or June, but it will be November or December before it becomes law. Mr. Harrington said that on the federal level, however, it is a different story, saying that the Ninth Circuit Court had ruled that Phase II Stormwater was not against the Constitution and all legal recourse to stopping it at the federal level was dead. However, the Texas Coalition of Cities brought this to the U.S. Supreme Court, and has written a Writ of Certiorari to the Supreme Court. The Supreme Court has invited the EPA to respond to the Writ by March 8th. The federal government, in this case, is asking for the police powers of the cities to clean up Stormwater, even though they may not be federal waters, but flow into federal waters. They need four justices interested in this case to put it on the agenda for the Supreme Court and we will find out about that in another two months.

V. PROGRESS REPORT

There was no discussion of the Progress Report.

VI. NEW BUSINESS

Ms. Naifeh mentioned that the City of Edmond is having a celebration because the City will be utilizing trolleys in the central core of its transportation area. She said that COTPA would be sponsoring the event and that it would begin at 5:00 p.m.

VII. ADJOURNMENT

A motion was made to adjourn the meeting. The meeting adjourned at 2:40 p.m.

MEMORANDUM

To: Garber-Wellington Policy Committee
From: John M. Harrington
Date: 3/18/2004
Re: Progress Report

The pathogen study on the North Canadian River ended on October 1. Evaluation of data is in progress. Draft data report sent to DEQ on March 12.

Workplan proposal for Canadian River pathogens study sent to the Oklahoma Secretary of Environment March 12.

The Thunderhead Hills project has been included in a larger program headed by the Groundwater Protection Council focusing on saltwater contamination sites in northern Oklahoma County. Funding for the program was approved from the Oklahoma Conservation Commission.

Phase I arsenic study is underway – geochemical modeling phase is progressing and stratigraphic cross-sections are being drafted.