

## MINUTES

### CALL TO ORDER

The Oklahoma Conservation Commission met November 5, 2007, in the Agriculture Building Board Room, 2800 N. Lincoln Boulevard, Oklahoma City, Oklahoma. The meeting was called to order at 9:30 a.m. by Chairman Dan Lowrance. 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 November 1, 2007, at the front entrance of the building.

### ROLL CALL

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

Dan Lowrance, Chair  
Virginia Kidd, Vice Chair  
Matt Gard, Secretary  
Mike Rooker, Member

Member Absent:

George Stunkard, 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 Assistant Director  
Mike Kastl, Abandoned Mine Land Program Director  
Shellie Willoughby, GIS Specialist  
Lisa Knauf, District Services Director  
Mark Harrison, Information Representative  
Cheryl Cheadle, Blue Thumb Coordinator  
Jean Lemmon, Blue Thumb QA Officer  
Kim Shaw, Blue Thumb Education Coordinator  
Chris DuBois, Wetlands Program Coordinator  
Wes Shockley, Water Quality Specialist  
Chris Dunlevy, Data Base Coordinator  
Karla Beatty, Education Coordinator  
Janet Stewart, Attorney  
Joann Stevenson, Assistant Attorney General  
Jeanette Nance, Office of the Governor  
Gary O'Neill, Natural Resources Conservation Service Assistant State Conservationist  
Clay Pope, Oklahoma Association of Conservation Districts Executive Director

Lawrence Edmison, Sierra Club  
Eric Boeckman, Capitol Network News  
Jeff Packham, JRLR  
Kim Tweed, Executive Secretary

#### **PLEDGE OF ALLEGIANCE**

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

#### **MINUTES OF PREVIOUS MEETING**

A motion was made by Ms. Kidd and seconded by Mr. Gard to approve the minutes of the October 1, 2007, Commission meeting as written. Those voting aye were: Lowrance, Kidd, Gard and Rooker. Nay votes: none. Motion carried.

#### **BLUE THUMB CALENDARS AND PRESENTATION**

Cheryl Cheadle, Blue Thumb Program Statewide Coordinator, introduced Jean Lemmon, Blue Thumb QA Officer, and Kim Shaw, Blue Thumb Education Coordinator. She stated that Ms. Lemmon and Ms. Shaw initiated the development of the calendar which displays statewide streams and rivers in Oklahoma. It is also a testament to the program volunteers. Ms. Cheadle distributed copies of the calendar to each member and stated that calendars were being distributed at the OACD Area Meetings.

#### **DISTRICT DIRECTOR APPOINTMENTS**

Mike Thralls, Executive Director, presented recommendations for appointment of conservation district directors as listed in Exhibit #1. A motion was made by Mr. Gard and seconded by Ms. Kidd to approve district director appointments listed as First Recommendation in Exhibit #1 with terms to expire as indicated. Those voting aye were: Lowrance, Kidd, Gard and Rooker. 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. After discussion, a motion was made by Mr. Gard and seconded by Mr. Rooker to approve the claims and financial statement. Those voting aye were: Lowrance, Kidd, Gard and Rooker. Nay votes: none. Motion carried.

#### **SERVICE AWARD RECOGNITION**

Ben Pollard, Assistant Director, stated it was a pleasure to recognize staff for their years of service and called on Shanon Phillips, Water Quality Assistant Director, and Shellie Willoughby, GIS Specialist, to say a few words about the following staff members: Chris DuBois, Wetlands Program Coordinator - 5 years; Chris Dunlevy, Data Base Administrator - 10 years; and Wes Shockley, Water Quality Specialist - 15 years.

#### **PRESENTATION OF COMMISSION AGREEMENTS**

Ben Pollard, Assistant Director, presented agreements as listed in Exhibit #3. He recommended approval of new agreements listed as (a) through (f). A motion was made by Mr. Gard and seconded by Ms. Kidd to approve new agreements as presented. Those voting aye were: Lowrance, Kidd, Gard and Rooker. Nay votes: none. Motion carried.

Mr. Pollard recommended approval of the amended agreement listed as (g). A motion was made by Ms. Kidd and seconded by Mr. Rooker to approve the amended agreement as presented. Those voting aye were: Lowrance, Kidd, Gard and Rooker. Nay votes: none. Motion carried.

Mr. Pollard recommended ratification of the new agreement listed as (h), which was previously approved by Chairman Lowrance. A motion was made by Mr. Gard and seconded by Ms. Kidd to ratify approval of the agreement as presented. Those voting aye were: Lowrance, Kidd, Gard and Rooker. Nay votes: none. Motion carried.

#### **ATTENDANCE AT THE NACD 2008 ANNUAL MEETING**

A motion was made by Mr. Rooker and seconded by Ms. Kidd to approve all members and up to six staff members to attend the National Association of Conservation Districts 2008 Annual Meeting, February 10-13, 2008, in Reno, Nevada. Those voting aye were: Lowrance, Kidd, Gard and Rooker. Nay votes: none. Motion carried.

#### **CO-SPONSORSHIP OF UPCOMING CONFERENCES**

A motion was made by Ms. Kidd and seconded by Mr. Rooker to co-sponsor the following events: No-Till Oklahoma Conference, February 11-12, 2008, Oklahoma City, Oklahoma and the Oklahoma Association of Conservation Districts Annual Meeting, February 24-26, 2008, Midwest City, Oklahoma. Those voting aye were: Lowrance, Kidd, Gard and Rooker. Nay votes: none. Motion carried.

#### **REGULARLY SCHEDULED MEETINGS FOR CALENDAR YEAR 2008**

A motion was made by Ms. Kidd and seconded by Mr. Rooker to approve the regularly scheduled meetings for Calendar Year 2008 as listed in Exhibit #4. Those voting aye were: Lowrance, Kidd, Gard and Rooker. Nay votes: none. Motion carried.

#### **CONSERVATION PRACTICE COST-SHARE STATE AVERAGE COSTS**

Robert Toole, Conservation Programs Director, requested approval of conservation practices cost-share average costs as listed in Exhibit #5. A motion was made by Mr. Gard and seconded by Mr. Rooker to approve costs as presented. Those voting aye were: Lowrance, Kidd, Gard and Rooker. Nay votes: none. Motion carried.

#### **ADDITIONAL COST-SHARE PRACTICES FOR PROGRAM YEAR 9**

Mr. Toole requested approval of additional cost-share practices for Program Year 9 as listed in Exhibit #6. A motion was made by Mr. Gard and seconded by Mr. Rooker to approve the requests as listed. Those voting aye were: Lowrance, Kidd, Gard and Rooker. Nay votes: none. Motion carried.

#### **AMEND THE FY09 BUDGET FOR CONSERVATION DISTRICT POSITIONS**

Mr. Thralls stated that when totals were computed for additional employee requests, staff failed to include FICA and benefits amounts. Staff is requesting that the Conservation District Capacity category be increased from \$557,000 to \$683,000 to include FICA/benefits on requests for full-time positions. A motion was made by Mr. Gard and seconded by Ms. Kidd to approve the amendment as presented. Those voting aye were: Lowrance, Kidd, Gard and Rooker. Nay votes: none. Motion carried.

## **REPORT ON MEETINGS REGARDING THE OCC'S EMERGENCY CONSERVATION RESTORATION REQUEST**

Mr. Thralls and Clay Pope, Oklahoma Association of Conservation Districts Executive Director, reported on meetings held with Governor Brad Henry, Representative Benge, Senator Myers, Senator Bass, Representative DeWitt, Representative Richardson, and Senator Coffee. These meetings were scheduled to discuss the Commission's Emergency Conservation Restoration Request.

Mr. Thralls stated that this request overwhelms the traditional funding received through the natural resources subcommittee. The Governor's meeting resulted in three possible avenues of funding for this appropriations request including a supplemental budget request, using overflow funds from the Rainy Day Fund projected for the coming fiscal year, or unobligated water REAP funds to pay off a bond issue. The Governor was not receptive to the use of Rainy Day funds.

Mr. Pope stated that meetings with Senator Morgan and Speaker Cargill will be scheduled soon. The OACD has sent out letters to all districts and provided information at all area meetings for contacts with legislators regarding this request.

## **COMMISSION'S REVISED FY09 BUDGET**

Mr. Thralls stated that staff has been in contact with the Office of State Finance regarding the Emergency Conservation Restoration funding request and OSF suggested that the Commission submit this request as a supplemental item in the agency's request. Mr. Thralls is recommending the Commission approve the revised FY09 budget to include amounts listed in Exhibit #7 as a supplemental budget request.

A motion was made by Ms. Kidd and seconded by Mr. Gard to approve the FY09 budget as presented. Those voting aye were: Lowrance, Kidd, Gard and Rooker. Nay votes: none. Motion carried.

## **PUBLIC COMMENTS**

None.

## **NEW BUSINESS**

None.

## **OKLAHOMA CONSERVATION COMMISSION MEMBERS**

Mr. Rooker reported on attending the meeting with Governor Henry to discuss the Emergency Conservation Restoration request. He also attended the Governor's Water Conference and the Governor's Conference on Biofuels. Mr. Rooker participated in a meeting with Gary Mast, USDA Deputy Under Secretary for the Environment and Natural Resources.

Mr. Gard also participated in the meeting with Mr. Mast as well as the Governor's Water Conference and the Governor's Conference on Biofuels. He commended staff and OACD for a successful Area 1 meeting.

Ms. Kidd reported on attending local events over the past month.

Mr. Lowrance reported on attending the tour of Caddo County held for legislators to look at flood damage. It was eye-opening to see destruction up close. He attended Dean Bob Whitson's Advisory Committee meeting in Stillwater and stated Dr. Keith Owens gave a presentation on natural resources. Mr. Lowrance is encouraged to see the accomplishments of this new department. Mr. Lowrance advised that a new water center may be developed within the OSU Department of Agriculture and that the Commission may have opportunity to provide input.

## **OKLAHOMA CONSERVATION COMMISSION STAFF**

*Administration:* Mike Thralls, Executive Director, stated that OACD Area 1 and 3 meetings have been well attended and he appreciates the work of Commission staff on these meetings. Since each area in Oklahoma has been impacted by flooding this year the topic of response to disasters is timely.

Mr. Thralls attended the Garfield County Conservation District's watershed banquet and over 100 people participated.

Mr. Thralls stated that Rob McClendon, New Horizons, attended the Caddo County tour of flood damage held recently and featured a 30 minute segment on his television show this past Sunday.

Mr. Thralls introduced the Commission's new attorney, Janet Stewart. Ms. Stewart's position is within the Conservation Program's Division. She will be general counsel for the agency but her priority will be working with land rights for watershed structures. Ms. Stewart will be housed in Oklahoma City on Mondays and Fridays and in Stillwater on Tuesdays, Wednesdays, and Thursdays. The NRCS is providing office space for this position. Mr. Thralls expressed his appreciation to Gary O'Neill, NRCS Assistant State Conservationist, for partnering with the Commission on housing this position.

Mr. Thralls reported on meeting with Mr. Mast and requesting support of ECP and EWP funds for Oklahoma.

*District Services Division:* Lisa Knauf, Director, continued work with the Alfalfa County and East Woods County Conservation Districts to develop the job description and duties of the new shared employee. The position is being advertised through this week and a hire will be made by December 1.

Ms. Knauf is working on a job description for a new employee within her division. She hopes to get a hire made before the first of the year.

Ms. Knauf has been assisting with the budget request and the area meetings. She continues to work with Rogers County and Pontotoc County Conservation Districts on personnel issues.

*Water Quality Program:* Shanon Phillips, Assistant Director, reported that the first Conservation Reserve Enhancement Program contract signing ceremony was recently held in the Illinois River area. She stated that four new plan writers have been hired and that 3 of the 4 attended planning training offered by the NRCS.

Ms. Phillips stated that the first Watershed Advisory Group meeting in the North Canadian project was held recently. Staff will be submitting guidelines and cost-share rates for this project to the Commission for approval.

*Abandoned Mine Land Reclamation Program:* Mike Kastl, Director, stated that the program has one active job in Wagoner County. He provided copies of HR 4025 authored by Congresswoman Nancy Boyda, Kansas, which would authorize 7 minimum state programs to receive \$3 million beginning in 2008. A Senate sponsor is needed for this resolution.

Mr. Kastl attended the association meeting in Bloomington, Indiana recently and members passed a resolution to increase minimum program states as part of the FY09 budget. Mr. Kastl also attended the quarterly Food and Agriculture Committee meeting.

*Financial Management and Human Resources Division:* Steve Coffman, Director, stated that staff will wrap up inputting the FY09 budget request in the OSF system. He stated that Phase II of the CORE system is beginning and staff has been attending training classes.

Mr. Coffman reported that the Affirmative Action Review Council has approved the Commission's affirmative action plan.

Mr. Coffman reported on participating in a national webinar to help agencies hire new employees and verify eligibility to work in public positions.

*Information Technology Division:* Shellie Willoughby, GIS Specialist, reported on the Tar Creek West Commerce project stating that seeding has been completed and that vegetation on the Southeast Commerce project will be completed this spring.

Ms. Willoughby stated that staff worked with the Office of State Finance in planning for moving the Commission's computer servers to the OSF Data Center. Servers will be more secure and in a climate controlled environment.

*Conservation Programs Division:* Robert Toole, Director, is pleased to have Ms. Stewart on staff. He stated there are 27 watershed sites needing land rights cleared and there are several other watershed issues requiring legal assistance.

Mr. Toole reported that watershed sites are no longer eligible for FEMA assistance to repair flood damage and disaster repair funding will have to come from state funds. He commended Mr. Thralls and Mr. Pope for their presentations at the Area Meetings to educate districts on the urgency, actions, and critical need for them to mobilize if state disaster funds were going to become a reality.

Mr. Toole stated that he and Darrel Dominick, Tribal Outreach Coordinator, met with the Chickasaw Nation and the Murray County Conservation District and this meeting has opened up opportunities for further discussions. The Nation has offered several prospects for providing assistance with watershed operations and maintenance as well as an interest in becoming more involved in natural resource conservation efforts.

*Administration:* Ben Pollard, Assistant Director, stated that there has been an amazing amount of work initiated in the last 6 months and that the Commission is pushing staff to the maximum.

## **OKLAHOMA ASSOCIATION OF CONSERVATION DISTRICTS**

Clay Pope, Executive Director, thanked the Commission staff for their work with the Area Meetings.

Mr. Pope reported on meetings with the Governor and legislative leaders regarding the budget request and stated that the Association will continue to work on this issue. Information has been sent to all conservation districts to notify local legislators of conservation needs.

Mr. Pope stated that the tour of Caddo County flood damage was very successful and that Rob McClendon, New Horizons, did a great job on his program that aired this past Sunday. The Association continues to monitor the Farm Bill.

Mr. Pope reported on attending the Garfield County Conservation District's watershed banquet and commended the district on a great program. Mr. Pope stated that rewrites to the Conservation District Act will begin in the Senate with Senator Wyrick as the author.

Mr. Pope reported on giving a presentation on carbon sequestration during the Biofuels Conference. He attended the Governor's Water Conference. Mr. Pope participated in the Oklahoma Academy for State Goals Town Hall meeting where the topic was tribal relations. According to meeting attendees the Commission is the only agency with an active outreach program with the tribes.

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

Gary O'Neill, Assistant State Conservationist, presented final numbers on last year's budget. He stated that over \$45 million of financial assistance (FA) was delivered through conservation programs; including over \$80 million in the Conservation Reserve Program; \$23 million of Environmental Quality Incentive Program funds through the development of 1646 contracts; \$5.6 million in watershed rehabilitation - Oklahoma leads the nation in rehab funding and activity; 6400 actual payments for \$28 million was made through conservation programs in FY07. The NRCS is under a continuing resolution through November 16 which may be may be extended through March.

Mr. O'Neill stated that every state is being challenged to get EQIP funds obligated by the end of December. He reported that Oklahoma received its initial FA allocations for the EQIP and the CSP. Funding levels for EQIP are approximately 85% of last year's allocation. Allocations for the CSP will cover prior year contract payments with no new sign-up announced to date. No FA funds were received for new sign-up activities in the Wetlands Reserve Program, Farm and Ranchland Protection Program, Wildlife Habitat Incentives Program, EQIP Ground and Surface Water, and Grassland Reserve Program.

The NRCS received an allocation for discretionary funding that is representative of 12.84 percent of the FY07 allocation. The Emergency Watershed Program is backlogged with more than \$15 million of damage which does not include watershed structure damage.

Mr. O'Neill stated that the agency has instituted a hiring freeze as of October 3, 2007; however, positions advertised prior to November 1 have been or will be filled. He stated that district conservationist positions in Kingfisher and Hugo will be filled, the range conservationist positions have been advertised in Altus and Guymon, the assistant state soil scientist position has been filled as well as the state resource conservationist position. Mr. O'Neill stated that the Public Affairs Specialist has been filled and this position will be housed in the Waurika Field Office.

**MIKE SHARP REMARKS**

Mike Sharp, Information Technology Director, arrived and thanked everyone for their thoughts and prayers during his recent heart surgery. He thanked Ms. Willoughby and Mr. Dunlevy for keeping the Division running during his absence.

**USDA-FARM SERVICE AGENCY**

No representative present.

**NEXT MEETING**

The next regular meeting of the Oklahoma Conservation Commission will be held on December 3, 2007, at the Reed Conference Center, 5750 Will Rogers Road, Midwest City, Oklahoma beginning at 9:30 a.m.

**ADJOURNMENT**

There being no further business a motion was made by Ms. Kidd and seconded by Mr. Rooker to adjourn. Those voting aye were: Lowrance, Kidd, Gard and Rooker. Nay votes: none. Motion carried. The meeting adjourned at 11:10 a.m.

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Approved by the Oklahoma Conservation Commission on December 3, 2007.

  
CHAIR