

## MINUTES

### CALL TO ORDER

The Oklahoma Conservation Commission met April 4, 2011, at the Agriculture Building Board Room located at 2800 N. Lincoln in Oklahoma City, Oklahoma. The meeting was called to order at 9:30 a.m. by Chairman Mike Rooker. He stated this was a regularly scheduled meeting in accordance with the Open Meeting Law, Title 25, Sections 301 and following as amended. The agenda for this meeting was posted March 31, 2011, at the front entrance of the building.

### ROLL CALL

Kim Tweed, Executive Secretary, took roll call and the following members were in attendance:

Mike Rooker, Chair  
George Stunkard, Vice Chair  
Dan Lowrance, Secretary  
Jim Grego, Member  
Matt Gard, Member

Others in attendance were:

Mike Thralls, Executive Director  
Ben Pollard, Assistant Director  
Steve Coffman, Financial Management and Human Resources Director  
Robert Toole, Conservation Programs Director  
Shanon Phillips, Water Quality Program Director  
Mike Kastl, Abandoned Mine Land Program Director  
Mike Sharp, Information Technology Director  
Lisa Knauf Owen, District Services Director  
Mark Harrison, Information Representative  
Janet Stewart, General Counsel  
Tammy Sawatzky, Conservation Programs Assistant Director  
Dianne Ireton, Abandoned Mine Land Program Systems Coordinator  
Ron Hilliard, Natural Resources Conservation Service State Conservationist  
Gary O'Neill, Natural Resources Conservation Service Assistant State Conservationist  
Clay Pope, Oklahoma Association of Conservation Districts Executive Director  
Blayne Arthur, Oklahoma Department of Agriculture, Food and Forestry Associate  
Commissioner  
Rod Wanger, Farm Service Agency Conservation Program Chief  
Don Bartolina, Oklahoma County Conservation District Manager  
Kim Tweed, Executive Secretary

### PLEDGE OF ALLEGIANCE

Mr. Grego led the group in the Pledge of Allegiance.

## **MINUTES OF PREVIOUS MEETING**

A motion was made by Mr. Stunkard and seconded by Mr. Grego to approve the minutes of the March 1, 2011, Commission meeting as written. Those voting aye were: Gard, Rooker, Stunkard, Lowrance and Grego. Nay votes: none. Motion carried.

## **UPDATE/REVIEW OF THE 2011 NATIONAL LAND AND RANGE JUDGING CONTEST**

Don Bartolina, Oklahoma County Conservation District Manager, stated that the 60<sup>th</sup> Annual National Land and Range Judging Contest is scheduled for May 3-5, 2011 in Oklahoma City. He stated that 75 teams are registered to attend. Mr. Bartolina also reported that 50 conservation districts have made a contribution to the contest. Each year a person is selected to be honored at the banquet who has gone above and beyond in support of this contest. Dianne Ireton, AML Systems Coordinator, is the recipient of the award this year.

## **RECOGNITION OF DON BARTOLINA**

Mr. Thralls stated that Mr. Bartolina began his career with conservation on April 3, 1961. He was congratulated on his 50 years of service to conservation and presented with a Commission commendation.

## **DISTRICT DIRECTOR RESIGNATIONS AND APPOINTMENTS**

Mike Thralls, Executive Director, presented recommendations for appointment of conservation district directors as listed in Exhibit #1. A motion was made by Mr. Grego and seconded by Mr. Lowrance to approve district director appointments as listed with terms to expire as indicated. Those voting aye were: Gard, Rooker, Stunkard, Lowrance and Grego. Nay votes: none. Motion carried.

## **CLAIMS/FINANCIAL STATEMENT**

Steve Coffman, Financial Management and Human Resources Director, presented the claims and financial statement as listed in Exhibit #2. A motion was made by Mr. Lowrance and seconded by Mr. Stunkard to approve the claims and financial statement. Those voting aye were: Gard, Rooker, Stunkard, Lowrance and Grego. Nay votes: none. Motion carried.

## **PRESENTATION OF AGREEMENTS**

Ben Pollard, Assistant Director, presented agreements for approval as listed in Exhibit #3. He recommended ratification of agreement (a). A motion was made by Mr. Stunkard and seconded by Mr. Grego to ratify approval of agreement (a). Those voting aye were: Gard, Rooker, Stunkard, Lowrance and Grego. Nay votes: none. Motion carried.

Mr. Pollard recommended approval of new agreements listed as (b) through (g). A motion was made by Mr. Lowrance and seconded by Mr. Stunkard to approve the new agreements as presented. Those voting aye were: Gard, Rooker, Stunkard, Lowrance and Grego. Nay votes: none. Motion carried.

Mr. Pollard recommended approval of amended agreements listed as (h) through (j). A motion was made by Mr. Grego and seconded by Mr. Gard to approve the amended agreements as presented. Those voting aye were: Gard, Rooker, Stunkard, Lowrance and Grego. Nay votes: none. Motion carried.

## **OUT OF STATE TRAVEL REQUESTS**

Mr. Thralls presented travel requests for approval as listed in Exhibit #4. A motion was made by Mr. Gard and seconded by Mr. Lowrance to approve the requests as listed. Those voting aye were: Gard, Rooker, Stunkard, Lowrance and Grego. Nay votes: none. Motion carried.

## **SCHOLARSHIPS FOR NATIONAL WATERSHED CONFERENCE**

Mr. Lowrance requested that the Commission approve scholarships for conservation district board members or employees to attend the 12<sup>th</sup> National Watershed Conference to be held May 15-18, 2011 in Oklahoma City. There would be no more than one scholarship per district and the district must have watershed structures in order to apply. He suggested a scholarship in the amount of \$500. Staff stated that the money can come from earnings for watershed rehab as well as the Conservation Infrastructure Revolving fund. After discussion, a motion was made by Mr. Grego and seconded by Mr. Gard to approve up to sixty one (61) scholarships in the amount of \$500 for attendance at the conference. Those voting aye were: Gard, Rooker, Stunkard, Lowrance and Grego. Nay votes: none. Motion carried.

## **LOGAN COUNTY CD REQUEST FOR FUNDS FOR COTTONWOOD CREEK SITE #54**

Mr. Thralls stated that the Logan County Conservation District is requesting funds to be reimbursed up to \$250,000, if needed, by the Commission for land rights and associated legal expenses to modify Cottonwood Creek Site #54 to comply with the Oklahoma Dam Safety Act. Janet Stewart, General Counsel, stated the Commission, if desired, may be briefed on the pending lawsuit in executive session.

### **Executive Session**

At 10:00 a.m., a motion was made by Mr. Stunkard and seconded by Mr. Lowrance to enter executive session for the purpose of confidential communications between the Commission and its attorney for the purpose of discussing Logan County Conservation District vs. Pleasant Oaks Lake Association et al. as authorized by the Oklahoma Open Meeting Act in Section 307(B)(4) of Title 25 of the Oklahoma Statutes. Those voting aye were: Gard, Rooker, Stunkard, Lowrance and Grego. Nay votes: none. Motion carried. Members requested that the following staff stay for the session: Mike Thralls, Robert Toole, Ben Pollard and Janet Stewart. Mr. Pollard will take minutes.

### **Regular Session**

At 10:30 a.m., a motion was made by Mr. Grego and seconded by Mr. Gard to enter into regular session. Those voting aye were: Gard, Rooker, Stunkard, Lowrance and Grego. Nay votes: none. Motion carried.

A motion was made by Mr. Lowrance and seconded by Mr. Gard to approve the request by the Logan County Conservation District to be reimbursed up to \$250,000, if needed, by the Commission for land rights and associated legal expenses to modify Cottonwood Creek Site #54. Those voting aye were: Gard, Rooker, Stunkard, Lowrance and Grego. Nay votes: none. Motion carried.

## **PUBLIC COMMENTS**

Rod Wanger, Farm Service Agency Conservation Program Chief, reported on the Conservation Reserve Program sign-up. He stated that the State Acres For wildlife Enhancement

Program in northwest Oklahoma is for the lesser prairie chicken. Mr. Wanger also reported on the Emergency Conservation Program that is assisting with wildfire damage in Ellis and Woodward Counties. He stated that the Livestock Forage Program is assisting landowners with drought issues.

## **NEW BUSINESS**

None.

## **OKLAHOMA CONSERVATION COMMISSION MEMBERS**

Members attended Conservation Day at the Capitol and agreed that it was a successful day. Mr. Gard also reported on attending GIS Day at the Capitol, an Eggs and Issues meeting in Fairview, and a Northwest Oklahoma Alliance legislative reception.

Mr. Lowrance attended the Division of Agricultural Sciences and Natural Resources Dean's Advisory Council meeting to discuss budget and priorities for the Department.

Mr. Stunkard stated that the Wagoner County Soil Stewardship Breakfast is scheduled for April 22 at 7:00 a.m and he invited members and staff to attend.

Mr. Rooker attended the RC&D Southwest States Conference in Dodge City, Kansas. He also attended banquets in Murray County, Kay County and Payne County Conservation Districts.

## **OKLAHOMA CONSERVATION COMMISSION STAFF**

*Administration - Executive Director:* Mr. Thralls stated that House Bill 1541 is the agency consolidation bill and at this time it does not contain language to move the Oklahoma Scenic Rivers Commission into the Commission. Senator Sykes is proposing an amendment for the move and the staff has had input and is requesting the number of hours for unbenefitted positions be increased from 999 hours to 1599 hours. If approved, this would also apply to conservation district employees. Mr. Thralls stated that the Information Technology consolidation proposes all of IT be under the control of the Chief Information Officer.

Mr. Thralls stated that Senator Myers in his budget proposal as Senate Appropriations Chair has the Commission at a seven percent budget cut with the bond payment being held harmless. This reduction would come from some combination of furlough days, reduction in people and operating expenses. After the budget is known, the Budget Advisory Committee will convene to work on recommendations to address any shortfall.

Mr. Thralls stated that both Secretary of Agriculture Jim Reese and Secretary of Environment Gary Sherrer have gone through their confirmation hearings with the appropriate Senate committees and are awaiting approval by the full Senate.

Mr. Thralls stated that HB1223 would likely move agency attorneys under the Attorney General.

Mr. Thralls attended the Alfalfa County and Grant County Conservation District banquets.

*District Services Division:* Lisa Knauf Owen, Director, has been assisting districts with paying and filing taxes and submitting minutes electronically. She has been working with the U.S. Fish and Wildlife Service on the burn agreements with several districts.

*Water Quality Program:* Shanon Phillips, Director, provided copies of two letters from the Environmental Protection Agency, Region 6 expressing appreciation of Oklahoma's nonpoint source program which also included recognition of Oklahoma's conservation partnership. She stated that Oklahoma is being asked for input in changing guidance and evaluating the program.

Ms. Phillips stated that staff is working with the Nonpoint Source Working Group for the review of applications to EPA for special funds in the amount of \$4.5 million. Oklahoma has 11 proposals to consider.

Ms. Phillips stated that the Tulsa County Conservation District and the Blue Thumb Program received a conservation award.

*Abandoned Mine Land Reclamation Program:* Mike Kastl, Director, reported on three active construction sites, Farley-085, Bronson-071, and Shouse-251. He stated that the Reves Phase 2 project is scheduled for completion in 2012.

Mr. Kastl reported on future projects including the Northeastern State University-166/180.

*Financial Management and Human Resources Division:* Mr. Coffman stated that tax year reporting was completed. He stated that the agency has signed an engagement letter with the Auditor's office. Mr. Coffman will be meeting with the Risk Management Division regarding liability insurance for conservation districts.

*Information Technology Division:* Mike Sharp, Director, recognized Shellie Willoughby for her work with GIS Day at the Capitol and he commended Nick Huber for his work with email issues.

Mr. Sharp reported on IT consolidation stating that today is the due date for the state's CIO to submit his recommendations to the legislature. Mr. Sharp stated that the Commission already utilizes services offered by the Office of State Finance with the exception of email server.

*Conservation Programs Division:* Robert Toole, Director, submitted a revised written report. He stated that the bid for the Sugar Creek L44 will be let on Thursday.

*Administration - Assistant Director:* Mr. Pollard stated that staff participated in the Prescribed Fire Day at the Capitol, Ag Day at the Capitol, GIS Day at the Capitol and Conservation Day at the Capitol and expressed appreciation to staff for their work.

Mr. Pollard stated that the District Services Division is doing a great job with the prescribed burn agreements. He recognized Mr. Kastl and Ms. Ireton for their assistance in contract management of the Sugar Creek FEMA contract. He stated that the local board will hold a media event on May 13 to celebrate the start of this project. He commended Mr. Coffman and his division for working with the Office of State Finance on the Commission's payroll.

Mr. Pollard reported on calendar events stating that Envirothon will be held at Lake Keystone State Park on April 12-13; OACD educator awards will be presented locally before the end of May, May 2 is the beginning of Public Employee Recognition Week and there will be a full staff meeting and luncheon at the Chesapeake Boat House on May 2. The National Land and Range Judging Contest awards banquet is May 5.

### **OKLAHOMA ASSOCIATION OF CONSERVATION DISTRICTS**

Clay Pope, Executive Director, discussed the federal budget and the continuing resolution and stated there is a 50/50 chance that watershed rehabilitation will survive. The next battle will be funding for the FY2012 budget.

Mr. Pope stated that the Commission will probably receive a five to seven percent cut for FY2012. He stated that should the Scenic Rivers be consolidated into the Commission it is a workable plan if funds are available.

Mr. Pope stated that there is a shell bill for the gross production tax that would allocate all funds to the Oklahoma Water Resources Board after 2014. He also stated there is a measure where the Governor could appoint Agency board and commission members and agency heads at his/her discretion.

Mr. Pope reported that Congressman Frank Lucas and NRCS Chief Dave White are confirmed for attendance at the National Watershed Conference. Congressman Lucas is also confirmed to attend the NACD South Central meeting in August.

Mr. Pope reported on the carbon program stating that over 30,000 acres have been signed up. He continues to work with the Oklahoma Department of Wildlife Conservation regarding a prairie chicken credit program.

Mr. Pope stated that during Ag Day at the Capitol on April 13 there will be a media event to announce water quality success stories. He stated that the Pork Council and the Cotton Council are helping to sponsor Stewardship Week activities this year. The Lt. Governor will be doing a PSA regarding those activities.

### **USDA-NATURAL RESOURCES CONSERVATION SERVICE**

Ron Hilliard, State Conservationist, provided a written report and encouraged members to read the story about the Tri-State Forestry Conference held in Oklahoma.

Mr. Hilliard stated that the NRCS is under a soft hiring freeze and will not be filling positions in Pushmataha, Muskogee, Durant and Norman at this time. He stated that the RC&D program is recommended to be closed out and some of those people could be moving into other positions.

Mr. Hilliard stated they are waiting on a budget and that he believes there is \$20 million in the Continuing Resolution for rehabilitation. A teleconference will be held this week with the watershed staff to discuss funding.

Mr. Hilliard stated that he has requested an additional \$50,000 for the Conservation Stewardship Program.

**DEPARTMENT OF AGRICULTURE, FOOD AND FORESTRY**

Blayne Arthur, Associate Commissioner, stated that the Department is directly affected by reductions in federal funds. She stated that they have switched their email system to the ok.gov system.

She continues working to develop ways to reach out to Oklahomans through various medias.

Ms. Arthur stated that Jeff Weeks, Agri-tourism Coordinator, has resigned. She also stated that the State Veterinarian is resigning as well.

Ms. Arthur reported on HB 1327 regarding prescribed burn and stated that Ag Day at the Capitol is April 13.

**NEXT MEETING**

The next regular meeting of the Oklahoma Conservation Commission will be held on May 2, 2011, in the Agriculture Building Board Room, 2800 N. Lincoln Boulevard, Oklahoma City, Oklahoma beginning at 9:30 a.m.

**ADJOURNMENT**

There being no further business a motion was made by Mr. Grego and seconded by Mr. Stunkard to adjourn. Those voting aye were: Gard, Rooker, Stunkard, Lowrance and Grego. Nay votes: none. Motion carried. The meeting adjourned at 11:40 a.m.

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Approved by the Oklahoma Conservation Commission on May 2, 2011.

  
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CHAIR