



Missouri Department of Natural Resources

MINUTES

MISSOURI SOIL AND WATER DISTRICTS COMMISSION

DNR Conference Center

Jefferson City, Missouri

July 11, 2012

COMMISSION MEMBERS PRESENT: Kathryn Braden, Gary Vandiver, Charles Ausfahl, and Richard Fordyce

EX-OFFICIO MEMBERS: JON HAGLER, DEPT. OF AGRICULTURE: Judy Grundler; BOB ZIEHMER, DEPT. OF CONSERVATION: Brian Schweiss; SARA PARKER PAULEY, DEPT. OF NATURAL RESOURCES: Darrick Steen, Andrea Balkenbush

ADVISORY MEMBERS PRESENT: SOIL & WATER CONSERVATION PROGRAM: Colleen Meredith; NRCS: J.R. Flores; MASWCD: Beverly Dometrorch

STAFF MEMBERS PRESENT: Jim Boschert, April Brandt, Van Beydler, Alan Freeman, David Goggins, Christa Moody, Theresa Mueller, Jennifer Pellett, James Plassmeyer, Judy Stinson, Ken Struempf, Cody Tebbenkamp, Leon Thompson, Steve Walker, Bill Wilson, Charlie Hansen, Matt Elliott, Patricia Chapman

OTHERS PRESENT: DISTRICTS: Cole: Peggy Lemons; **Gasconade:** Diana Mayfield; **MISSOURI FARM BUREAU:** Kelly Smith; **MSWCDEA:** Sandy Hutchison; **MLICA:** Jeff Lance;

A. CALL TO ORDER

Chairman Richard Fordyce called the meeting to order, in Jefferson City, Missouri, at the DNR Conference Center at 8:47 a.m. Poll of Commission members was taken: Kathryn Braden, Charles Ausfahl, Gary Vandiver and Richard Fordyce, were present, which made a quorum.

B. CLOSED SESSION

Charles Ausfahl made a motion to go into closed session at 8:50 am, pursuant to § 610.021(1) to discuss legal, confidential, or privileged matters; §610.021 (17) to discuss audit issues, and personnel actions under §610.021(3). Kathryn Braden seconded the motion. A poll vote was taken. Gary Vandiver, Charles Ausfahl, Richard Fordyce, and Kathryn Braden voted in favor of the motion and the motion passed unanimously.

Kathryn Braden made a motion to go back into open session at 9:10 a.m. Charles Ausfahl seconded the motion. A poll vote was taken. Charles Ausfahl, Gary Vandiver, Richard Fordyce, and Kathryn Braden voted in favor of the motion and the motion carried unanimously.

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C. MINUTES OF THE LAST MEETING

1. May 9, 2012 Open Session Minutes

Kathryn Braden made a motion to approve the minutes of the May 9, 2012 Commission meeting. Charles Ausfahl seconded the motion. When asked by the chair, Gary Vandiver, Charles Ausfahl, Kathryn Braden, and Richard Fordyce voted in favor of the motion and the motion carried unanimously.

2. May 9, 2012 Closed Session Minutes

Gary Vandiver made a motion to approve the minutes of the May 9, 2012 Closed Commission meeting. Kathryn Braden seconded the motion. When asked by the chair, Gary Vandiver, Charles Ausfahl, Kathryn Braden, and Richard Fordyce voted in favor of the motion and the motion carried unanimously.

3. June 6, 2012 Open Session Conference Call Minutes

Kathryn Braden made a motion to approve the minutes of the June 6, 2012 Commission meeting. Charles Ausfahl seconded the motion. When asked by the chair, Gary Vandiver, Charles Ausfahl, Kathryn Braden, and Richard Fordyce voted in favor of the motion and the motion carried unanimously.

D. DISCUSSION ON THE ROLES & RESPONSIBILITIES DOCUMENT FROM ATTORNEY GENERAL'S OFFICE

Tim Duggan from the Missouri Attorney General's office discussed the Roles & Responsibilities document. At the last Soil and Water Districts Commission meeting there was discussion about the letter sent by Tim Duggan's office to Representative Cauthorn in response to questions that he had regarding the Roles & Responsibilities of the Soil and Water Districts Commission and the Department of Natural Resources. A correction to the information that Mr. Duggan presented at the last meeting is that the letter sent to Representative Cauthorn does not represent an official opinion from the Attorney General's office because it has not been assigned an official opinion number and it has not been signed by Attorney General Chris Koster.

In addition, Colleen Meredith sent a draft of the Cooperative Working Agreement between NRCS, any given SWCD, Soil and Water Districts Commission, and the Department of Natural Resources to Mr. Duggan to ask that he review it to be sure it was consistent with the Roles and Responsibilities interpretation by the Attorney General's Office. This document is replacing an older version of the Cooperative Working agreement from 1996. Mr. Duggan said that the language is consistent with the Roles and Responsibilities document, and that he made a few suggestions to the wording of the document.

E. SOIL AND WATER CONSERVATION PROGRAM DIRECTOR'S COMMENTS

1. Mississippi River Basin Healthy Watershed Initiative (MRBI)

Steve Walker presented the Mississippi River Basin Healthy Watershed Initiative (MRBI). MRBI is a targeted Natural Resource Conservation Service (NRCS)

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program initiated in 2010 to improve the health of watersheds in the Mississippi River Basin. NRCS is providing up to \$80 million in MRBI funding annually from 2010 through 2013.

There are a total of 54 8-digit HUC watershed focus areas in 13 states with six of those in Missouri. In June 2012, Missouri was awarded MRBI-CCPI funding for all four of its project proposals. Missouri and Iowa tied for the second-most projects funded behind Arkansas's nine projects. The full funding for the four projects will be \$7.6 million over four years. If Missouri's 22 MRBI projects that have been awarded since 2010 are fully funded, they will provide an additional \$45.6 million in federal cost-share dollars to Missouri producers through 2016.

2. **FY 2013 Cost-Share/SALT Fund Status**

April Brandt presented an update on the Fiscal Year (FY) 2013 Cost-Share/SALT fund Status. The original appropriation is \$24 million and due to the change in the budget process, the appropriation was increased to \$27.7 million. Currently, \$3.3 million has been obligated and 36 contracts have been paid totaling \$240,000.00. SALT has \$1.5 million allocated and of that \$260,000.00 is obligated with two contracts paid totaling \$5,000.00.

3. **FY 2012 Year End Cost-Share Update**

April Brant presented the FY 2012 Year End Cost-Share update. The total allocation for FY 2012 was \$31,616,063.00. April Brandt reviewed the allocation timeline starting July 2011 to June 15, 2012. MoSWIMS is used, throughout the year, to monitor obligation of the funds. May 25, 2012 was the last day to submit FY 2012 contracts for review and June 15, 2012 was the last day to submit FY 2012 contract payments. Prior to this year, Soil and Water Districts were allowed to submit payments up to June 30, 2012. The submission date change allows for all the payments to be made before the state accounting system (SAMII) shuts down and for the year-end figures for MoSWIMS and the SAM II accounting system to correlate.

Ms. Brandt reviewed all the Resource Concerns with the total of \$25,178,689.96 paid which is 80 percent of allocation totaling 5,846 contracts completed. The total acres served in FY 2012 were 208,924 acres.

4. **Timeline for DFR-5 Woodland Protection through Livestock Exclusion / N472 Use Exclusion Policy Revision**

Alan Freeman presented the timeline for DFR-5 Woodland Protection through Livestock Exclusion/N472 Use Exclusion Policy revision. To date, five districts have submitted comments for the DFR-5 practice and eight districts have submitted comments in regard to the N472 practice. Most of the comments are geared towards clarification of policy, with some discussing the incentives available. The proposed revised policy was sent to districts on July 6, 2012 and the second comment period will remain open until August 10, 2012. After August 10, 2012, final revisions will be made and submitted for Commission review at the September Commission meeting.

5. Process Assessment/Program Review

Colleen Meredith presented the Process Assessment/Program Review as follow up to the exercise carried out at the March 21, 2012 Commission meeting. The full report was included in the packet and Colleen Meredith presented the top 11 recommendations for improvement. The top four received the most votes and they are: increase training and coordinate training with partners better; strategic planning; structure of the Department Program (reducing levels of management); and District employees (beyond the scope of review). From this information, an action/implementation plan will be presented at the September Commission meeting.

6. Update on Drought Coordination

Darrick Steen presented the update on Drought Coordination. The Drought situation is an issue that affects the department agency wide. The department will be taking a very active role in the response, recovery, and coordination to the Drought Relief Assistance. There is an active Drought committee made up of various state and federal agencies that meet weekly or every other week on this issue.

The agency is watching the drinking water across the state. In addition, the low stream water flows and levels are having an impact on nutrient enrichment as well as dissolved oxygen levels. Also noted were the electrical rates have gone up due to the heat.

The Department of Natural Resources homepage has a drought icon that will link to a variety of resources pertaining to the drought. Also included in the packet was a news release from United States Department of Agriculture – Farm Service Agency authorizing emergency grazing of CRP acres for four counties in Missouri.

The Commission discussed several options, short-term and long-term to assist with the drought relief. Based on discussion, Colleen Meredith stated that staff would look into use exclusion acres for grazing/watering for future consideration by the Commission.

F. REQUEST/REVIEW

1. Supervisor Appointment

1. Dunklin SWCD

Jennifer Pellet presented the Dunklin SWCD supervisor appointment. Dunklin SWCD would like to appoint Mr. David Blakemore to fill the position vacated by Gerald Malin, who resigned on June 18, 2012. Mr. Blakemore and the acting board chair have both signed the verification of Supervisor Eligibility form, with the term expiring in 2014.

Kathryn Braden made a motion to accept Mr. Gerald Malin's resignation and to approve Mr. David Blakemore to the Dunklin Board of Supervisors. Charles Ausfahl seconded the motion. A poll vote was

taken. Gary Vandiver, Kathryn Braden, Charles Ausfahl, and Richard Fordyce voted in favor of the motion and the motion passed unanimously.

2. FY 2013 Information Education Grant

Jim Boschert presented the FY 2013 Information/Education Grant. At the June 6, 2012 Soil and Water Districts Commission requested program staff to gather additional information with regards to the FY 2013 Information/Education Grant. The program staff contacted the Department of Elementary and Secondary Education (DESE) and requested the number of students in private school and home schooled. DESE informed the program staff that they do not track these students.

The current allocation is based on the number of students in grade 3-6 and 9-12 in public schools in each county and can be used for both adult and children's education.

The Commission also directed staff to look at different options for allocating the Information/Education Grant for FY 2013. This included reviewing options for 35 and 40 cents per student. The option presented at the June Soil and Water Districts Commission meeting was to increase all districts that receive less than \$1,000 up to \$1,000. Those above that amount would be allocated funds based on the current method of 25 cents per student with a cap at \$10,000.

For Commission consideration: Allocate \$1,000 to the 92 districts that are currently allocated less than \$1,000 in their Information/Education Grant. For the remaining 22 districts updated numbers will be reviewed from DESE and allocate their Information/Education Grant funding based on 25 cents for the number of students in grades 3-6 and 9-12 in public schools in their district with a maximum of \$10,000.

After extensive discussion, Charles Ausfahl made a motion to approve the allocate \$1,000 to the 92 districts that are currently allocated less than \$1,000 in their Information/Education Grant. For the remaining 22 districts updated numbers will be reviewed from DESE and allocate their Information/Education Grant funding based on 25 cents for the number of students in grades 3-6 and 9-12 in public schools in their district with a maximum of \$10,000. Gary Vandiver seconded the motion. A poll vote was taken. Gary Vandiver, Charles Ausfahl, and Richard Fordyce voted in favor and Kathryn Braden voted against. The motion carried.

3. Vernon SWCD Over Obligation of Cost-Share Funds

Cody Tebbenkamp presented the Vernon SWCD Over Obligation of Cost-Share Funds request. The Vernon SWCD over-obligated FY 2012 cost-share funds and is requesting authority to pay the contract utilizing FY 2013 funding. Three contracts were board approved and signed on April 25, 2012. On May 1st, the district personnel attempted to enter the board approval dates for the contracts and MoSWIMS did not accept the date for one contract because funds were not available. This contract stayed in pending status. The MoSWIMS system allows

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districts to print contracts to obtain signatures. Contracts should be board approved in the system before giving board signed contracts to a landowner to verify there is enough funding available for the contract. The landowner started work on the project during FY 2012 since the board approved all three contracts. The district did not notify the landowner when MoSWIMS showed a warning of insufficient funds for the one contract. The district states that this is no fault of the landowner that the error occurred.

For Commission consideration: Since the landowner acted in good faith, authorize the district to fund contract GM 036-12-0063 from FY 2013 funds.

After discussion, Gary Vandiver made a motion to approve the authorization for the Vernon SWCD to fund contract GM 036-12-0063 from FY 2013 funds. Kathryn Braden seconded the motion. A poll vote was taken. Charles Ausfahl, Kathryn Braden, Gary Vandiver, and Richard Fordyce voted in favor. The motion passed unanimously.

4. **Election Policy Review**

David Goggins presented the Election Policy Review. In July 2009, the Soil and Water Districts Commission approved policy changes to the districts' election process with the intent to: increase voter participation, increase the number of candidates on the ballot, and improve the transparency of the district election process.

Review of selected district's reports indicates election costs have approximately doubled over the past two election cycles. Voter participation statewide, candidates running for supervisor, and votes cast have remained essentially unchanged.

For Commission consideration: Suspend the current election policies. Direct staff to research different election procedures utilized by local government to improve the election process.

After discussion, Kathryn Braden made a motion to suspend the current election policies and direct staff to research different election procedures and inform the Soil and Water Districts the election policies will revert back to the rules as they stand. Gary Vandiver seconded the motion. A poll vote was taken. Charles Ausfahl, Gary Vandiver, Kathryn Braden and Richard Fordyce voted in favor. The motion passed unanimously.

Colleen Meredith asked if the Commission would like for the Program Office to bring in September or as soon as possible findings of necessity for a rule making to update current election rules and the Commission could begin the process. The Commissioners concurred.

G. REPORTS

1. NRCS

J.R. Flores reported updates on the Farm Bill, Missouri River Corridor Cover Crop project, Emergency Watershed Program, and Conservation Missouri Program. The next State Technical Committee Meeting will be held on August 1, 2012, at Bradford Farm. Mr. Flores invited the Commission to attend the Technical meeting.

2. MASWCD

Beverly Dometrorch presented the MASWCD report. Ms. Dometrorch requested that since there was discussion about the Info/Ed Grant that the Commission would keep the Matching Grants in mind for consideration. Ms. Dometrorch also agreed with possible longer hours for voting in each district. Also noted were the upcoming Training Conference and Area Meetings.

3. Department of Conservation

Brian Schweiss presented the Department of Conservation report. Mr. Schweiss spoke about the program areas that he is involved in. Mr. Schweiss works with the Forestry staff to apply the private land objectives. One of those programs is Call Before You Cut, this program is directed to landowners that want to sell timber. The landowner would get professional advice and assistance when harvesting timber.

There are five reasons for this program; to harvest the proper trees to ensure a health forest legacy, find the best logger for the job, ensure overall satisfaction with the harvest, maximize timber sale income, and learn if harvesting is right for your land or woods. This program has reached approximately 750 landowners.

Mr. Schweiss also works with a new organization the Forest and Woodland Association of Missouri. This organization works with interested landowners as well as non-landowners that have an interest in forests and the health of Missouri forests. The main focus is to be another avenue to reach out to landowners to promote the benefits of forestry.

4. Department of Agriculture

Judy Grundler presented the Department of Agriculture report. Ms. Grundler reported Department of Agriculture has been working with Governor Nixon's office for the Disaster Declaration along with the release of CRP acreages as well.

Ms. Grundler noted the Missouri State Fair was coming soon, August 9-20, 2012.

In relation to the forest and woodlands, the Department of Agriculture is currently working on the insect and diseases survey.

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H. PUBLIC COMMENTS

Sandy Hutchison addressed the Commission representing the Missouri Employees Association and the North Central Region National Employees Association. At the North Central Region National Employees Association meeting there were fifteen individuals from across the region present. Also present was National Association of Conservation Districts (NACD) John Larson CEO.

The NACD annual meeting will be held in San Antonio in January 2013, and the theme is "Conservation's Proud Past and Positive Future".

Gary Vandiver noted that Richard Fordyce represented the Soil and Water Districts Commission at the Clean Water Commission Meeting hearing to discuss the Jameson Island habitat construction issues and thanked Richard Fordyce for representing the Commission.

I. SUGGESTED DATE(S) OF NEXT MEETING(S)

The suggested Soil and Water Districts Commission meeting is September 12, 2012 but due to the Women in Agriculture Conference, the date was changed to September 19, 2012.

J. ADJOURNMENT

Kathryn Braden made a motion to adjourn open session at 12:15 pm. Charles Ausfahl seconded the motion. A poll vote was taken. Gary Vandiver, Charles Ausfahl, Kathryn Braden, and Richard Fordyce voted in favor of the motion and the motion carried unanimously.

Respectfully submitted,



Colleen Meredith, Director
Soil and Water Conservation Program

Approved by:



Richard Fordyce, Chairman
Missouri Soil and Water Districts Commission

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