

## MINUTES

### CALL TO ORDER

The Oklahoma Conservation Commission met March 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 George Stunkard. 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 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:

George Stunkard, Chair  
Dan Lowrance, Vice Chair  
Virginia Kidd, Secretary  
Matt Gard, Member  
Rick Jeans, 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  
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  
Charlotte Stieber, AML Administrative Officer  
Shellie Willoughby, GIS Specialist  
Cheryl Cheadle, State Blue Thumb Coordinator  
Jeanette Lamb, Environmental Specialist  
Gene Spurlock, AML Inspector  
Jennie Spurlock, Spouse  
Joann Stevenson, Assistant Attorney General  
Clay Pope, Oklahoma Association of Conservation Districts Executive Director  
Ron Hilliard, Natural Resources Conservation Service State Conservationist  
Kevin Norton, Natural Resources Conservation Service Assistant State Conservationist  
Jeanette Nance, Governor's Office Liaison  
Sheri Herron, BMPs Inc.  
Mark Schlachtenhaufen, Capitol Network News  
Mary Jo Major, CommuniSkills Consultant  
Kim Tweed, Executive Secretary

## **PLEDGE OF ALLEGIANCE**

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

## **MINUTES OF PREVIOUS MEETING**

A motion was made by Mr. Lowrance and seconded by Ms. Kidd to approve the minutes of the February 12, 2007, Commission meeting as written. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

## **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. Jeans and seconded by Ms. Kidd to approve district director appointments listed as 1<sup>st</sup> Recommendation in Exhibit #1 with terms to expire as indicated. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

## **OKLAHOMA ASSOCIATION OF CONSERVATION DISTRICTS (OACD) REPORT**

Mr. Stunkard moved the OACD report up on the agenda. Clay Pope, Executive Director, expressed his appreciation to the conservation partnership. He reported on the recent state meeting stating that attendance was up for the meeting and for the banquet. He expressed appreciation to Commission staff for their work with the meeting. He also expressed appreciation to staff members for their work with the strategic plan.

Mr. Pope stated that Don Bartolina, Oklahoma County Conservation District Manager, will be the lead person for the National Land and Range Judging Contest scheduled for May 1-3. The NACD South Central meeting is being planned with a possible tour in the Beauty Creek Watershed and an event at the Will Rogers Memorial. City of Tulsa Mayor Taylor has been confirmed to give the welcome and to discuss the Conservation Reserve Enhancement Program. The dates of the meeting may be changed to a Thursday, Friday, and Saturday (July 26-28).

Mr. Pope reported on legislative issues stating that session is at the half-way point. Several bills are of interest to the OACD. One is creating a fund at the Commission to assist producers with prescribed burns and assisting with liability should the fire get away. Another bill is partnering with the county commissioners on rehabilitation and operation and maintenance of upstream flood control structures. The City of Meeker has a structure supplying the drinking source that is in need of rehabilitation and may want to partner with the conservation district. Mr. Pope stated that he is worried about Senate Bill 81, regarding REAP. There is talk about the Legislature approving stand alone budgets, filling budget commitments and adjourning; however, Representative DeWitt is committed to lifting the cap on REAP funds and obtaining more money for cost-share, rehabilitation, CREP and filling the budget hole.

Other legislative of interest is tax credits for conservation easements, carbon sequestration and House Bill 1392 being supported by the Poultry Federation. Mr. Pope stated that bills classifying animal waste as toxic waste are being heard and that the OACD does not have an official position on this legislation.

Mr. Pope was in Norman to hear Al Gore discuss global warming issues.

## **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. Jeans and seconded by Mr. Lowrance to approve the claims and financial statement. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

## **SERVICE AWARD RECOGNITION**

Ben Pollard, Assistant Director and Dan Butler, Water Quality Program Director, recognized Cheryl Cheadle, State Blue Thumb Coordinator, for 15 years of service. Mr. Pollard along with Mike Kastl, AML Program Director, recognized Gene Spurlock, AML Inspector, for 25 years of service.

## **RECOGNITION OF THE EMPLOYEE OF THE QUARTER**

Mr. Pollard and Shellie Willoughby, Awards and Recognition Committee Chair, recognized Jeannette Lamb, Environmental Specialist, as the Commission's Employee of the Quarter. Ms. Lamb was recognized for her work in gathering documents for the Illinois River lawsuit.

## **NEW OFFICIAL LOGO OF THE CONSERVATION COMMISSION**

Ms. Willoughby stated that the Awards and Recognition Committee held a contest for employees to submit designs for a new Commission logo. The Committee received 20 designs from eight employees. The top three designs are being presented today (See Attachment A). This logo will be used on letterhead, vehicles, shirts, jackets, etc. Members were polled: Kidd - top design; Jeans - bottom design; Gard - top design; Lowrance - top design; Stunkard - top design. A motion was made by Mr. Jeans and seconded by Mr. Lowrance to approve the top design listed on Attachment A. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

## **UPDATE ON THE BMP INC. AGREEMENT FACT-FINDING**

Mr. Thralls stated that the Commission received questions regarding the agreement with BMP Inc. and tabled the agreement during the February meeting to give staff additional time for research. Staff is needing additional time as they are still examining records and may meet with State of Arkansas counterparts. Staff hopes to have a recommendation by the April Commission meeting.

Mr. Stunkard allowed Sheri Herron, BMP Inc., time to comment on the agreement. Ms. Herron stated that she was appointed by a federal judge to oversee two non-profit organizations. These companies provide education and outreach for all landowners, and to help farmers to find and implement solutions to watersheds, particularly the Eucha and Illinois River. A need for exporting chicken litter from these watersheds was identified and trucking companies and other experts were involved. The company began finding poultry growers to purchase chicken litter and to move it out of the watershed using EPA subsidies. An agreement was reached with the states of Oklahoma and Arkansas to transfer litter across state-lines; however, 90% of the market is in Oklahoma. Ms. Herron stated that when setting up a new industry there will always be initial problems.

Ms. Herron stated that trucks are loaded and ready to move chicken litter but are unable to do so because no action has been taken on the agreement. She said time is of the essence as its fertilizer time. If she cannot get litter in Oklahoma, she will have to go Kansas, Missouri or Arkansas to get

it. No action on this agreement is hurting the farmers. The price of litter has different variables, one being the length of the haul. She uses UPS rates for fuel costs. Ms. Herron stated a reason for price differences with her program and the open market could be that haulers are getting the litter for free instead of paying for it. Though, now that the program is getting more attention the market is getting better. A one hundred mile trip would cost around \$18/per ton delivered.

Ms. Herron thanked the Commission for the opportunity to provide comments.

### **COMMISSION AGREEMENTS**

Mr. Pollard presented new agreements for approval as listed in Exhibit #3. A motion was made by Mr. Lowrance and seconded by Mr. Jeans to approve the agreements as listed. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

### **OUT OF STATE TRAVEL REQUESTS**

A motion was made by Mr. Jeans and seconded by Ms. Kidd to approve out of state travel requests as listed in Exhibit #4. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

### **CONSERVATION DISTRICT DIRECTOR ELECTED POSITION #3**

Mr. Thralls presented Conservation District Director Elected Position #3 information as listed in Exhibit #5 and recommended that the Commission certify candidates in districts where only one eligible person filed a Notification and Declaration of Candidacy for Elected Position #3; in districts where no eligible candidate filed, declare Elected Position #3 vacant; and to authorize the Executive Director to declare candidates receiving the highest number of votes at the March 13, 2007 district director election as elected. A motion was made by Mr. Lowrance and seconded by Mr. Jeans to take action as listed above. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

### **SPONSORSHIP OF EVENTS**

A motion was made by Ms. Kidd and seconded by Mr. Jeans to co-sponsor the following events. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

1. Oklahoma Envirothon, April 2-4, 2007, Sequoyah State Park, Hulbert, Oklahoma,
2. National Land and Range Judging Contest, May 1-3, 2007, Oklahoma City, Oklahoma.
3. National Association of Conservation Districts South Central Meeting, July 27-29, 2007, Catoosa, Oklahoma.

### **COMMISSION'S STRATEGIC PLAN FOR FISCAL YEARS 2008 THROUGH 2012**

Mr. Pollard stated that approval of the Commission's Strategic Plan was tabled during the February meeting. Staff is requesting the Commission to table the plan again to give staff more time on the final product. A motion was made by Ms. Kidd and seconded by Mr. Lowrance to table action on the Strategic Plan. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

## **GEOGRAPHIC INFORMATION COUNCIL'S STRATEGIC AND BUSINESS PLAN**

Mike Sharp, Information Technology Director, stated that the strategic planning process began over a year ago after receiving a grant. In July 2006, the Geographic Information Council hired Mary Jo Major, CommuniSkills Consultant, to assist with strategic planning.

Ms. Major gave a power point presentation on the work of the Council regarding the strategic plan. The plan was submitted to and approved by the full Council on February 9.

After discussion, a motion was made by Mr. Lowrance and seconded by Mr. Jeans to approve the strategic plan as submitted. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

Mr. Lowrance expressed his appreciation to Mr. Sharp and Ms. Willoughby on their work with the plan. Mr. Stunkard thanked Ms. Major for her assistance.

## **AMENDMENTS TO THE COMMISSION'S FY2008 BUDGET REQUEST**

Mr. Thralls stated that the Commission approved the FY2008 budget request in October 2006. Staff is recommending amendments to the request as listed below:

- A. Increase the Office of Geographic Information request from \$185,000 to \$371,000,
- B. Increase the flood prevention requests from \$880,000 to \$980,000 to provide \$100,000 of additional funding for Quapaw Site 11 in Lincoln County, and
- C. Amend request to add additional funding as follows:
  - \$6,446,805 for watershed dam rehabilitation
  - \$775,000 for priority watershed 319 match, and
  - \$965,000 for locally-led cost-share.

Mr. Lowrance questioned Amendment B and placing additional funds in watershed operation and maintenance since work on this site is a water quality issue and not an O&M issue. Discussion was had as to which account additional money should be placed. It was stated that the funds could be placed in the water quality fund.

After discussion a motion was made by Mr. Lowrance and seconded by Mr. Jeans to approve the amendments A and C as listed and to change the Amendment B request from the flood prevention account to the water quality account. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

## **PUBLIC COMMENTS**

None.

## **NEW BUSINESS**

None.

## **OKLAHOMA CONSERVATION COMMISSION MEMBERS**

Mr. Gard reported on attending the State Farmers Union meeting and stated that the group has changed its name to the American Farmers and Ranchers Casualty. He also attended a no-till conference in Enid and an eggs and issues meeting with Senator Laughlin and Representative

Hickman. Mr. Gard will attend Conservation Day at the Capitol on March 19. He commended OACD on the state meeting and expressed his disappointment with the small number of legislators attending the banquet.

Ms. Kidd complimented Commission and OACD employees for their work with the OACD state meeting.

Mr. Lowrance also thanked the Commission employees for their work with the state meeting as well as their work on OACD's strategic plan.

Mr. Jeans said the OACD state meeting is successful because of the Commission and OACD staff.

### **OKLAHOMA CONSERVATION COMMISSION STAFF**

*Administration:* Mike Thralls, Executive Director, complimented the Commission staff on work with the OACD state meeting. He commended OACD on adoption of its strategic plan and stated that the Commission will support it.

Mr. Thralls reported that Darrel Dominick, Tribal Outreach Coordinator, is working on the Stamper Project to assist in getting it back on schedule.

Mr. Thralls reported that Jim Cox, Executive Director of the National Association of State Conservation Agencies, has resigned and the Association will hire a new director. GIS Day at the Capitol is scheduled for March 14 and Lt. Governor Askins will attend festivities that morning.

*District Services Division:* Lisa Knauf, Director, reported on attending the OACD state meeting and stated that 30 directors attended the training session with Ray Ledgerwood.

Ms. Knauf notified 20 districts/NRCS field offices outlining a summer intern program; however, this program will not be available this year as funding will go back to NRCS. Ms. Knauf prepared and received the first half of the contributions agreement. She has been working with the Dewey County Conservation District on re-definement of job descriptions.

*Water Quality Program:* Dan Butler, Director, reported on the BMP Inc. agreement stating that \$6000 is remaining in one agreement. Mr. Thralls stated additional funds for this agreement was at the request of Secretary of Agriculture Terry Peach. Mr. Butler stated the state of Arkansas has \$220,000 of its original 319 budget for this project.

*Abandoned Mine Land Reclamation Program:* Mike Kastl, Director, provided copies of the Office of Surface Mining's newest 10 year funding chart and expressed disapproval. Congressman Boren had stated he would attend the hearing held last month on this funding issue; however, he was unable to do so. He will submit questions that OSM will be required to answer. The chart shows that Oklahoma would receive \$1.5 million through FY2009, \$2.3 through FY2011, and \$3 million through FY2017.

*Financial Management and Human Resources Division:* Steve Coffman, Director, stated that audits for the water quality program and the AML program are being finalized.

*Information Technology Division:* Mike Sharp, Director, reported that students from Environmental Sciences at OSU are helping to address vegetation problems on the Enochs site at Commerce. He stated that GIS Day at the Capitol is March 14 and commended Shellie Willoughby for her work with this event.

*Conservation Programs Division:* Robert Toole, Director, stated that in the interest of time he would forego his verbal report. A written report is included in the meeting packet.

*Administration:* Ben Pollard, Assistant Director, stated that Conservation Day at the Capitol is scheduled for March 19. There are 30 tables available for displays with the first opportunity going to conservation districts. The awards ceremony will be held in the Blue Room at 10:30 a.m. that morning.

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

Ron Hilliard, State Conservationist, thanked the Commission for the reception he received at the OACD state meeting. He reported that the Continuing Resolution for appropriating FY07 funds has been extended through September 30. Decisions on budget issues in Oklahoma will not be made until a budget allocation is received from NRCS-Washington.

Mr. Hilliard has been traveling across the state visiting field offices and staff members. He was with Jamey Wood in Dewey County and attended a cedar event in Woodward.

Mr. Hilliard stated that USDA announced Christina Muedeking as the new NRCS Regional Assistant Chief for Central Region and that he has invited her to Oklahoma. She is replacing Merlin Bartz.

Mr. Hilliard stated that he would be in Washington, D.C. next week

### **USDA-FARM SERVICE AGENCY**

No representative present.

### **NEXT MEETING**

The next regular meeting of the Oklahoma Conservation Commission will be held on April 2, 2007, 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 Ms. Kidd and seconded by Mr. Gard to adjourn. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried. The meeting adjourned at 11:57 a.m.

Approved by the Oklahoma Conservation Commission on April 2, 2007.

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CHAIR