



Missouri Department of Natural Resources

MINUTES

MISSOURI SOIL AND WATER DISTRICTS COMMISSION DEPARTMENT OF CONSERVATION CENTRAL OFFICE AUDITORIUM JEFFERSON CITY, MISSOURI

March 9, 2011

8:30 a.m.

COMMISSION MEMBERS PRESENT: Charles Ausfahl, Kathryn Braden, Thomas Bradley, and Richard Fordyce

EX-OFFICIO MEMBERS: **BOB ZIEHMER, DEPT. OF CONSERVATION:** John Knudsen; **JON HAGLER, DEPT. OF AGRICULTURE:** Dennis Baird, **SARA PARKER PAULEY, DEPT. OF NATURAL RESOURCES:** Mike Wells

ADVISORY MEMBERS PRESENT: SOIL & WATER CONSERVATION PROGRAM: Bryan Hopkins; **NRCS:** J R Flores; **MASWCD:** Steve Radcliff

STAFF MEMBERS PRESENT: Chrisi Armbruster, Jim Boschert, April Brandt, Allan Clarke, Kerry Cordray, Alan Freeman, David Goggins, Katy Holmer, Jesse Higginbotham, Jennifer Johnson, Jeremia Markway, Eric McGeorge, Theresa Mueller, Jennifer Pellett, Hudson Peters, Jim Plassmeyer, Josh Poynor, Jeremy Redden, Judy Stinson, Ken Struempf, Cody Tebbenkamp, Leon Thompson, Steve Walker, Colette Weckenborg, and Bill Wilson

OTHERS PRESENT: DISTRICTS: **ADAIR:** Bob Jackson, Denise Matthews; **BENTON:** Tina Hovendick; **BOLLINGER:** Megan Baker, Beth Eeftink; **BOONE:** Cindy Bowne; **CALLAWAY:** Mark Smart; **CAPE GIRARDEAU:** Paula Meier, Denise Yamnitz; **COLE:** Peggy Lemons; **DALLAS:** Matt Hale, Tony Rosen; **FRANKLIN:** Lori Nowak; **GASCONADE:** Diane Mayfield; **GRUNDY:** Heather Keith; **HOWARD:** Bev Dometroch; **JEFFERSON:** George Engelbach; **JOHNSON:** Bill Hoy, Angie Leonard, Dwight Loyd; **MARIES:** Sandy Hutchison, Amy Neier; **MONTGOMERY:** Ann Whitehead; **OSAGE:** Cindy DeOrnellis, Colby Nilges; **POLK:** Roger Ankrom; **RIPLEY:** Rachel Griffin; **ST. CHARLES:** Frankie Coleman; **WARREN:** Polly Sachs; **WRIGHT:** Wesley Lebahn, Missy Wollard; **STATE OF MISSOURI: ATTORNEY GENERAL'S OFFICE:** Tim Duggan; **MISSOURI DEPARTMENT OF AGRICULTURE:** Chris Klenklen; **MISSOURI DEPARTMENT OF**

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

March 9, 2011

Page 2

CONSERVATION: Mike Hubbard; **OTHERS:** MO Farm Bureau: Kelly Smith; MASWCD: Kenny Lovelace; MDNR: Kendall Blythe; MLICA: Jeff Lance, Tom Lowler

NOTE: The following is a general summary of the information presented at the commission meeting. For specific information on commission proceedings, please refer to the DVD/Video or Audio

A. CALL TO ORDER

Chairman Richard Fordyce called the meeting to order, in Jefferson City, Missouri, at MDC, at 8:38 a.m.

B. MINUTES OF THE LAST MEETING

Kathryn Braden made a motion to approve the minutes of the November 29, 2010 commission meetings as mailed. Thomas Bradley seconded the motion. When asked by the chair, Charles Ausfahl, Kathryn Braden, Thomas Bradley, and Richard Fordyce voted in favor of the motion and the motion carried unanimously.

John Knudsen welcomed the commission to the Department of Conservation and introduced Deputy Director Tom Draper and Division Director Mike Hubbard. Mr. Draper welcomed the commission and informed them that he had worked with soil and water conservation districts in two other states so he was familiar with some of the practices. He stated that partnerships are critical in achieving goals.

C. DEPARTMENT OF NATURAL RESOURCES

1. Introduce Department Director Sara Parker Pauley

Mike Wells informed the commission that Department Director Sara Parker Pauley was not able to attend as previously planned. He stated she was nominated by Governor Nixon in December and was recently confirmed by the Senate. He informed the commission that Ms. Pauley had previously been a Deputy Director for the Department.

2. Election of Commission Chair and Vice-Chair

Mike Wells opened the floor for nominations for the position of chair of the commission. Kathryn Braden nominated Richard Fordyce. Thomas Bradley seconded the nomination. When asked, Charles Ausfahl, Kathryn Braden,

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

March 9, 2011

Page 3

Thomas Bradley, and Richard Fordyce voted in favor of the motion and the motion passed unanimously.

Mike Wells opened the floor for nominations for the position of vice-chair of the commission. Thomas Bradley nominated Gary Vandiver. Charles Ausfahl seconded the nomination. When asked, Charles Ausfahl, Kathryn Braden, Thomas Bradley, and Richard Fordyce voted in favor of the motion and the motion passed unanimously.

3. State Audit of Soil and Water Conservation Program

Mike Wells informed the commission that there was a typical audit being done by the State Auditor's office. He stated that there is an audit approximately every four or five years. He stressed that nothing specific caused this audit; it was our time on the rotation. He stated that both Soil and Water Conservation Program and State Parks were being audited. He informed that commission that the auditors would be going out into the districts also. He reiterated that this was routine.

D. SOIL AND WATER CONSERVATION PROGRAM DIRECTOR'S COMMENTS

1. Soil and Water Conservation Strategic Planning Workgroup Update

Bryan Hopkins provided the commission with a brief summary of some of the issues discussed in the last workgroup meeting. He stated that at the workgroup meeting there was a lot of information provided. He stated that one issue was what the program would be facing in the next few years regarding expenditures. He stated that the challenge is to bring the revenues and expenditures back into balance. He proceeded to inform the commission on how the reserve fund was developed and how it will be spent down.

Mr. Hopkins stated there were several issues and ideas that will be worked on at the strategic workgroup meetings. He pointed out that the items were discussion items not agenda items. He stated that workgroup meetings would be scheduled approximately every six weeks. He informed the commission that the next workgroup meeting was scheduled for April 13 and the item for discussion would be cross training of staff. He stated that it would very important that both associations were present.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

March 9, 2011

Page 4

2. Update on Accounting Program Implementation

Jim Plassmeyer presented an update on the accounting program implementation. He stated that the accounting system would capture more than just basic accounting. He stated there were nine districts that piloted the grant reporting system. He informed the commission that the piloting started in July 2010. He stated that the pilot districts had provided suggestions on system improvements, they also indicated the system was user friendly, simpler to use than the current system, and that they would like to see the system implement soon.

Mr. Plassmeyer informed the commission that there were two workshops held at the training conference and that the workshops focused on how the system is set up and demonstrated how the districts would be able to input data into the system. He stated that he plans to implement the system with 35-40 districts in March/April and that there would be two more implementations for the remaining districts. He proceeded to cover some of the benefits for the system.

3. Update on Time Reporting System

Mr. Plassmeyer updated the commission on the time reporting system that the commission approved development of in October 2009. He stated there were four pilot districts that tested the system and provided input for the development of the system

Mr. Plassmeyer pointed out to the commission that there was an overview of the system presented at the area meetings in August 2010 to the supervisors and employees. He stated there was also a workshop held at the November 2010 training conference that highlighted how to input information into the system as well as the requirements. He stated on February 9, 2011 an email was sent to all of the districts announcing the training schedule, it requested staff employment information, and a user manual was provided in the email. He stated that 10 Webinars were held and 64 districts participated for a total of 142 trained employees. He pointed out that more training sessions would be scheduled so that all employees have an opportunity to attend. He stated that in the February email there was the employee information sheet that was needed to initially set up user accounts. He stated the information needed was name, address that could be the district office address, a phone number, which could be work, home or cell, computer id, position, workweek type, employment start date, pay rate, board, established full-time hours, FLSA status, military status, and leave balances. He pointed out that as of March 4, 2011 the program had received the employment information from 35 districts.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

March 9, 2011

Page 5

Mike Wells stated that the Governor and the Department supports moving in this direction. He stated that this is a priority for the Governor. He stated that the Governor wants more accountability. He pointed out this was the right thing to do.

a. **Missouri Association of Soil and Water Conservation Districts Issues with Time Sheet Program**

Steve Radcliff stated that the time sheets are requiring the board policy to be changed. He stated that they believe that it should be a board policy. He stated that the employees in the Capitol do not have a time sheet. He stated that they are not against the time sheet, it is all of the information within the time sheet and who has control over it. He stated that he believes that the five supervisors are still their employees. He stated the supervisors are the employees of the districts. He stated they do not answer to DNR when they have problems they answer to the supervisors. He stated that their concern was what is the purpose of the time card that goes to DNR. He stated that they know that they want accountability but it could be done as a statewide time sheet and request that information. He stated that to have another person employed at DNR to read all of these time sheet so that they have accountability of their time they believe is foolish. He stated that they had a survey of four different questions that went out and 50 some respond to the questions. Mr. Radcliff provided the commission with a copy of the responses. He stated that 39 were totally against the time sheet, they think the time sheet should stay within the county because it is a county control; six were in favor of it. He stated that he had received six phone calls that were anonymous and they were not reflected in any of the comments. He stated they all need to work together; he thought that if these questions about the time sheets or any implementation of new programs were brought up from the grassroots up, there would be better cooperation.

He proceeded to cover some of changes that have taken place without their input. Mr. Radcliff stated they were told that if they wanted the statue to be justified and clarified the AG could do it and the request has been done by Representatives and they are going to look through it to say who has authority, who has the local funds, what the description of local funds, and who has control over the local funds.

He stated there have been changes in the last five years that there should have had input from the supervisors and districts. He pointed out that he was representing the eight area directors, not Steve Radcliff.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

March 9, 2011

Page 6

Kathryn Braden made a motion to proceed with the time sheet that has been in development since 2009 and as it moves forward that the commission be shown a copy of what the rest of the procedure is before it is sent to all of the districts.

After some discussion, Kathryn Braden withdrew her motion.

Charles Ausfahl made a motion to reaffirm the time sheet development and implementation and by March 18 have the employee profiles in to the program office so the system could be initiated. Thomas Bradley seconded the motion. When asked by the chair, Charles Ausfahl, Kathryn Braden, Thomas Bradley, and Richard Fordyce voted in favor of the motion and the motion carried unanimously.

4. Grouping of Watering Tank Components

Katy Holmer presented a request for comments from the districts for possibly grouping components of watering tanks. She stated that presently numerous combinations of components can be used to develop a watering tank system using cost-share funds. Ms. Holmer stated that advantages of grouping components could include standardizing payment statewide, simplification of administration of the cost-share program, it could eliminated the need for change orders, it could allow for more flexibility for landowners to make changes as needed, it could eliminate competition with federal funding, and it could simplify the practice and make it easier to be accountable to the taxpayers.

Thomas Bradley made a motion to review the advantages/disadvantages of grouping the watering tanks components and have district input during an open comment period through May 13, 2011. Charles Ausfahl seconded the motion. When asked by the chair, Charles Ausfahl, Kathryn Braden, Thomas Bradley, and Richard Fordyce voted in favor of the motion and the motion carried unanimously.

E. REVIEW/EVALUATION

1. District Operation Section

a. District Support

1. Proposed Revisions to the WQ 10 Stream Protection Policy

Alan Freeman presented a review of the proposed revision to the WQ10 Stream Protection policy. He reminded the commission that at the September meeting, Bryan Hopkins presented a report on the least-cost alternative of cost-share practice implementation. He stated that in September, the commission authorized the policy

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

March 9, 2011

Page 7

review, so then on September 27, Memo 2011-011 was sent to the districts, and the open comment period was from October 1 through December 1. He stated the changes made to the applicability statement should reduce concerns over qualifying criteria needed in classifying streams correctly. He stated the new applicability statement is that it applies to areas immediately adjacent to permanent flowing streams, where livestock have uncontrolled access for watering purposes.

Mr. Freeman stated that the practice had to meet NRCS Standards and Specification for Critical Area Planting, Pond, Access Control, Pipeline, Stream Crossing, Watering Facility, Water Well and Fence. He pointed out that SWCP strongly encourages the use of high tensile electric in flood prone areas. He stated that cost-share is not authorized for reconstruction. He informed the commission that the maximum state cost-share out of production incentive could not exceed \$500.00 per acre of buffer exclusion.

Tony Rosen, Dallas County, stated that after the program receives comments and revises a practice, consideration should be given to send it back out to the districts for their review, so if there are problems they can be discussed before problems are brought to the commission.

After discussion, Kathryn Braden made a motion to have the draft policy sent out to the districts for their review of the changes and then bring it back to the commission. Thomas Bradley seconded the motion. When asked by the chair, Charles Ausfahl, Kathryn Braden, Thomas Bradley, and Richard Fordyce voted in favor of the motion and the motion carried unanimously.

b. Supervisor Appointments

1. Buchanan SWCD

Kathryn Braden made a motion to approve the appointment of Gary Waller to the Buchanan SWCD board of supervisors. Thomas Bradley seconded the motion. When asked by the chair, Charles Ausfahl, Kathryn Braden, Thomas Bradley, and Richard Fordyce voted in favor of the motion and the motion carried unanimously.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

March 9, 2011

Page 8

2. Saline SWCD

Thomas Bradley made a motion to approve the appointment of Tom Fenner to the Saline SWCD board of supervisors. Kathryn Braden seconded the motion. When asked by the chair, Charles Ausfahl, Kathryn Braden, Thomas Bradley, and Richard Fordyce voted in favor of the motion and the motion carried unanimously.

F. SOIL AND WATER CONSERVATION PROGRAM DIRECTOR'S COMMENTS (CONTINUED)

1. Soils Sales Tax Revenue Update

Bryan Hopkins stated that according the Department of Revenue the soils sales tax has increased by 1.5 percent for the year. He pointed out that the tax revenue is positive at this point in the year; however, the program's revenues are still down roughly 10 percent from the historic highs.

2. FY11 Cost-Share Appropriation Estimated Authority Request

Bryan Hopkins stated there was \$4,000,000 that was not put on the land last year due to wet weather that was put into a cost-share mitigation fund. He reminded everyone that this was discussed that the last commission meeting regarding the right time to ask the Office of Administration for the ability to use the estimated authority for cost-share. He informed the commission that the program was given authority to spend an additional \$2,500,000 of Cost-Share funds. He stated this offered an opportunity to have a second round of funding for districts that had no funds available in a resource concern.

3. Commission Representative for Partnership MOU Committee

Bill Wilson stated that the current Memorandum of Understanding or Cooperative Working Agreement was developed in 1996, and the partners are now reviewing the document in an effort to update the document. He asked if a commissioner would like to represent the commission on the committee. He stated that the committee would review the roles and responsibilities between the conservation partners.

Richard Fordyce asked if anyone would like to volunteer and Kathryn Braden said she would serve on the committee.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

March 9, 2011

Page 9

G. CLOSED SESSION

Kathryn Braden made a motion to go into closed session to discuss legal, confidential, or privileged matters under § 610.021(1), RSMo 2000; personnel actions under §610.021(3); personnel records or applications under §610.021(13), records under § 610.021(14), or audit issues under § 610.021(17), which are otherwise protected from disclosure by law. Charles Ausfahl seconded the motion. When polled, Charles Ausfahl, Kathryn Braden, Thomas Bradley, and Richard Fordyce voted in favor of the motion and the motion carried unanimously. Commission went into closed from 11:30 a.m. to 11:45 a.m. and the open meeting reconvened at 12:45 p.m.

NOTE: Thomas Bradley had to leave after the closed session, therefore the commission no longer had a quorum and no votes were taken.

H. REVIEW/EVALUATION (Continued)

1. Financial Administrative Section

a. Callaway SWCD – Discussion on Additional Personnel Funding

Jim Boschert stated that a representative from Callaway County Soil and Water Conservation District would like to address the commission on additional personnel funding. He pointed out that the board had sent a letter to the program office regarding this issue. He stated that Mark Smart from the Callaway Board of Supervisors was present.

Mark Smart, chair of the Callaway County Soil and Water Conservation District Board of Supervisors, presented an issue regarding the transition staff during the retirement of district staff. Mr. Smart stated one of their concerns is that when they know that someone is going to retire they would like to ask for funding for a second person to be trained by the person leaving. He stated that they were aware that the coordinators can show the new person what needs to be sent to the program, but the office routine is what the new person needs to be trained on. He stated that he thought that if a request is sent a year in advance for funding it could be done. He stated that by having the person trained, things would not stop or slow down in the office.

Bryan Hopkins stated that this would be a time to look at cross training staff in office so that they can handle multiple functions.

Richard Fordyce thanked Mr. Smart for bring this issue to the commission for discussion.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

March 9, 2011

Page 10

b. Adair SWCD – Discussion on Personnel Funding

Jim Boschert stated that a representative from the Adair County Soil and Water Conservation District would like to address the commission on personnel funding. He informed the commission that Bob Jackson from Adair County Soil and Water Conservation District Board of Supervisors was present.

Bob Jackson stated that the board's concern was the employee compensation scale. He stated that since they asked to be on the agenda the districts have been notified by the program office that they support the employee pay raises that were established by the boards during FY10. He stated that it was their understanding that this decision reinstated the hourly rates that enables local boards to provide fair wages for their employees. He stated he was grateful that an agreement had been reached on this issue.

Mr. Jackson proceeded to provide suggestions that would enable the district offices and the program to improve the process of assisting the local landowners with their efforts in soil and water conservation projects. He stated that they would like to see the Department support, enhance and trust the work of the district boards.

Bryan Hopkins proceeded to cover some of the issues that Adair has had over the year (s).

I. SOIL AND WATER CONSERVATION PROGRAM DIRECTOR'S COMMENTS (CONTINUED)

1. Update on Cost-Share Fund Status

April Brandt provided an update on the cost-share usage and allocation as of March 7, 2011. She stated that \$30,347,961.82 was allocated for FY11. She stated that as of March 7, there was approximately \$23,800,000 or 79 percent of cost-share was obligated. She stated of that over \$16,000,000 was obligated in sheet, rill and gully erosion. Approximately \$13,000,000 or 44 percent had been claimed as of March 07, 2011.

Ms. Brandt stated that as of March 7, approximately \$3,000,000 was allocated to 46 projects in the AgNPS SALT, and of that amount, \$2,100,000 had been obligated and \$1,100,000 had been claimed.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

March 9, 2011

Page 11

J. REPORTS

1. Department of Conservation

John Knudsen informed the commission that this would be his last commission meeting in his current position. He stated that he had accepted a new position with the department in the Private Land Division and he would be located in Columbia.

2. Department of Agriculture

Chris Klenklen informed the commission on the Missouri Agricultural and Energy Savings Team - A Revolutionary Opportunity (MAESTRO). He stated the program is a partnership funded by the Department of Energy and operated by the Missouri Department of Agriculture, University of Missouri and EnSave, Inc. He stated that through MAESTRO, trained professionals review farmers' energy use and offer recommendations of energy efficient equipment that is appropriate for their operation and will save them money. Farmers who choose to install the recommended energy-saving equipment on their farm operation can receive a grant up to 75 percent of the total project cost, not to exceed \$5,000. He stated that in addition to the farm review, eligible farmers could also receive a separate energy audit on their home. Further, financing incentives are available for both aspects of the program. Any farmers wondering if they could benefit from the program should call 800-732-1399.

3. NRCS

J. R. Flores stated that under their EQIP program they offer energy audits and can cost-share up to 75 percent of the cost for the audit. He informed the commission that their budget had not been approved and they were working under a continuing resolution. He stated there were many unknowns at this time. He stated there were proposed cuts in technical assistance. He stated what was being discussed was the zeroing out of the Watershed Operations Program and R C and D. He informed the commission that Dwaine Gelnar was the new State Resource Conservationist.

4. MASWCD

Steve Radcliff stated that in January, they attended the NACD meeting in Louisville and they received an award for Quality in Districts Official Training. He stated that while they were down there was talk about the 2011 national meeting being held in Nevada, and this past November the Governor in that state closed all the soil and water districts.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

March 9, 2011

Page 12

K. SUGGESTED DATE (S) OF NEXT MEETINGS

The next scheduled meeting is May 11, 2011 at DNR Conference Center in Jefferson City.

L. PUBLIC COMMENTS

Kenny Loveless asked that DNR treat the supervisors and district employees as they would like to be treated.

George Englebach stated that he wanted to inform the commission that a few weeks back the server went down in the office because the telephone line was disconnected in error. He stated that someone had moved out of their office and the wrong line was disconnected. He apologized to John Knudsen because he thought they had disconnected them.

M. ADJOURNMENT

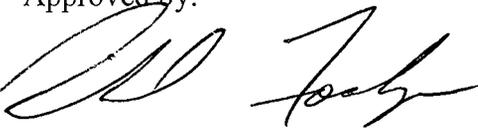
Richard Fordyce adjourned the meeting at 2.11 p.m.

Respectfully submitted,



Bryan T. Hopkins, Program Director
Soil and Water Conservation Program

Approved by:



Richard Fordyce, Chairman
Missouri Soil and Water Districts Commission

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