

MINUTES

CALL TO ORDER

The Oklahoma Conservation Commission met June 2, 2008, 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 May 29, 2008, 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
George Stunkard, Member

Others in attendance were:

Ben Pollard, Assistant Director
Steve Coffman, Financial Management and Human Resources Director
Tammy Sawatzky, Conservation Programs Deputy Director
Dan Butler, Water Quality Program Director
Mike Kastl, Abandoned Mine Land Program Director
Mike Sharp, Information Technology Director
Lisa Knauf, District Services Director
Mark Harrison, Information Representative
Shanon Phillips, Water Quality Program Assistant Director
Stacy Hansen, Water Quality Program Technical Writer
Shellie Willoughby, Awards and Recognition Committee Chair
Janet Stewart, General Counsel
Regina Switzer, Assistant Attorney General
Ron Hilliard, Natural Resources Conservation Service State Conservationist
Clay Pope, Oklahoma Association of Conservation Districts Executive Director
Steve Thompson, Associate Commissioner, Oklahoma Department of Agriculture, Food and Forestry
Kim Tweed, Executive Secretary

PLEDGE OF ALLEGIANCE

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

MINUTES OF PREVIOUS MEETING

A motion was made by Mr. Stunkard and seconded by Ms. Kidd to approve the minutes of the May 5, 2008, Commission meeting as written. Those voting aye were: Lowrance, Kidd, Gard, Rooker and Stunkard. Nay votes: none. Motion carried.

RECOGNITION OF EMPLOYEE OF THE QUARTER

Stacy Hansen, Water Quality Technical Writer, was recognized for being named the Commission's Employee of the Quarter.

EXPLANATION OF CHANGES TO THE APPOINTMENT/ELECTION PROCESS DUE TO THE PASSAGE OF SENATE BILL 1766

Regina Switzer, Assistant Attorney General, stated that the passage of Senate Bill 1766 changed election dates and terms of office for both elected and appointed conservation district directors. As a result all terms of office will eventually begin on July 1 and end on June 30, when current terms expire. The first round of appointments with the new terms will be made today.

DISTRICT DIRECTOR RESIGNATIONS AND APPOINTMENTS

Ben Pollard, Assistant Director, presented the resignations of Terry Boston, Beaver County; Dennis Mofield, Shawnee; and Cecil Barnett, Shawnee. He presented recommendations for appointment of conservation district directors as listed in Exhibit #1. A motion was made by Mr. Gard and seconded by Mr. Stunkard 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, Rooker and Stunkard. 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 Ms. Kidd and seconded by Mr. Rooker to approve the claims and financial statement. Those voting aye were: Lowrance, Kidd, Gard, Rooker and Stunkard. Nay votes: none. Motion carried.

SERVICE AWARD RECOGNITION

Ben Pollard, Assistant Director, was recognized for 30 years of service to the Commission.

PRESENTATION OF COMMISSION AGREEMENTS

Mr. Pollard called on division directors to present agreements as listed in Exhibit #3. A motion was made by Mr. Stunkard and seconded by Mr. Gard to approve amended agreements listed as (a) through (u). Those voting aye were: Lowrance, Kidd, Gard, Rooker and Stunkard. Nay votes: none. Motion carried.

A motion was made by Mr. Stunkard and seconded by Ms. Kidd to approve the new agreements listed as (v) and (w). Those voting aye were: Lowrance, Kidd, Gard, Rooker and Stunkard. Nay votes: none. Motion carried.

OUT OF STATE TRAVEL REQUESTS

Mr. Pollard presented out of state travel requests as listed in Exhibit #4. Discussion was had regarding attendance at the meetings listed as (b) through (d).

A motion was made by Mr. Gard and seconded by Mr. Rooker to approve out of state travel requests as listed with the recommended attendance as follows, unless otherwise noted in the exhibit: B. 2 staff; C. 5 members and 4 staff; D. 3 staff. Those voting aye were: Lowrance, Kidd, Gard, Rooker and Stunkard. Nay votes: none. Motion carried.

2008 OKLAHOMA ENVIROTHON TEAM TRAVEL BUDGET

Lisa Knauf, District Services Director, presented the travel budget for the Oklahoma Envirothon Team, the Lawton Eisenhower High School Envirothon Team, to travel to the Canon Envirothon competition in Flagstaff, Arizona in July 2008. The Comanche County Conservation District had requested an additional allocation for this expense. The Commission requested a budget of expenditures and the Envirothon Steering Committee submitted the budget as listed in Exhibit #5. Mr. Lowrance recommended the Commission approve \$1500.00.

After discussion, a motion was made by Mr. Rooker and seconded by Mr. Gard to allocate \$1500.00 to the Envirothon Steering Committee to be spent for travel for the state team. Those voting aye were: Lowrance, Kidd, Gard, Rooker and Stunkard. Nay votes: none. Motion carried.

FY2009 APPROPRIATION AND BUDGET

Mr. Pollard reported that state agencies received standstill budgets for FY2009, meaning that agencies will receive the same amount of general revenue as they did in FY2008. The Commission's appropriation is \$9,187,084. The Commission will be absorbing costs for increased health insurance and fuel expenses.

Mr. Pollard reported on the bond issue awaiting the Governor's signature which is in Senate Bill 1374. Staff will be meeting with the Oklahoma Capitol Improvement Authority to discuss how the bond issue will work. He stated that it will probably be around January 1 before the Commission would receive the \$25 million. The bond money will be spent on upstream flood control damage repairs, as match for the CREP at Sugar Creek and equipment. Senate Bill 1290 appropriates \$1,105,878 to the Commission as payment for the bond issue. The legislature will have to appropriate funds for repayment on a yearly basis.

LEGISLATION PASSED DURING THE LEGISLATIVE SESSION

Mr. Pollard stated that Senate Bill 1696 creates the Municipal Infrastructure Cost-share Program which will allow municipalities and rural water districts to receive incentive to participate in conservation programs such as CREP, watershed rehabilitation, etc.

Senate Bill 1766 revised the Conservation District Act as described in Attachment A. The Act was last revised in 1971. Mr. Lowrance stated that he is signed up to receive health insurance through the state. Mr. Pollard and staff met with the Oklahoma State and Education Employees Group Insurance Board (OSEEGIB) and were impressed with how the board is handling this program for district directors.

Thanks went to the Oklahoma Association of Conservation Districts board members and staff for their work with the legislature.

CARBON SEQUESTRATION CERTIFICATION PROGRAM EMERGENCY RULES

The Carbon Sequestration Act was passed in 2001 and the Conservation Commission was charged with chairing the Carbon Sequestration Advisory Council. The Council prepared reports; however, there was no rule-making at that time.

Clay Pope, Oklahoma Association of Conservation Districts Executive Director, stated that legislation regarding carbon sequestration occurred after the United States participated in the Kyoto Protocol climate change discussions. The legislation authorized the Commission to certify carbon credits. There is now a market for credits and time for the rule-making process to begin.

Dan Butler, Water Quality Program Director, stated that as inquiries from oil companies, power companies and conservation districts regarding carbon have increased staff felt it was time to pursue opportunities.

Stacy Hansen, Technical Writer, stated that the proposed emergency rules were developed in cooperation with the Oklahoma Department of Environmental Quality, the Oklahoma Corporation Commission and the Oklahoma Department of Agriculture's Forestry Division. She summarized the proposed rules as outlined the Executive Summary (Exhibit #6).

After discussion, Mr. Lowrance stated there is compelling interest to declare that emergency rules are needed. A motion was made by Mr. Gard and seconded by Mr. Rooker to declare a need for emergency rules. Those voting aye were: Lowrance, Kidd, Gard, Rooker and Stunkard. Nay votes: none. Motion carried.

A motion was made by Mr. Stunkard and seconded by Mr. Gard to approve the emergency rules as presented and as listed in Exhibit 6. Those voting aye were: Lowrance, Kidd, Gard, Rooker and Stunkard. Nay votes: none. Motion carried.

PUBLIC COMMENTS

None.

NEW BUSINESS

None.

OKLAHOMA CONSERVATION COMMISSION MEMBERS

Mr. Stunkard commended the OACD, conservation district directors and district employees for their efforts with the Legislature this year.

Mr. Rooker attended the National Land and Range Judging Contest banquet, assisted with the Shawnee Middle School outdoor classroom and attended the Bethel FFA banquet to honor the Outstanding Educator.

Mr. Gard attended the Lahoma Wheat Day.

Ms. Kidd attended the Outstanding Educator of the Year award assembly at Fort Towson Elementary. She reported that it was a great event.

Mr. Lowrance attended the Sayre High School Outstanding Educator of the Year award assembly and also reported on its success.

OKLAHOMA CONSERVATION COMMISSION STAFF

Administration: Ben Pollard, Assistant Director, stated that the Commission had a representative at all 5 Outstanding Educator of the Year awards ceremonies.

The Commission participated in several outreach events this past month including Prescribed Burn Day at the Capitol and Water Appreciation Day at the Capitol. Staff participated in the National Land and Range Judging Contest.

Mr. Pollard reported on the Sugar Creek Watershed stating that the South Caddo Conservation District along with the Natural Resources Conservation Service (NRCS) performed a damage assessment due to flood damage caused in August 2007. The district requested FEMA funds to replace structures and those funds were approved in the amount of \$7.2 million. This will be a huge project and staff will be presenting agreements for approval to assist with this project.

Mr. Pollard provided a copy of a May 1 editorial from The Daily Oklahoman newspaper where it was written that funding through a bond issue for flood control repairs was not needed. Chairman Lowrance sent a letter to editor that was published on May 7. Clay Pope, OACD Executive Director, requested a meeting with the editorial board and that meeting was held on May 22. On May 30, The Daily Oklahoman published an editorial stating that the bond money for flood control was needed.

District Services Division: Lisa Knauf, Director, reported on working on the budget request for FY2010. She has been assisting districts with the new terms of employment and job descriptions. Ms. Knauf has scheduled new director orientation for eight districts across the state. She reported that the Commission and districts now have 88 updated signed Cooperative Working Agreements on file. Ms. Knauf will be bringing renewed agreements with districts for the Contributions Agreement to the Commission for approval. Ms. Knauf continues working with the Tulsa County Conservation District on the personnel lawsuit. She also is working on revising the Commission's rules due to changes in Senate Bill 1766.

Water Quality Program: Dan Butler, Director, reported that staff been working on the carbon sequestration emergency rules and working with Western Farmers Electric Coop on an agreement with them and the Commission on carbon issues.

Abandoned Mine Land Reclamation Program: Mike Kastl, Director, reported that the second phase is beginning on the 61st Street project in Wagoner County. There are 2 new projects in the 2008 Grant. Mr. Kastl reported on emergencies as outlined in the written report.

Financial Management and Human Resources Division: Steve Coffman, Director, stated that three district directors are enrolled in the state insurance program. He continues work on the budget work program for FY2009.

Information Technology Division: Mike Sharp, Director, reported that Nick Huber was hired as the new Information Systems Network Management Specialist and commended him on his work.

Conservation Programs Division: Tammy Sawatzky, Deputy Director, reported on watershed rehabilitation stating that the Barnitz 14 site has been completed. Four additional rehab sites will be under contract in July. The last site in the Double Creek Watershed series will start in July making this the first watershed in the country where all structures have been rehabilitated.

OKLAHOMA ASSOCIATION OF CONSERVATION DISTRICTS

Clay Pope, Executive Director, expressed his appreciation to the conservation partnership for its work with conservation issues during the recent legislative session. This was an historic year in obtaining funding for conservation work and in getting revisions to the Conservation District Act approved.

Mr. Pope stated that OACD is happy with the Conservation Title of the Farm Bill. He continues to watch the Lieberman/Warner bill on climate change in the U.S. Senate.

Mr. Pope stated that an OACD board retreat is being planned this fall in cooperation with the RC&D Council meeting. Dates and agendas for the area meetings are being discussed. He expressed his appreciation to the Commission staff, OACDE, NRCS, and especially Oklahoma County Conservation District for their work with the National Land Judging Contest.

Mr. Pope reported on meeting with the Kaiser Fund in Tulsa to discuss conservation issues and the OACD continues work on the carbon sequestration.

Mr. Pope reported on meeting with The Daily Oklahoman editorial board and taping a segment for OETA. He is working with staffs from Arkansas, Texas and Louisiana to form a South Central Conservation Alliance to work on joint projects.

USDA-NATURAL RESOURCES CONSERVATION SERVICE

Ron Hilliard, State Conservationist, attended the National Land and Range Judging Contest. Mr. Hilliard reported on budget issues stating that the NRCS will get an apportionment for the remainder of the year. Additional funds in the amount of \$200 million will be authorized for the Environmental Quality Incentive Program. Mr. Hilliard reported on personnel changes stating that Mark Habiger has left to become Assistant State Conservationist for Programs in Texas. Gilbert Guerrero will fill this vacant position effective July 14. Phoukham Vongkhamdy is acting State Conservationist in Iowa.

Mr. Hilliard stated that Larry Caldwell will be the project coordinator for FEMA-EWP work.

USDA-FARM SERVICE AGENCY

No representative present.

CHANGE OF DATE OF NEXT MEETING

A motion was made by Ms. Kidd and seconded by Mr. Rooker to change the date of the next regular meeting of the Oklahoma Conservation Commission to Tuesday, July 1, 2008, in the

Agriculture Building Board Room, 2800 N. Lincoln Boulevard, Oklahoma City, Oklahoma beginning at 9:30 a.m. Those voting aye were: Lowrance, Kidd, Gard, Rooker and Stunkard. Nay votes: none. Motion carried.

OFFICERS FOR FY2009

A motion was made by Mr. Stunkard and seconded by Mr. Gard to elect the following officers for FY2009: Chair - Dan Lowrance; Vice Chair - Matt Gard; Secretary - Mike Rooker. Those voting aye were: Lowrance, Kidd, Gard, Rooker and Stunkard. Nay votes: none. Motion carried.

ADJOURNMENT

There being no further business a motion was made by Mr. Gard and seconded by Ms. Kidd to adjourn. Those voting aye were: Lowrance, Kidd, Gard, Rooker and Stunkard. Nay votes: none. Motion carried. The meeting adjourned at 11:45 a.m.

Approved by the Oklahoma Conservation Commission on July 1, 2008.

CHAIR