



*Proud Past,
Bright Future*

PROCEEDINGS BOOK

66th Annual Convention

November 21 - 23, 2010

Wichita Airport Hilton

KACD GENERAL SESSION MEETING

November 23, 2010
Airport Hilton Hotel, Wichita, Kansas

THOSE PRESENT:

DIRECTORS

President - Gene Albers
Vice-President - Ron Brown
Secretary-Treasurer - Bevin Laws
Director - Kyle Hoffman
Director - Jon Starns

EXECUTIVE DIRECTOR

Pat Lehman, Lawrence, Kansas

RECORDERS

Kristi Vogts, District Manager, Coffey County
Sherri Martin, District Manager, Stevens County

The meeting was called to order by President Gene Albers at 10:32 a.m. Carl Jordan, Mitchell County, Sergeant at Arms, reported that a quorum was present and according to the by-laws business could begin.

President Gene Albers reviewed procedures by which Roberts Rules of Order will be used to conduct the business session. Rodney Vorhees, Wilson County, was appointed parliamentarian.

President's Report

Gene Albers thanked Pat & Robin Lehman for all that they do for KACD. A round of applause was given to Pat as a sign of appreciation. Gene referred to the report he gave at breakfast as his President's report.

REPORTS FROM STANDING and SPECIAL COMMITTEES:

(See Resolutions following the minutes)

District Operations & Resolutions Committee:

Chairperson, Wayne Lukert, Shawnee County gave the committee report and moved for acceptance. Ron Pfenninger, Pawnee County, seconded. Motion carried.

Resolution #1 Opposing Consolidation of the State Conservation Commission into the Kansas Department of Agriculture or Another agency

Wayne Lukert, Shawnee County, moved to adopt this resolution as printed. Granville Davidson, Shawnee County, seconded. Motion carried.

Endowment Fund Committee:

Chairperson, Lyman Nuss, Russell County, reported on the activities of the committee and moved to approve this report. Pat Sauble, Chase County, seconded. Motion carried.

Conservation Education & Youth Committee:

Kenneth Nelson, Miami County, provided the report and moved to approve the report. Dennis Schwant, Pottawatomie County, seconded. Motion carried.

Finance & Development Committee:

Chairperson Marion Krehbiel, Reno County, gave the committee report and moved for acceptance. Dean Bailey, Bourbon County seconded. Motion carried.

Resolution #2 Fiscal Year 2012 State Conservation Commission Budget

Marion Krehbiel, Reno County, moved to approve this resolution as printed. Ozzie Hoeme, Scott County, seconded. Motion carried.

Grasslands Committee:

Chairperson Ted Alexander, Barber County, gave the committee report and moved for acceptance. Pat Sauble, Chase County, seconded. Motion carried.

Natural Resources Programs Committee:

Chairperson Doug Plegge, Marshall County, provided the committee report and moved to accept the report. Granville Davidson, Shawnee County, seconded. Motion carried.

Resolution #3 Support Legislation That Creates A Dam Rehabilitation Program for All Permitted Dams In Kansas

Doug Plegge, Marshall County, moved to adopt this resolution as printed. Don Paxson, Graham County, seconded. Motion carried.

Stewardship Committee:

Margaret Kraus, Reno County, is chairperson and provided a report. Margaret also noted that it is time for her to be stepping down and that the committee would be in need of a new chairperson.

Urban & Rural Development Committee:

Kenneth Thomas, Lyon County, gave the committee report and moved for acceptance. Wayne Lukert, Shawnee County, seconded. Motion carried.

Wildlife, Forestry and Recreation Committee:

Becky Wise, Jefferson County, gave the committee report and moved for acceptance. Ron Pfenninger, Pawnee County, seconded. Motion carried.

Minutes:

President Gene Albers presented the minutes as printed in the convention proceedings of November 24, 2009, KACD Business meeting.

Marion Krebiel, Reno County, moved to approve the minutes as presented. Ted Nighswonger, Graham County, seconded. Point of discussion was made by Wayne Lukert, Shawnee County, as to when the minutes were posted online. Motion carried.

SPECIAL COMMITTEES**Fair Booth Committee:**

Chairperson Pat Lehman, KACD Executive Director, provided a report.

Resolutions from the Floor:

Ron Pfenninger, Pawnee County, asked to present Resolution #4.

Resolution #4 Support A Legislative Budget Process That Restores KDA/DWR Funds Dedicated To Dam Safety Inspections

Ron Pfenninger, Pawnee County, moved to consider the resolution as printed. Dennis Schwant, Pottawatomie County, seconded. Parliamentary notation by Wayne Lukert, Shawnee County, stated that the body must first vote to consider the resolution before approving the resolution. Motion carried.

Ron Pfenninger, Pawnee County, moved to approve the resolution as presented. Ozzie Hoeme, Scott County, seconded. Points of discussion were made by the following: Mark Lehmann, Harper County; Don Paxson, Graham County; Rod Voorhees, Wilson County; and Scott Carlson, SCC. Motion carried.

President, Gene Albers asked if there were any more resolutions from the floor. No more resolutions were presented.

Scott Carlson, State Conservation Commission, presented Supervisor Training and Recognition. Information was provided about the various training modules recommended by NACD. Thirteen modules are on-site with one still in the developmental phase. Ten modules plus two electives are needed to complete the course. This training is not required but is highly encouraged for all supervisors. Training can be completed at monthly board meetings. Recognition for completion will be given at the KACD Annual Meeting.

Pat Lehman, KACD Executive Director, provided an update on the KACD Operational Plan. Districts were asked how much of this plan is being used and a good response was received from all districts. District input is being used in the development for the 2011 Operational Plan.

Pat also discussed the KACD by-law changes. Copies of the by-laws were handed out. Pat informed the body on how we got to this point. The association will be a

501C4 (Agriculture Business) with the State of Kansas. Also, changes were made to Article 3.05 after annual dues "in full" was added. Article 5.04 was changed to include "electronic mail." Points of discussion were made by the following: Ted Nighswonger, Graham County; Becky Wise, Jefferson County; Rex Puckett, Kearney County; Pat Sauble, Chase County; Wayne Lukert, Shawnee County; Carl Jordan, Mitchell County; Don Paxson, Graham County; and Bill Harney, Stanton County. KACD Board of Directors will discuss this at their next meeting.

Ron Brown, Vice President, wanted to thank Eric Banks, NRCS State Conservationist, for all of his support. Ron also thanked Don Paxson, who is Vice President on the Kansas Water Authority. A special thank you went to Gene Albers, who will be stepping down as president this year, for all his hard work through the tough times.

Don Paxson noted that some positions may change throughout the state due to the change in administration. He asked that everyone send comments to Governor-elect Sam Brownback's office asking for retention in Tracy Streeter's position with the Kansas Water Office.

President Gene Albers thanked everyone for coming and for all that they do in regards to conservation in Kansas. With no more business to attend to, he declared the meeting adjourned at 11:36 a.m.

Submitted by Kristi Vogts

RESOLUTIONS



Resolution #1 – District Operations & Resolutions Committee

OPPOSING CONSOLIDATION OF THE STATE CONSERVATION COMMISSION INTO THE KANSAS DEPARTMENT OF AGRICULTURE OR ANOTHER AGENCY

WHEREAS, the State Conservation Commission has been authorized under conservation district law since 1937; and

WHEREAS, consolidation of the State Conservation Commission into the Kansas Department of Agriculture or another agency will abolish the State Conservation Commission as an agency; and

WHEREAS, the State Conservation Commission is empowered under conservation district law to provide guidance and assistance to conservation districts; and

WHEREAS, significant changes to conservation district law and how conservation districts receive guidance and assistance would be required; and

WHEREAS, all conservation district program dollars received from the state will be appropriated by the Secretary of the Kansas Department of Agriculture or another agency Secretary; and

WHEREAS, a consolidation of the State Conservation Commission into the Kansas Department of Agriculture or another agency may result in a reduction of conservation program dollars if funds are transferred to non-conservation district programs and activities; and

WHEREAS, a consolidation would reduce the voice of locally elected conservation district supervisors; and

WHEREAS, the 2009 Legislature did not recommend consolidation of the SCC due to efficiency measures taken by the SCC that were recommended by a 2008 Legislative Post Audit; and

WHEREAS, a 2010 Legislative Post Audit did not recommend state water related agencies consolidate; and

THEREFORE, BE IT RESOLVED, that the Kansas Association of Conservation Districts requests Governor Brownback not take action consolidating the State Conservation Commission into the Kansas Department of Agriculture or other agency; and the Kansas Legislature oppose any legislation or action to consolidate the State Conservation Commission into the Kansas Department of Agriculture or another agency.

Resolution #2 - Finance and Development Committee

FISCAL YEAR 2012 STATE CONSERVATION COMMISSION BUDGET

WHEREAS, financial and technical assistance needs have been identified in high priority Total Maximum Daily Load watersheds of the Kansas – Lower Republican, Lower Arkansas, Marais Des Cygnes, Missouri, Neosho, Upper Arkansas, Verdigris, Walnut, Smoky Hill/Saline, Upper Republican, Cimarron, and Solomon River Basins; and

WHEREAS, a need exists to improve and sustain the State’s rivers, streams and aquifers with conservation grants; and

WHEREAS, the State Water Plan has identified the priority watershed areas that need assistance to address non-point source pollution problems, reduce urban and rural flooding, and to reduce stream bank erosion and degradation of riparian areas; and

WHEREAS, conservation districts have established a need for cost-share incentives to address local concerns; and

WHEREAS, the conservation provisions of the Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill) have increased the demand for conservation technical assistance; and

WHEREAS, a need for priority multipurpose small lakes projects, watershed dam construction and rehabilitation, restoration of water supply systems, and riparian and wetland protection was identified in the State Water Plan; and

WHEREAS, the State Conservation Commission is responsible for carrying out programs of state assistance to conservation districts, state assistance in watershed dam construction, water resources cost-share, riparian and wetland protection, multipurpose small lakes, non-point pollution control, water quality buffer initiative, water rights purchase\water transition assistance, water supply restoration and surface mining land reclamation;

THEREFORE, BE IT RESOLVED, that the Kansas Association of Conservation Districts supports the State Conservation Commission FY 2012 budget request as described below, and in addition, supports the agency’s request for appropriation language allowing the carry over of funds from the current fiscal year to FY 2012;

STATE GENERAL FUNDS:

Administrative Operations \$ 752,651

STATE WATER PLAN SPECIAL REVENUE FUNDS:

Aid to Conservation Districts	\$2,266,962
Water Resources Cost-Share	\$3,183,181
Water Supply Restoration	\$ 892,227
Non-Point Source Pollution	\$3,254,907

Watershed Dam Construction	\$ 988,535	
Riparian and Wetland Protection	\$ 235,920	
Water Quality Buffer Initiative	\$ 300,000	
Water Rights Purchase Program\WTAP	\$ 837,425	
Subtotal - Special Revenue Fund		\$11,959,157
FEE FUNDS:		
Land Reclamation Fee Funds		\$ 126,456
FEDERAL FUNDS:		
Federal Grant Funds		\$ 407,800
OTHER FUNDS:		
Kansas Dept. of Wildlife & Parks copntract		\$ 75,000
TOTAL - FY 2011 BUDGET REQUEST		\$13,321,064

In addition to the FY 2012 Budget Request outlined above, the SCC is seeking KACD's support of the FY 2012 Enhancements totaling \$2,069,521.

Program	State General Fund	State Water Plan	ELARF	Agency Motor Pool Fund	TOTAL
Aid to Conservation Districts FY 2012		\$ 44,521			\$ 44,521
Admin - Vehicle Replacement FY 2012				\$ 25,000	\$ 25,000
Riparian and Wetland Protection FY 2012			\$1,000,000		\$ 1,000,000
Admin - Dam Rehabilitation FY 2012			\$1,000,000		\$ 1,000,000
TOTAL		\$ 44,521	\$2,000,000	\$ 25,000	\$ 2,069,521

Resolution #3 – Natural Resources Programs Committee

SUPPORT LEGISLATION THAT CREATES A DAM REHABILITATION PROGRAM FOR ALL PERMITTED DAMS IN KANSAS

WHEREAS, hazard class changes due to development within a dam's breach inundation area may result in expensive upgrades; and

WHEREAS, some dams may not be permitted and would qualify for the program if permitting would result from the rehabilitation; and

WHEREAS, engineering and construction costs make it nearly impossible for most dam owners to rehabilitate dams without some outside cost sharing assistance; and

WHEREAS, the list of dams needing rehabilitation continues to grow; and

WHEREAS, watershed districts would be treated as equal dam owner applicants for rehabilitation assistance; and

THEREFORE, BE IT RESOLVED, that the Kansas Association of Conservation Districts supports legislation that would create a dam rehabilitation program in Kansas for all permitted dams.

Resolution #4 – From the Floor

**SUPPORT A LEGISLATIVE BUDGET PROCESS THAT RESTORES
KDA/DWR FUNDS DEDICATED TO DAM SAFETY INSPECTIONS**

WHEREAS, it is recognized that recent year funding reductions resulted in a KDA/DWR decision to shift the responsibility for dam safety inspections from the department to dam owners of significant and high hazard dams; and

WHEREAS, DWR retained the employment of the dam safety inspection engineers through outside grants therefore eliminating the need and expense of hiring back those personnel; and

WHEREAS, DWR engineers through repetition and consistency have reduced dam inspection costs over the years; and

WHEREAS, dam owners were required to negotiate with consulting engineering firms that have never been on the sites and that resulted in additional costs of research of past inspections and dam design records; and

WHEREAS, dam owner expenses for operation and maintenance, rehabilitation, breach inundation area mapping and new construction have increased drastically in recent years; and

WHEREAS, adding dam safety inspection costs will require many dam owners to make tough decisions to either raise additional funds for the inspections; cut back on operation and maintenance expenses; forget about rehabilitation projects; forget about new construction projects; and delay getting breach maps produced,

THEREFORE, BE IT RESOLVED, that the Kansas Association of Conservation Districts supports legislation that restores funds in the budget for the Kansas Department of Agriculture's Division of Water Resources allowing that agency to once again perform dam safety inspections on significant and high hazard dams.