

**Minutes of Regular Meeting  
Grand River Dam Authority  
Board of Directors  
January 10, 2024**

A regular meeting of the Board of Directors of the Grand River Dam Authority was held at the Grand River Dam Authority's Administrative Center in Chouteau, Oklahoma on January 10, 2024. Notice was given pursuant to 25 O.S.A. § 301 et seq. by submitting a schedule of regular monthly meetings to the Secretary of State on November 21, 2023 at 9:55 a.m.; by posting the agenda with the Mayes County Clerks' offices on January 9, 2024, at 9:55 a.m.; by posting said agenda at [www.grda.com](http://www.grda.com); and by posting said agenda at the principal office of Grand River Dam Authority at least 24 hours prior to the meeting.

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Chair Westbrook called the meeting to order at 10:07 a.m. The Secretary called the roll. All members were present, with the exception of Director Rupe. Chair Westbrook declared a quorum.

BOARD MEMBERS

Michael Westbrook, Chair	Present
Chris Meyers, Chair-Elect	Present
Dwayne Elam	Present
Tom Kimball	Present
Paul Matthews	Present
John Rupe, Jr.	Absent
Charles Sublett	Present

ADMINISTRATIVE

Daniel S. Sullivan, Chief Executive Officer	Present
Erik Feighner, Chief Financial Officer/Corporate Treasurer	Present
Sheila Allen, Corporate Secretary	Present
Tim Brown, Executive VP - Chief Operating Officer	Present
Brian Edwards, Executive VP – Law Enforcement/Lake Operations	Present
Laura Hunter, Executive VP - Chief Administrative Officer	Present
Heath Lofton, Executive VP - General Counsel	Present
Nathan Reese, Executive VP – External Relations	Present
John Wiscaver, Executive VP – Corporate & Strategic Communications	Present
Chris Carlson, Deputy Chief – Law Enforcement	Absent
Tony Dionisio, VP – Chief Information Officer	Present
Steve Jacoby, VP – Generation Engineering	Present
Robert Ladd, VP – Generation Operations	Present
Darrell Townsend II, VP – Ecosystems & Watershed Management	Present
Jeff Tullis, VP – Transmission, Distribution & Engineering	Present

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**Election of Officers**

**a. Nominations for Treasurer**

**b. Election of Treasurer**

**c. Nominations for Secretary**

**d. Election of Secretary**

**e. Nominations for Secretary Pro Tem**

**f. Election of Secretary Pro Tem**

Chair Westbrook declared nominations for Treasurer, Secretary, and Secretary Pro Tem open.

**Regarding items a and b**, Director Sublett moved to nominate Erik Feighner as Treasurer. There being no other nominations, the nomination was voted upon as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained)*.

**Regarding items c and d**, Director Matthews moved to nominate Sheila Allen as Secretary. There being no other nominations, the nomination was voted on as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained)*.

**Regarding items e and f**, Director Meyers moved to nominate Susan Peth as Secretary Pro Tem. There being no other nominations, the nomination was voted on as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained)*.

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**4. New Business**

**4.a. Capital Work Order Report**

Number	D365 Project	Funding Source	Title	Gross Work Order Amount	Reimbursement	Net GRDA Cost
RF023-01282	P002872	REVENUE	Pensacola Boundary Monument Installation	390,938	-	390,938
RF023-01281	P002871	REVENUE	Fdr 29-30 Reconductor High Temp Conductor SPP	10,844,424	-	10,844,424
RF023-01278	2023223	REVENUE	PRY8 Line Extension	169,416	(169,416)	-
<b>Grand Total Work Orders</b>				<b>\$11,404,778</b>	<b>\$(169,416)</b>	<b>\$11,235,362</b>

Mr. Sullivan explained the three items contained in the Capital Work Order Report.

Director Matthews asked Mr. Sullivan to explain further the item related to Work Order number RF023-01281. Mr. Sullivan provided details of the anticipated upgrade of this existing line. Director Elam asked where this line is located. Mr. Jeff Tullis said this line is located between the Kerr Substation and MAID Substation. Mr. Sullivan referenced the note on the presented summary for the Board that states this is to “replace all of the existing ACSR conductor with ACCC conductor to provide a summer emergency rating of approximately 2000A and will require all insulator connecting hardware to be replaced.” He said this will make sure the Authority can meet summer rates. Mr. Stephen Kroll provided further details on what would be needed for this work to be completed, and stated this is the budget he and staff have determined will be needed to complete the project. Director Sublett asked who makes the decision that this work needs to be done. Mr. Sullivan told the Board GRDA received a *Notice to Construct* from Southwest Power Pool (SPP). SPP has an ongoing process to evaluate all high voltage lines within their footprint. As they see needs, these notices are sent to make sure they are able to meet the overall goals of the SPP footprint. Director Sublett asked if Mr. Sullivan believes this is a reasonable determination. Mr. Sullivan confirmed this is the case. Mr. Brown added that the Authority will receive a thirty-three percent reimbursement from SPP on completion of the project. He also said this will greatly benefit their Grand River Energy Center (GREC) and hydropower resources in terms of market value and is something they have wanted to do for quite some time.

Director Sublett moved to approve the Capital Work Order Report as presented, seconded by Director Matthews, and voted upon as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained)*.

**CONSENT AGENDA**

**4.b. Resolutions of Commendation**

- 1) Willard R. Beisley
- 2) Former U.S. Senator James M. Inhofe

**4.c. Approval of Second Amendment and Assignment of Revocable License to Encroach from Mike C. Brummer and Colleen Brummer-Brown to Trenton Scott Gregory and Johnna Maree Gregory for Property Located in Delaware County, Oklahoma**

**4.d. Telecommunications Assets Sharing Agreement with Southwestern Electric Power Company (SWEPCO)**

**4.e. Consideration and Approval of CSAPR NOx Ozone Season Group 2 Trading Program Allowance Program Purchase Agreement with American Electric Power Service Corporation and Declaration of 800 Allowances to Emit Nitrogen Oxides Under the Cross-State Air Pollution Rule During the Period of May 1, 2023, Through September 30, 2023, as Not Necessary to the Business of the GRDA**

**4.f. Consideration, Discussion and Possible Approval of Power Purchase and Sale Agreement – Plan B Real Estate, LLC**

**4.g. C Consideration, Discussion and Possible Approval of Change Order 2 to Contract 44129 – 30-Day Extension of Termination Date – Air Products**

**4.h. Consideration and approval of Consent and Agreement between the Grand River Dam Authority, Canadian Hills, LLC, and the National Bank of Canada, whereby Canadian Hills will assign to the National Bank of Canada a security interest in its rights under the Purchase Power Agreement with the Grand River Dam Authority under a letter of credit to be exercised in the event Canadian Hills defaults on its obligations under the Power Purchase Agreement**

**4.i. Declare Surplus and Not Necessary to the Business of the District:**

**Description and/or Make of Item**

1 Lot of Miscellaneous, Inoperative Tools
125-Car GRDX Train Set to Sultran, LTD

**5.b. Purchase Order Report (\*Denotes Addenda Items):**

**Standard Purchase Orders & Contracts**

<b>PO Number</b>	<b>Vendor Name and City State</b>	<b>Amount</b>
PCPA-000288	AXON ENTERPRISE, INC. - PHOENIX, AZ	190,174.16
PCPA-000295	MOTOROLA SOLUTIONS, INC. - CHICAGO, IL	420,020.00
PCPA-000298	SCHWEITZER ENGINEERING LABORATORIES, INC. - PULLMAN, WA	749,428.28
PCPA-000290	JOE COOPER FORD - EDMOND, OK	421,413.00

PCPA-000305	SOFTCHOICE CORPORATION - CHICAGO, IL	826,761.99
<b>Grand Total Standard POs &amp; Contracts:</b>		<b>\$2,607,797.43</b>
<b>Change Orders &amp; Renewals</b>		
<b>PO Number</b>	<b>Vendor Name and City State</b>	<b>Amount</b>
44142	AT&T MOBILITY - GREELEY, CO	88,688.09
42362	BURNS & MCDONNELL ENGINEERING, INC. - KANSAS CITY, MO	29,490.00
PCPA-000171	SHAFFER'S SUBSTATION CONSTRUCTION - ELLSINORE, MO	7,700.00
<b>Grand Total Change Orders &amp; Renewals:</b>		<b>\$125,878.09</b>
<b>Grand Total</b>		<b>\$2,733,675.52</b>

Chair Westbrook reviewed items on the Consent Agenda.

Director Elam moved to approve the consent agenda as presented, seconded by Director Meyers, and voted upon as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained).*

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## REGULAR AGENDA

### 1. Discussion and Possible Action Regarding Regular Board Meeting Minutes of December 13, 2023.

Director Meyers moved the Board approve the Regular Board Meeting Minutes of December 13, 2023, seconded by Director Elam, and voted upon as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (5-yes, 0-no, 1-abstained).*

### 3. Unfinished Business:

#### 3.a. Progress Reports

Mr. Sullivan explained data shown as to GRDA's Demand and Energy for Load Following, comparing information for 2022 and 2023 for GRDA's Full Requirements Customers for the month of December. He said this month there was a nine percent decrease in demand and a zero percent increase in energy. They continue to see growth due to the load growth at the Iron Horse Industrial Park and the warmer temperatures during the month. Mr. Sullivan showed graphs illustrating a comparison of resource energy production for December 2022 and December 2023. He said the only significant change was that less coal was used this past month.

The Authority is currently at 37 safe days working accident-free. Mr. Sullivan expressed his appreciation for the employees and their dedication to working safely and told the Board they continue to focus on their safety program, including the upcoming safety forums next week.

On January 23 and 24, GRDA will hold Cost of Service Meetings with their customers at the GRDA Administrative Center. The Wholesale Customer Group will meet on January 23, 2024, from 2:00 to 5:00 p.m. Retail Customers will meet January 24, 2024, from 1:00 to 3:00 p.m. GRDA commissioned the development of a comprehensive electric cost of service and rate design study, selecting Guernsey to provide these services with the goal of maintaining GRDA's financial stability while minimizing the potential rate impacts to customers. The focus of Guernsey's Cost-of-Service study has been to determine GRDA's revenue requirements and the cost of providing services to all wholesale and retail customer rate classes, and to propose any necessary adjustments to the existing rate design. During these meetings, Guernsey

and GRDA Management will present the Cost-of-Service study and propose rate action based on those findings.

The fall outage for the Salina Pumped Storage Project and its upper storage reservoir, W. R. Holway Reservoir, is nearing completion. Refill began January 4, 2024, after breaching the cofferdam constructed to protect the powerhouse and canal from fluctuating reservoir levels. Mr. Sullivan provided further details on the work completed and showed photographs of the project. He said the work will be complete and ready for production on February 1, 2024.

Mr. Sullivan presented updated information on their hydropower production. There was a warmer and drier December than the last several years. For December 2023, Pensacola Dam had the twentieth lowest generation total, and the the Robert S. Kerr Dam had the twenty-second lowest generation total. Pensacola Dam had the seventh lowest annual generation total, and Kerr Dam had the eighth lowest generation total in 2023. He presented the 2023 rainfall totals in the Pryor area that were only slightly above the normal rainfall average. Mr. Sullivan stated it seemed that the rainfall over the summer of 2023 was widely distributed and light enough it was completely absorbed in the ground, with little runoff. He presented the U.S. Drought Monitor map for the Board, which showed some areas impacted by the drought in 2023 that were within the Grand Lake Watershed.

Mr. Sullivan introduced the video for GRDA's *2023 Year in Review*.

#### **4. New Business:**

##### **4.j. Wetland Preserve Plan in Adair County**

Mr. Sullivan said there has been ongoing discussion with Secretary Ken McQueen, Oklahoma's Secretary of Energy & Environment, related to land owned around the former Lake Frances area near the WOKA Whitewater Park. It has been the goal of Secretary McQueen, and Secretary Ken Wagner before him, to protect that area as a wetland unit. He stated GRDA purchased part of this property a few years ago and they were reimbursed for the cost. There has been further discussion of purchasing additional land surrounding what is currently owned and managing the property together. Mr. Sullivan introduced Secretary McQueen to present information to the Board.

Secretary McQueen greeted the Board and expressed his appreciation of Mr. Sullivan and GRDA for welcoming him to his current position when he first came on board. He said the GRDA has a very impressive set of assets here. Secretary McQueen stated it is important to him to attend as many Board meetings as possible in the state, and is very glad to be present today. He said this is not an action item, but only an update on water quality efforts in the Illinois River. Secretary McQueen explained the issues related to water quality in the river, and said this would be a critical backstop for the WOKA Whitewater Park. He presented a map illustrating the land in question along the Illinois River owned by GRDA (approximately 260 acres), and the area to potentially be purchased (approximately 400 acres total). Secretary McQueen explained some of the legal issues and the improved political environment around the property he is proposing be purchased and the water quality benefit this property could present. He said there may be an opportunity for GRDA to generate some terrestrial carbon sequestration credits on this property that could be used to improve the Authority's environmental, social, and governance (ESG) scores. Secretary McQueen stated they intend to move forward with the purchase of this property and have all stakeholders involved and hope to have a contract ready for the City of Siloam Springs, Arkansas, within the next few weeks. He explained they are working to consider where the best place for the title to reside for this property will be. It makes sense for it to be listed in the same place, GRDA.

Director Meyers asked if all of this property is within flood plain where there would not be much other use for the property. Secretary McQueen confirmed this.

Director Sublett asked what would be required of GRDA should all of this come to pass. Secretary McQueen said his department and the Oklahoma Attorney General's Office are examining where the best place for the title to reside would be. So, until that is determined, they would not know.

Discussion ensued regarding future purchases, potential scenarios to be considered, along with requirements of the entity that holds the title and the cost.

Chair Westbrook thanked the Secretary for joining them. Secretary McQueen thanked the Board for their service to the GRDA Board.

No action is required for this item.

**4.k. Consideration, Discussion and Possible Approval of Transfer of Property Held in Adair County to the State of Oklahoma for Purposes of Creating a Wetland Preserve, and Declaration as Surplus Property and Not Necessary to the Business of the District**

This item was stricken from the agenda.

**4.l. Consideration, Discussion, and Possible Approval of Power Cost Adjustment (PCA) of \$0.02447 per kWh for February 2024**

Mr. Sullivan presented tables showing the PCA calculations based on the staff's forecast for February 2024, and explained the details. All figures are assumptions based on the information they have from historical data. Mr. Sullivan showed a graph illustrating the GRDA PCA rates (both actual and estimated) and what the under or over recovery is expected to look like for the next year. He stated that things seem to be going in the right direction for all of GRDA. Mr. Sullivan showed a graph of GRDA's Load Cost & Value of Resource Portfolio. He said they continue to show an advantage to their customers over market prices with the portfolio they currently have. The Authority anticipates some continued favorable pricing in the natural gas market as well. Mr. Sullivan presented a chart illustrating a comparison of the Southwest Power Pool (SPP) South Hub day ahead on-peak against the forward curves for natural gas cost for the Henry Hub. He showed current gas storage volumes for the week ending December 22, 2023, saying this is good if the area is anticipating any severe weather in the next couple of weeks. Mr. Sullivan also presented another comparison of January to February rate calculations. He showed an example of real-time load from this morning for SPP. It includes the actual load, short-term load forecast and the mid-term load forecast. He further explained how this anticipated load tracks with the coming storm early next week that could stress the system.

Director Elam asked if there are any anticipated issues at this point for GRDA customers. Mr. Sullivan said SPP has not issued anything beyond a *Resource Advisory* at this point. This tells the Authority they need to ensure their resources are ready to be called upon should they be needed. He stated the team is working diligently on all aspects of this already.

Discussion ensued regarding the upcoming storm, preparation, potential challenges and costs.

Director Kimball moved to approve the Power Cost Adjustment (PCA) as presented, seconded by Director Meyers, and voted upon as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained).*

**4.m. Consideration, Discussion and Possible Approval of Contract PCPA-000291 – Dam Safety Instrumentation Modernization & Improvements – Pensacola, Markham**

## **Ferry, and Salina Pumped Storage Project – Standard Testing and Engineering Company**

Mr. Jacoby stated instruments for monitoring the performance of the Federal Energy Regulatory Commission (FERC) Licensed Dams under GRDA ownership are aging and deteriorating. GRDA instruments range between twenty-five and fifty-five years old. He told the Board many have completely failed and, if left untreated, could progress to unsafe conditions. Those that have completely failed are original equipment and are approximately fifty years of age or older that the Authority staff have found temporary replacements for. These will be the items that will have priority to prevent issues. Evaluations of the conditions began in 2018. GRDA and FERC have reviewed the findings and agreed upon a proposed plan, including proper abandonment of failed instruments, repair of damaged instruments, replacement of necessary abandoned instruments, and supplemental instruments where required. After agreement with FERC on the necessary actions for the instrumentation, GRDA selected a professional geotechnical engineering and exploration firm and undertook negotiations to establish unit pricing for the associated work. He said the GRDA staff recommends award of the Instrument Improvement and Abandonment Contract to Standard Testing Company based on detailed evaluations and negotiations with this firm. The price for this contract is a not-to-exceed amount of \$650,000.00. This is a different type of monitoring than the dam movement monitoring contract previously approved by the Board.

Discussion ensued regarding the firm's experience and expertise and how they will work with the GRDA staff to ensure performance, as well as what will be replaced or repaired.

Director Sublett moved to approve Contract PCPA-000291 Dam Safety Instrumentation Modernization & Improvements for Pensacola, Markham Ferry, and Salina Pumped Storage Projects to Standard Testing and Engineering Company in a not-to-exceed amount of \$650,000.00, seconded by Director Matthews, and voted upon as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained).*

### **4.n. Consideration, Discussion and Possible Approval of Contract PCPA-000283 – Pensacola Dam Spillway Gallery Ventilation Improvements – Crossland Heavy Contractors, Inc.**

Mr. Jacoby said natural gas has been identified as a potential hazard if collected in a confined space such as GRDA's Kerr and Pensacola Dam Spillway Galleries. Occupational Safety and Health Administration (OSHA) safety requirements say confined spaces such as the galleries need to have air exchange and monitoring capabilities for such spaces to allow safe access and clearance as a released space. GRDA has undertaken and is near completion for the release of the Kerr Dam space. He stated Contract PCPA-000283 was designed to provide similar air quality and monitoring conditions at the Pensacola Spillway Gallery. Bids for Contract PCPA-000283 were solicited with responsive bids received from two local contractors, Crossland Heavy Contractors and Williams Construction. Pricing from the low bid by Crossland Heavy Contractors is comparable to the upper end estimate developed by GRDA's engineer. GRDA staff have reviewed this and finds the bids of the contractors responsive. Both contractors have worked successfully for GRDA in the past and the staff did not identify any significant challenges in their proposals. The low-cost proposal by Crossland Heavy compares very favorably to the Engineer's Estimate and is recommended by the GRDA staff in a lump sum bid in the amount of \$1,240,000.00.

Director Meyers asked what equipment this will include. Mr. Jacoby said this is for the installation of monitoring and ventilation equipment, with improvements to access and ventilation. He explained in more detail the difference between what is seen at the Pensacola Dam and the Kerr Dam the Board has seen before.

Director Kimball moved to approve Contract PCPA-000283 Pensacola Dam Spillway Gallery Ventilation Improvements to Crossland Heavy Contractors in the amount of \$1,240,000.00, seconded by Director

Meyers, and voted upon as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained).*

**4.o. Other New Business, if Any, Which Has Arisen Since the Posting of the Agenda and Could Not Have Been Anticipated Prior to the Time of Posting (25 O.S. § 311(9)).**

There was no other new business.

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**5. Reports**

**5.a. Board of Directors Committee Reports**

**1. Assets Committee:**

- a) **Consideration, Discussion and Possible Approval of a Request by Northeast Oklahoma Electric Cooperative, Inc. for Electric Line Easement in Ottawa County, Oklahoma.**
- b) **Consideration, Discussion and Possible Approval of a Request by Curtis V. Worthy and Jan E. Worthy for a Revocable License to Encroach for Property Located in Delaware County, Oklahoma.**

Chair Westbrook asked Director Matthews to go over the Assets Committee items. Director Matthews said the committee met this morning to address two items. He explained what each of them entailed. He told the Board the items were fairly simple and straight-forward and there was not much discussion on each. There were no questions from the Board of Directors.

**Regarding item a,** Director Elam moved to approve an electric line easement to Northeast Oklahoma Electric Cooperative, Inc., for the amount of \$1,989.00 in Ottawa County, Oklahoma, as approved by the Assets Committee, and seconded by Director Kimball, the items were voted upon as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained).*

**Regarding item b,** Director Elam moved to approve a License to Encroach to Curtis V. Worthy and Jan E. Worthy in Delaware County, Oklahoma, for the amount of \$670.00 per year plus \$84.00 per month for survey fee until paid, as approved by the Assets Committee, and seconded by Director Kimball, the items were voted upon as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained).*

- 2. Audit, Finance, Budget, Policy & Compliance Committee:** Director Sublett said while the committee did not have anything for this meeting, he reminded the Board that after last month's Board meeting the committee did meet to address the Cost of Service study and this will be reported to the Board at a later time.

**3. Compensation & Marketing Committee:**

- a) **2023 Marketing Review**

Director Kimball asked Mr. Wiscaver to present this item.

**Regarding items a,** Mr. Wiscaver updated the Board on GRDA's 2023 broadcast media buy and results. During 2023, GRDA pursued a television and digital buy in the Tulsa and Eastern Oklahoma market via a Request for Proposal (RFP). FOX 23 (FOX affiliate) and KJRH-Channel 2 (NBC affiliate) were awarded the



contracts. The campaigns with both broadcast media outlets had two strategic timeframes, spring from mid-May to mid-July and a holiday campaign for November and December. Both campaigns timeframes were developed to maximize return on investment. Mr. Wiscaver presented guaranteed deliverables on the Authority's investment and actual deliverables for each media outlet. The total investment was \$75,500.00, and a value of \$151,050.00, for a two hundred and two percent return on GRDA's investment. He has received many positive comments from GRDA customers and other stakeholders on their campaign.

Mr. Wiscaver told the Board they have also achieved notable success in earned media for 2023 for events they did not pay for advertising. The Mitsubishi and GRDA partnership announcement led the way with 151 mentions and a readership (impressions) of over 140 million. He said total advertisement equivalency for this event reached \$789,000.00. The WOKA Whitewater Park Grand Opening has generated significant buzz and earned media coverage for the event, totaling 409 mentions, and reaching an audience (impressions) of over 232 million. He said local success included 90 mentions, over 11,000 social shares, and a readership of 38.83 million. The total advertisement equivalency for local coverage exceeded \$713,000.00. Mr. Wiscaver commended the GRDA staff for all of their hard work to make this happen.

Director Kimball thanked Mr. Wiscaver for his work and presenting this update for the Board. He said they anticipate seeing more coverage in 2024 due to GRDA events or events the Authority will be involved in.

No action is required for this item.

4. **Fuel and Long-Range Planning Committee:** Director Meyers said the committee met last Monday and discussed some possible changes to an existing Power Purchase Agreement which will be discussed in Executive Session.
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## 6. Proposed Executive Sessions:

- a. **Proposed Executive Session Pursuant to 25 O.S. § 307(B)(4) for the Purpose of Confidential Communications Between GRDA and Its Attorneys Concerning the Pending Investigation, Claim, or Action, related to Federal Energy Regulatory Commission Project No. 1494-461, Which GRDA has Determined, with the Advice of Its Attorneys, that Disclosure of Such Communication Would Seriously Impair the Ability of the GRDA to Process the Pending Investigation, Claim, or Action in the Public Interest.**
- b. **Proposed Executive Session Pursuant to 25 O.S. § 307(B)(4) for the Purpose of Confidential Communications Between GRDA and Its Attorneys Concerning City of Miami et al. vs. Grand River Dam Authority, District Court of Ottawa County, Oklahoma, Case No. CJ-2008-619.**
- c. **Proposed Executive Session Pursuant to 25 O.S. section 307(B)(4) for the Purpose of Confidential Communications Between GRDA and Its Attorneys Concerning the First Amendment to Contract 43769 with Mead and Hunt for Services in the City of Miami, et. al. v. GRDA, District Court of Ottawa County, Oklahoma, Case No. CJ-08-00619.**
- d. **Proposed Executive Session Pursuant to 25 O.S. § 307(B)(4) for the Purpose of Confidential Communications Between GRDA and Its Attorneys Concerning a Pending Investigation Involving All American Floats, Which the GRDA with the Advice of Its Attorney has Determined that Disclosure will Seriously Impair the Ability of the Public Body to Conduct the Investigation in the Public Interest.**

- e. **Proposed Executive Session Pursuant to 82 O.S. § 862.1(2)(b) for the Purpose of Conferring on a Power Purchase Agreement Which are Exempt from the Provisions of the Open Meetings Act.**
- f. **Proposed Executive Session Pursuant to 25 O.S. § 307(B)(4) for the Purpose of Confidential Information Between GRDA and Its Attorneys Concerning the Pending Investigation Related to the Muscogee (Creek) Nation Marshal Service and the Okmulgee County Criminal Justice Authority.**

Director Kimball moved to go into executive session at 11:31 a.m., seconded by Director Matthews, and voted upon as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained).*

Director Kimball moved to return to regular session at 1:39 p.m., seconded by Director Sublett, and voted upon as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained).*

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## **7. Action on Executive Session Items:**

- a. **Action, as Necessary, Concerning the Pending Investigation, Claim, or Action, Related to Federal Energy Regulatory Commission Project No. 1494-461.**
- b. **Action, as Necessary, Concerning City of Miami et al. vs. Grand River Dam Authority, District Court of Ottawa County, Oklahoma, Case No. CJ-2008-619.**
- c. **Action, as Necessary, Concerning the First Amendment to Contract 43769 with Mead and Hunt for Services in the City of Miami, et. Al. v. GRDA, District Court of Ottawa County, Oklahoma, Case No. CJ-08-00619**
- d. **Action, as Necessary, Concerning a Pending Investigation Involving All American Floats.**
- e. **Action, as Necessary, Concerning a Power Purchase Agreement.**
- f. **Action, as Necessary, Concerning the Pending Investigation Related to the Muscogee (Creek) Nation Marshal Service and the Okmulgee County Criminal Justice Authority.**

**Regarding item a**, there is no action required for this item.

**Regarding item b**, there is no action required for this item.

**Regarding item c**, Director Sublett moved to approve the First Amendment to Contract 43769 with Mead and Hunt as discussed in Executive Session, seconded by Director Kimball, and voted upon as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained).*

**Regarding item d**, there is no action required for this item.

**Regarding item e**, Director Kimball moved to approve the Power Purchase Agreement, as discussed in Executive Session, seconded by Director Meyers, and voted upon as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained).*

**Regarding item f**, there is no action required for this item.

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Director Matthews moved for adjournment at 1:41 p.m., seconded by Director Elam, and voted upon as follows: Elam, Kimball, Matthews, Meyers, Sublett, Westbrook, yes. *Motion passed (6-yes, 0-no, 0-abstained).*

  
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Sheila A. Allen, Secretary

DATE APPROVED:

February 14, 2024  
GRDA Board of Directors