

## MINUTES OF THE STATE CONSERVATION COMMISSION

1. The State Conservation Commission meeting was called to order by Rod Vorhees, Chairman and Area V Commissioner at 1:14 p.m., Tuesday, January 18, 2011, at the State Conservation Commission, 109 SW 9<sup>th</sup> Street, Suite 500, Topeka, Kansas.

### 2. ATTENDANCE:

#### **Elected Commissioners:**

Ted Nighswonger, Area I Commissioner  
Andy Larson, Area II Commissioner  
Brad Shogren, Area III Commissioner  
John Wunder, Area IV Commissioner  
Rod Vorhees, Area V Commissioner

#### **Ex-Officio & Appointed Member:**

David Barfield, Kansas Department of Agriculture (KDA), Division of Water Resources  
Eric Banks, State Conservationist, USDA, Natural Resources Conservation Service (NRCS)  
Dan Devlin, Director, Kansas Center for Agricultural Resources and the Environment  
(KCARE), K-State Research and Extension  
Phil Barnes, Associate Professor, Water Quality, Biological and Agricultural Engineering,  
K-State Research and Extension

#### **Staff:**

Greg Foley, Executive Director  
Max Foster, Chief Fiscal Officer  
Don Jones, Water Quality Program Manager  
Steve Frost, Water Conservation Programs Manager  
Hakim Saadi, Watershed Programs Manager

#### **Guest:**

**Chris Grunewald, Assistant Attorney General**  
**Chad Voigt, Kansas Department of Agriculture, Water Structures**

**3. CERTIFICATION OF ELECTION:**

**Motion by John Wunder to certify the election to the Conservation Commission for a two-year term beginning January 1, 2011; Area II – Andy Larson and Area IV – John Wunder. Seconded by Brad Shogren. Motion carried.**

**4. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON OF THE COMMISSION:**

**Motion by Ted Nighswonger to nominate Rod Vorhees to serve as Chairperson. Seconded by John Wunder. Motion carried.**

**Motion by Ted Nighswonger to nominate John Wunder to serve as Vice-Chairperson. Seconded by David Barfield. Motion carried.**

**5. APPROVAL OF AGENDA:**

**Motion by Andy Larson to approve the agenda as presented. Seconded by Brad Shogren. Motion carried.**

**6. MINUTES OF THE PREVIOUS MEETINGS:**

- a. Amend the November 21, 2010 minutes to reflect January 18, 2011 as next meeting date.**

**Motion by Brad Shogren to approve the November 21, 2010 minutes as amended. Seconded by John Wunder. Motion carried.**

- b. Approve the December 10, 2010 minutes as mailed.**

**Motion by Ted Nighswonger to approve the December 10, 2010 minutes as mailed. Seconded by Andy Larson. Motion carried.**

**7. COMMENTS FROM GUESTS:**

- a. Chris Grunewald, Assistant Attorney General**
- b. Chad Voigt, Kansas Department of Agriculture, Water Structures**

**8. FINANCIAL REPORT:**

- a. Review of the second quarter of FY 2011 financial report – Max Foster. See attachment A.**

**9. COMMUNICATIONS AND ANNOUNCEMENTS: NONE.**

**10. UNFINISHED BUSINESS:**

- a. Review Conservation Reserve Enhancement Program (CREP) Annual Report and Water Transition Assistance Program (WTAP) update – Steve Frost.

**Motion by Ted Nighswonger to suspend processing of all applications for CREP, effective immediately. Seconded by Andy Larson. Motion carried.**

- b. Kansas Association of Conservation Districts resolutions consideration/action – Greg Foley.

**11. NEW BUSINESS:**

- a. Review FY 2012 Governor's budget recommendations and other legislative activities – Greg Foley.
- b. Review and discuss FY 2012 proposed cost-share program policy revisions – Don Jones. No action taken. See attachment B.
- c. Streambank, Riparian Buffer incentive payments proposed enhancement policy – Don Jones. See attachment C.

**Motion by Brad Shogren to approve the Streambank, Riparian Buffer incentive payments proposed enhancement policy. Seconded by John Wunder. Motion carried.**

- d. Discuss conservation district annual meeting schedule.
- e. Update on outstanding litigation – Chris Grunewald, Assistant Attorney General, Attorney General's Office.

**Motion by Andy Larson that the meeting be adjourned to executive session at 4:25 p.m. for the purpose of confidential attorney-client consultation with the Commission's attorneys regarding the Agreement and the pending litigation of the Kickapoo Tribe v Knight et al., with the open meeting to reconvene at 4:55 p.m. at the same location. Seconded by Brad Shogren. Motion carried.**

**At 4:55 p.m. the executive session was terminated and the open session resumed.**

- f. Participation in 1/3<sup>rd</sup> of the cost of the State Fair Booth – Greg Foley.

**Motion by Ted Nighswonger to approve 1/3<sup>rd</sup> cost of the State Fair Booth expenses. Seconded by Andy Larson. Motion carried.**

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**12. REPORTS:**

**a. Agency Reports:**

- i.** NRCS – Eric Banks. See attachments D and E.
- ii.** Kansas State University, KCARE – Dan Devlin.
  - 1)** Smoke Management Plan was approved.
- iii.** Kansas State University Extension – Phil Barnes. See attachment F.
- iv.** KDA – Dave Barfield.
  - 1)** Reduced Resource Budget.

**b. Staff Reports – None.**

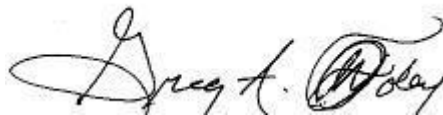
**c. Commissioner Reports – None.**

**d. Other – None.**

**13. ADJOURN:**

The next regular Commission meeting is scheduled for April 11, 2011 at 9:00 a.m. at the State Conservation Commission, 109 SW 9<sup>th</sup> Street, Suite 500, Topeka, KS.

**Motion by John Wunder to adjourn. Seconded by Brad Shogren. Motion carried. Meeting adjourned at 5:50 p.m.**



Greg A. Foley,  
Executive Director