

## MINUTES

### CALL TO ORDER

The Oklahoma Conservation Commission met June 4, 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 regular 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 31, 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  
Shanon Phillips, Water Quality Program Assistant Director  
Mike Sharp, Information Technology Director  
Lisa Knauf, District Services Director  
Mark Harrison, Information Representative  
Shellie Willoughby, GIS Specialist  
Ed Crall, Fort Cobb Project Education Coordinator  
Karla Beatty, Education Coordinator  
Johnny Pelley, Watershed Technician  
Dennis Boney, Watershed Technician  
George Moore, Watershed Technician  
Joann Stevenson, Assistant Attorney General  
Scotty Herriman, Oklahoma Association of Conservation Districts President  
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 (Programs)  
Chris Stoner, Natural Resources Conservation Service State Conservation Engineer  
Jamey Wood, Natural Resources Conservation Service Assistant State Conservationist (Field Offices)  
Jasper Parker, Natural Resources Conservation Service Assistant State Conservationist (Outreach/Rural Development)  
Rod Wanger, Farm Service Agency Conservation Program Chief

Mike Rooker, Shawnee Conservation District Director  
Erin Boeckman, Capitol Network News  
Phyllis Stunkard, guest/spouse of Mr. Stunkard  
Diane Jeans, guest/Spouse of Mr. Jeans  
Amber Jeans, guest/daughter of Mr. Jeans  
William Pope, guest/son of Clay Pope  
Kim Tweed, Executive Secretary

### **PLEDGE OF ALLEGIANCE**

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

### **MINUTES OF PREVIOUS MEETING**

A motion was made by Mr. Lowrance and seconded by Mr. Jeans to approve the minutes of the May 7, 2007, Commission meeting as written. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

### **PRESENTATION BY SECRETARY OF AGRICULTURE TERRY PEACH**

Secretary of Agriculture Terry Peach attended the meeting to present Mr. Jeans with a commendation for his years of service to the state of Oklahoma serving as Area 2 member. Secretary Peach expressed his appreciation to Mr. Jeans for his contributions to conservation.

### **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 Ms. Kidd and seconded by Mr. Gard to approve district director appointments listed as First Recommendation in Exhibit #1 with terms to expire as indicated. Those voting aye were: Stunkard, Lowrance, Kidd, and Gard. Mr. Jeans abstained. 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. Lowrance and seconded by Mr. Jeans 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 OF ED CRALL**

Ed Crall, Fort Cobb Education Coordinator, was recognized for five years of service to the Conservation Commission.

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

Shellie Willoughby, GIS Specialist, was recognized on being named the Commission's Employee of the Quarter.

**ADDITIONAL ALLOCATION TO THE COMANCHE COUNTY CONSERVATION DISTRICT FOR SUPPORT OF THE 2007 ENVIROTHON TEAM**

Mr. Thralls stated that the Comanche County Conservation District has requested an additional allocation in the amount of \$1000.00 for support of the 2007 Envirothon team from Eisenhower High School in Lawton, Oklahoma to travel to the national contest in upstate New York.

A motion was made by Mr. Jeans and seconded by Mr. Gard to approve this request. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

**PRESENTATION OF COMMISSION AGREEMENTS**

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

Mr. Pollard recommended approval of the new agreement listed as (u). A motion was made by Mr. Lowrance and seconded by Mr. Jeans to approve the new agreement as listed. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

**PRESENTATION OF OUT OF STATE TRAVEL REQUESTS**

Mr. Thralls presented out of state travel requests as listed in Exhibit #4. He recommended ratification of the request listed as (a). A motion was made by Mr. Jeans and seconded by Ms. Kidd to ratify request (a). Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

Mr. Thralls recommended approval of requests listed as (b) through (f). A motion was made by Mr. Lowrance and seconded by Mr. Gard to approve the requests as listed. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

**EMERGENCY RULE FOR NONPOINT SOURCE CLEAN WATER STATE REVOLVING FUND LOAN APPLICATIONS**

Mr. Thralls stated that staff will be presenting an emergency rule for Nonpoint Source Clean Water State Revolving Fund loan applications for approval and provided copies of the rule (see Attachment A). Mr. Thralls called on Joann Stevenson, Assistant Attorney General, to make the presentation.

Ms. Stevenson stated that the Oklahoma Water Resources Board has pending applications for Nonpoint Source Clean Water Revolving funds and cannot proceed until the Conservation Commission promulgates rules on receipt of these funds. Because of time constraints, emergency rules are needed so the first applicant can match available federal funds; in this case the applicant is the City of Tulsa. Ms. Stevenson stated that emergency rules can be approved without Notice of Rule Making or a public comment period. These emergency rules will then go through the permanent rule-making process beginning in August and will be presented during the next legislative session.

Shanon Phillips, Water Quality Division Assistant Director, stated that the City of Tulsa is requesting \$1.25 million of state revolving funds to use as match for the Conservation Reserve Enhancement Program recently approved. Commission staff will ensure that the goals and activities of entities requesting these funds are in line with the State Management Plan.

A motion was made by Mr. Jeans and seconded by Mr. Gard to approve the emergency rule for the Nonpoint Source Clean Water State Revolving Fund loan applications. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

### **COMMISSION'S FY2008 APPROPRIATION AND BUDGET**

Mr. Thralls stated his appreciation to the Oklahoma Association of Conservation Districts (OACD) and the Oklahoma Association of Conservation District Employees (OACDE) for their efforts with the Commission's FY2008 budget. He then reported on the following funding bills:

Senate Bill 334 appropriates \$9.1 million to the Commission for its FY2008 budget which includes \$150,000 of new money. Staff will present the Budget Work Program during the July meeting. Mr. Thralls stated that the Commission can use 20% of the Water REAP funds for administration and additional money from other earnings may be used to fill the budget hole.

Senate Bill 272 sets the budget limits for the Commission as well as the Executive Director's salary and FTE limits.

House Bill 1105 distributes Rainy Day Fund spillover money. The Commission will receive \$6.5 million for the purpose of watershed rehabilitation. A statewide survey was conducted of watershed structures needing rehabilitation and ranked in order of priority.

Mr. Stunkard expressed his appreciation to those that carried the message to the legislature, particularly Clay Pope, OACD Executive Director.

### **EXECUTIVE SESSION**

In accordance with Title 25, Okla. Statutes § 307B(1), a motion was made by Mr. Jeans and seconded by Mr. Gard to enter executive session for the purpose of discussing the salary of the Executive Director for FY2008. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried. Mr. Stunkard requested that Mr. Pollard and Mr. Coffman attend the executive session. Members entered executive session at 10:17 a.m.

### **REGULAR SESSION**

Members resumed regular session at 10:30 a.m. and took the following action.

### **EXECUTIVE DIRECTOR'S SALARY FOR FY2008.**

A motion was made by Mr. Jeans to raise the Executive Director's salary by \$7000.00. It was stated that the exact amount needs to be approved. Mr. Jeans amended his motion to set the salary for the Executive Director at \$72,398. Ms. Kidd seconded the motion. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

## **REPORT ON LEGISLATION AFFECTING THE CONSERVATION COMMISSION AND CONSERVATION DISTRICTS**

Mr. Thralls stated that in addition to appropriation bills, the legislature passed House Bill 1520, creating the Oklahoma Controlled Burn Indemnity Fund in the Commission. This fund would assist landowners with controlled burns to address invasive species.

Mr. Pope stated that landowners could contact their local conservation district office and work with the Natural Resources Conservation Service and the district staff to develop a burn plan. The landowner would then have the option of paying \$100 to the fund for additional protection should their fire get out of control and would be available to help cover any losses associated with the damage caused by the fire. Landowners would have to show that they followed their plan to the letter to utilize the fund to cover any liability they experience from the burn. Mr. Pope will be working with insurance groups to help start the fund as there were no monies appropriated with its creation. Staff will also work with the State Fire Council to get this program running.

## **PUBLIC COMMENTS**

Mr. Pollard stated that Dianne Jeans has submitted written statements and asked Mr. Pollard to read the statement. The statement is listed as Attachment B.

## **NEW BUSINESS**

Mr. Jeans questioned the contract with BMPs Inc. stating that tons of litter could be shipped and used by producers. He urged the Commission to assist. Mr. Thralls stated that the agreement with BMPs Inc. expires September 30, 2007 and that payment is being withheld until the Office of Inspector General finishes its audit. A meeting between the OIG and the Office of Secretary of Environment is scheduled for today.

## **OKLAHOMA CONSERVATION COMMISSION MEMBERS**

Mr. Gard reported on attending wheat and canola meetings across the state. He spoke at the Governor's Agriculture Conference in Okemah and attended Agriculture Day activities in Fairview.

Ms. Kidd will be attending the Women in Agriculture Conference scheduled for Thursday, June 7.

Mr. Lowrance attended the tenth National Watershed Coalition Conference in LaCrosse, Wisconsin and reported on its success. New officers were elected for two-year terms as follows: Don Underwood, Mississippi, chairman; Robert Toole, Oklahoma, vice chairman, and Lou Vee Bridges, Texas, Secretary/Treasurer. Mr. Lowrance stated that an operation and maintenance conference will be scheduled in September in Decatur, Texas.

Mr. Jeans thanked members and staff for their support during his term as Area 2 member and appreciated the working relationship he has had over the years.

Mr. Stunkard thanked Mr. Jeans for his input over the past 5 years. He thanked members and staff for their support while he served as chairman of the Commission this past year.

## **OKLAHOMA CONSERVATION COMMISSION STAFF**

*Administration:* Mike Thralls, Executive Director, thanked members of OACD and the OACDE for their work with the legislature. He also thanked staff of the NRCS for their support. Mr. Thralls expressed a special thanks to Commission staff for their work. Mr. Thralls visited with Congressman Frank Lucas during the recent Range Round-up and expressed appreciation for the Farm Bill work he is doing.

Mr. Thralls shared an article from the Farmer-Stockman magazine featuring Mr. Gard and a processing plant for oil seed. He attended an NRCS State Leadership Team Meeting in Stillwater and shared the Commission's successes.

On a personal note, Mr. Thralls informed the Commission that he is scheduled for follow up treatment in August for health issues and will likely be out two to three weeks.

Mr. Thralls stated it has been a pleasure to work with Mr. Jeans on the Commission. He expressed his appreciation to Mr. Stunkard for his tenure as chairman.

*District Services Division:* Lisa Knauf, Director, has been working with the NRCS on continuation of the Contributions Agreement. No dollar figure has been set on this agreement. Several district employees have announced retirements recently. Ms. Knauf worked on registration packets and the agenda for the upcoming NACD South Central Region Meeting. She has also been assisting the Muskogee County Conservation District with personnel issues.

*Water Quality Program:* Shanon Phillips, Assistant Director, provided a Stamper project update stating that this project converts poultry litter to liquid fertilizer. The project did not meet the state of Arkansas's deadlines so those funds have been pulled; however, staff has met with EPA officials and funds will be available to complete this project. She stated that Darrel Dominick is confident the deadlines can be met.

Ms. Phillips reported on the Conservation Reserve Enhancement Program stating staff has been receiving support from the NRCS and the Farm Service Agency in getting this program started.

Ms. Phillips reported on the poultry litter lawsuit stating that the Commission will be notified when it's time to provide electronic materials.

*Abandoned Mine Land Reclamation Program / Information Technology:* Mike Sharp, IT Director, gave the AML report stating that an emergency occurred in Coal County involving a vertical sinkhole near the town of Coalgate's main sewer line.

Mr. Sharp stated that a letter was sent on May 30 to the Secretary of Interior supporting the statement of the Interstate Mining Compact Commission and the National Association of AML Programs that minimum states should receive \$3 million yearly instead of the \$1.5 million.

Mr. Sharp reported on Tar Creek activities stating that dry weather will allow work to proceed including vegetation.

*Financial Management and Human Resources Division:* Steve Coffman, Director, stated

that budget meetings have been scheduled with division directors to discuss the FY2008 budget. He reported that the Commission received the largest budget ever with the passage of the appropriations bill and REAP funds. He is assisting work with the insurance broker on renewing the district liability policy.

*Conservation Programs Division:* Robert Toole, Director, provided copies of his written monthly summary. He updated the Commission on the Barnitz 14 site where an emergency was declared last month stating that a contract may be awarded this week.

Mr. Toole stated that with recent rainfalls there have been reports of 8 sites flowing through emergency spillways, including Boomer Lake in Stillwater. There were no reports of over topping and only one report of some erosion occurring in the auxiliary spillway on a site.

*Administration:* Ben Pollard, Assistant Director, stated that the last six weeks have been historic for this agency with over \$40 million to put on the ground for conservation. The Commission has a big job ahead. The FY2008 appropriation is the largest budget in history of the agency and the partnership needs to celebrate these successes.

Mr. Pollard stated that Mr. Jeans is going out on a high note and expressed appreciation for his leadership to OACD and the Commission over the years.

## **OKLAHOMA ASSOCIATION OF CONSERVATION DISTRICTS**

Clay Pope, Executive Director, thanked the conservation partnership for their work with the legislature this year. He also expressed appreciation to Mr. Jeans.

Mr. Pope stated that the Commission will receive between \$2.6 and \$2.9 million from REAP funds earmarked for three more years in addition to \$6.5 million for flood control rehabilitation. This funding is a testament of the hard work of OACD and OACDE.

Mr. Pope stated the bill working with county commissioners and the bill regarding carbon sequestration did not pass but will be carried over next year.

Mr. Pope stated that OACD is watching the Farm Bill mark up, especially changes to the administration of farm programs. It is expected that discussions on full reorganization will occur after the Farm Bill passes. OACD supports the current structure of farm programs.

Mr. Pope stated that the Commission is the agency for carbon sequestration in Oklahoma. OACD made a presentation on carbon sequestration at the request of Secretary of Energy David Fleischaker. Mr. Pope will be working with ag groups on this issue.

Mr. Pope expressed his appreciation to Mr. Pollard and Ms. Knauf for their work with the South Central meeting planning.

The OACD handbook has been sent out but typos will be cleaned up and another edition will be sent in the near future. A policy book containing passed resolutions is also being developed.

Mr. Pope stated that several interim studies are being filed and one pertains to program consolidation of water issues. Other studies include CAFO regulations, water issues in the

Eucha/Spavinaw area, Green Space and site specific stewardship management plans.

Scotty Herriman, President, expressed his appreciation to the Commission for work with conservation. As President, he now understands the work that is being done and the time it takes. Mr. Herriman complimented Mr. Jeans on his tenure as Area 2 member. He also commended Mr. Pope for his leadership in the Association.

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

Ron Hilliard, State Conservationist, provided a written report of NRCS activities. He introduced Chris Stoner, new State Conservation Engineer for NRCS. He reported that the city of Stillwater received between 4 and 8 inches of rain in a 2-3 hour period and that Boomer Lake is full.

The State Technical Committee will meet on June 28 to discuss the Farm Bill. He stated that staff has been assisting with personnel actions and budget issues. NRCS has hired seven new students for the summer.

Mr. Hilliard attended the National Watershed Coalition meeting and stated that Oklahoma was well represented. The meeting was well organized and topics were timely.

The Oklahoma NRCS will undergo an OIG audit on the rehabilitation program in the next two weeks.

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

Rod Wanger, Conservation Program Chief, reported on the Conservation Reserve Enhancement Program. A meeting was held last week with representatives from the Commission, NRCS and FSA along Spavinaw Creek to look at the potential area. Ed Fite, Oklahoma Scenic Rivers Commission, as well as representatives from the City of Tulsa were in attendance. Sign-ups for this program will begin soon.

Mr. Wanger stated that Congress passed legislation for the following areas: crop disaster, livestock cooperative program, livestock indemnity program and the Emergency Conservation Program.

#### **ELECTION OF NEW OFFICERS FOR FY2008**

A motion was made by Mr. Jeans and seconded by Mr. Stunkard to nominate Mr. Lowrance as chair, Ms. Kidd as Vice Chair, and Mr. Gard as secretary for FY2008. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

#### **NEXT MEETING**

The next regular meeting of the Oklahoma Conservation Commission will be held on Monday, July 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 Mr. Jeans and seconded by Mr. Lowrance to adjourn. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried. The meeting adjourned at 11:35 a.m.

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

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CHAIRMAN