



**IDAHO SOIL & WATER  
CONSERVATION COMMISSION**

**REGULAR MEETING NOTICE & AGENDA**  
Idaho Soil & Water Conservation Commission  
August 24, 2017, 10:00 a.m. to 4:00 p.m. MT

Location: Idaho Water Center, 322 E Front St, Suite 560, Conference Room, Boise  
**TELECONFERENCE # 1-877-820-7831 Passcode: 922837**

The Commission will occasionally convene in Executive Session, pursuant to Idaho Code § 74-206(1).  
Executive Session is closed to the public.

**AMERICANS WITH DISABILITIES ACT COMPLIANCE**

The meeting will be held in facilities that meet the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations to attend, participate in, or understand the meeting, please contact the Idaho Soil & Water Conservation Commission at (208) 332-1790 or Info@swc.idaho.gov so advance arrangements can be made.

Members of the public may address any item on the Agenda during consideration of that item. Those wishing to comment on any agenda item are requested to indicate so on the sign-in sheet in advance. Copies of agenda items, staff reports and/or written documentation relating to items of business on the agenda are on file in the office of the Idaho Soil & Water Conservation Commission in Boise. Upon request, copies can be emailed and will also be available for review at the meeting.

	<b>1.</b>	<b>WELCOME, SELF-INTRODUCTIONS, AND ROLL CALL</b>	Chairman Wright
	<b>2.</b>	<b>AGENDA REVIEW</b> <i>Agenda may be amended after the start of the meeting upon a motion that states the reason for the amendment and the good faith reason the item was not included in the original agenda.</i>	Chairman Wright
	<b>3.</b>	<b>PARTNER REPORTS</b>	
#	a.	Natural Resources Conservation Service All Lands White Paper	Curtis Elke
	b.	Department of Environmental Quality Total Maximum Daily Load (TMDL) Program Update	Mark Shumar, IDEQ State Office, TMDL Program Coordinator
	c.	US Environmental Protection Agency (EPA)	Nick Peak, EPA Idaho
	<b>4.</b>	<b>ADMINISTRATION</b>	
*#	a.	Minutes 1. June 8, 2017 Regular Meeting 2. June 16, 2017 Special Meeting 3. July 21, 2017 Special Meeting  ACTION: Approve	Chairman Wright

(\* ) Action Item

(#) Attachment

ACTION: Staff recommended action for Commission Consideration

Thursday, August 24, 2017 Reg. Meeting Agenda

Date of Notice: August 17, 2017

*#	b.	Financial Report 1. June 30, 2017 Year End Report 2. July 31, 2017 Monthly Report ACTION: Approve the June 30, 2017 Year End Report and approve July 31, 2017 Monthly Report	Yadon
	c.	Administrator's Report • Activities • FY 2018 Commission meeting schedule • Contract/MOU renewals o NRCS Office Space/IT Support o Department of Administration for IT o CTA Agreements and Grant Application Updates • IASCD Division Meetings and Annual Conference ACTION: For information only	Murrison
*#	d.	FY 2019 Budget Request ACTION: Approve FY 2019 Budget Request granting authority to Administrator to make minor adjustments to request amounts, if necessary.	Murrison, Yadon
*#	e.	FY 2017 Performance Measurements Report ACTION: Approve, authorize Administrator to make slight adjustments, if necessary	Murrison
	<b>5.</b>	<b>PROGRAMS</b>	
#	a.	District Support Services Update • Activities o Disbursement of Trustee and Benefit funds o Update on District Allocation Workgroup (DAWG), scheduling for Board Review and Approval in September o FY 2017 District Survey Results ACTION: For information only	Minicucci
#	b.	Resource Conservation & Rangeland Development Program (RCRDP) Report • Activities • Marketing • Loan Applications • Loan Portfolio • FY 2017 Loan Activity Summary • Customer Service Responses ACTION: For information only	Hoebelheinrich
*	c.	RCRDP: Annual Review and Setting of Interest Rates ACTION: Approve interest rates and loan terms for FY 2018	Hoebelheinrich
	<b>6.</b>	<b>OTHER BUSINESS</b>	
	a.	Reports	Commissioners, Staff
	<b>7.</b>	<b>APPOINTMENTS</b>	
	2:00 pm MT	BOARD TRAINING WORKSHOP ( <i>materials to be distributed at your meeting</i> ) • Board Procedures • Open Meetings Act • Public Records Laws • Ethics in Government Laws	Deputy Attorney General Chapple Knowlton, Director Susan Buxton,

(\* ) Action Item

(#) Attachment

ACTION: Staff recommended action for Commission Consideration

Thursday, August 24, 2017 Reg. Meeting Agenda

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	<ul style="list-style-type: none"> <li>Human Resources issues</li> </ul> <p>ACTION: For information only</p>	Michelle Peugh, Dept. of Human Resources
<b>8.</b>	<p><b>ADJOURN.</b></p> <p>The next regular meeting is scheduled for September 14, 2017, in Boise.</p>	

(\* ) Action Item

(#) Attachment

ACTION: Staff recommended action for Commission Consideration

Thursday, August 24, 2017 Reg. Meeting Agenda

Date of Notice: August 17, 2017



**IDAHO SOIL & WATER  
CONSERVATION COMMISSION**

ITEM #3a

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS RADFORD, ROEMER, WRIGHT, SLICHTER,  
AND TREBESCH**  
**FROM: TERI MURRISON, ADMINISTRATOR**  
**DATE: APRIL 28, 2017**  
**RE: NRCS ALL LANDS PARTNERSHIP MOU**

During his April Partnership Report, NRCS State Conservationist Curtis Elke discussed an All Lands Partnership MOU that some state and federal agencies have signed and your Board requested a future briefing. Curtis Elke will be available to answer questions at your meeting.

**ACTION:** For information only

**Attachment:** Implementing Grazing Management Collaboratively Across All Lands

## Implementing Grazing Management Collaboratively Across All Lands

Livestock grazing on western rangelands, like management for a variety of other resources (e.g. fish and wildlife, recreation, open space, energy development), is dependent on a network of ownerships (state, federal, tribal and private) across the landscape. In an effort to create a coordinated grazing management plan that benefits habitat conditions across all lands, key non-governmental organizations (NGOs) and livestock producers need to be involved collaboratively with federal, tribal and state land managers in developing grazing management alternatives. These alternatives will meet the diverse needs of the economic, social, and ecological aspects of this Western landscape and its associated human and natural resources. Livestock grazing is often recognized as the dominant use of rangelands for economic benefit and rural community stability. According to the National Agricultural Statistics Service in 2015, gross cattle sales were nearly two billion dollars in Idaho. Grazing is also influential because it affects wildlife, recreation, open space and wildland fire. There is a need to ensure the sustainability of these large intact landscapes and the critical forage resources and habitat that people and wildlife depend upon. Throughout the year, livestock producers rely on a network of ecologically complex state, federal and privately managed lands that currently are administered under various missions, administrative plans, and grazing systems that may not be responsive to annual changes in weather, plant phenology, wildland fire or market conditions.

Livestock producers depend on federal permits and state leases for a large portion of their annual forage balance, yet often have a limited amount of flexibility to change season of use or to provide adequate rest and recovery during critical periods. This can result in decreased rangeland condition, soil health, and less productive ecosystems that the people and wildlife depend on. In arid landscapes private lands often produce the most forage and provide critical water resources for wildlife and livestock. Across Idaho, grazing permittees and public land managers alike have identified a need for the development of grazing management plans to allow more flexible use across ownership boundaries (all lands) that will improve the landscape ecosystem in its entirety. Grazing practices that utilize these lands in a cohesive manner are far more likely to achieve desired outcomes than managing within the limits of individual jurisdictional units.

We propose the assembling of a diverse group of local stakeholders who will inform the process of resource inventory, grazing management alternatives, and monitoring development that encompasses all lands utilized throughout the year by individuals or groups of permittees. Buy-in on the part of the livestock producer/landowner/permittee is critical to the process of developing solutions that fit their operation and improve the ecological benefit and wildlife habitat conditions across the landscape. Grazing periods and facilitating practices, planned and applied, will be supported by monitoring. This will allow for adjustment in timing and intensity of grazing as well as provide adequate rest and recovery periods across the entire range. This collaboration will be supported at the local, state, tribal and federal levels to guarantee sustainable outcomes.

While maintaining compliance with governing laws and statute, this approach will require coordination across administrative/ownership boundaries and will likely deviate from the traditional planning, inventory and alternative development process for grazing management on the associated federal permits and state leases. As a result, this collaborative process offers opportunities for adaptive management and will produce results that achieve desired ecological, aesthetic, economic, and social outcomes. Decisions made during the process should focus on the long term goals and objectives of the landscape being managed, in combination with the informed consent and benefit of local stakeholder group(s).



# Idaho Soil & Water Conservation Commission

322 E Front St, Suite 560 • Boise Idaho 83702  
Telephone: 208-332-1790 • Fax: 208-332-1799

## IDAHO SOIL & WATER CONSERVATION COMMISSION PUBLIC MEETING & TELECONFERENCE

**Date and Time:**

Thursday, June 8, 2017  
10:00 am – 2:37 pm MST

**Location:**

Idaho Water Center  
322 E Front St, Suite 560  
Boise, Idaho

DRAFT MINUTES

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**COMMISSION MEMBERS PRESENT:**

Norman Wright (Chair) (teleconference)      Gerald Trebesch (Vice-Chair)  
Leon Slichter (Secretary) (teleconference)      Dave Radford  
Glen Gier (teleconference)

**COMMISSION STAFF PRESENT:**

1 Teri Murrison                                      Delwyne Trefz  
2 Katie Wenetta                                      Cheryl Wilson  
3 Rhonda Yadon  
4

**PARTNERS AND GUESTS PRESENT:**

5 Maria Minicucci  
6 Shantel Chapple Knowlton, Office of the Attorney General  
7 Curtis Elke, NRCS (teleconference)  
8  
9

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**ITEM #1: WELCOME AND ROLL CALL**

10  
11 Chairman Wright called the meeting to order at 10:00 a.m.  
12 Roll call: Chairman Norman Wright, Commissioners Gerald Trebesch, Leon Slichter, David  
13 Radford and Glen Gier were present.  
14  
15

**ITEM #2: AGENDA REVIEW**

16 Action: None taken  
17  
18

**ITEM #3: PARTNER REPORTS**

19 Action: None taken  
20  
21

**ITEM #6a: DISTRICT SUPPORT SERVICES UPDATE**

23 Action: None taken

24 **ITEM #4a: RESOURCE CONSERVATION & RANGELAND DEVELOPMENT PROGRAM REPORT**

25 Action: None taken

26

27 **ITEM #5a: ELECT COMMISSION OFFICERS TO SERVE BEGINNING JULY 1, 2017**

28 Action: Commissioner Radford made a motion to *reelect the slate of FY 2017 Commission*  
29 *Officers for FY 2018, Norman Wright as Chairman, Jerry Trebesch as Vice Chairman, and Leon*  
30 *Slichter as Secretary*. Commissioner Gier seconded the motion. Motion carried by unanimous  
31 vote.

32

33 **ITEM #5b: APPOINTMENT AND DELEGATION OF POWERS AND DUTIES TO ADMINISTRATOR IN**  
34 **FY 2018.**

35 Action: Commissioner Radford made a motion to *appoint Teri Murrison as administrator and*  
36 *delegate powers and duties in FY 2018 as recommended, and authorize Chairman Wright to sign*  
37 *FY 2018 Delegation of Power and Duties*. Commissioner Gier seconded the motion. Motion  
38 carried by unanimous vote.

39

40 **ITEM #5c: MINUTES**

41 Action: Commissioner Radford made a motion to *approve the May 11, 2017 minutes, with a*  
42 *revision of his arrival time corrected to 10:03 am*. Commissioner Trebesch seconded the motion.  
43 Motion carried by unanimous vote.

44

45 **ITEM #5d: ADMINISTRATOR'S REPORT**

46 Action: Commissioner Slichter made a motion to *submit a letter of support for Bill Novinger and*  
47 *Carl Lufkin for the Larry Branen Ag Summit Governor's Award for Excellence in Agriculture, to be*  
48 *written and submitted by Chairman Wright without the input or involvement of the*  
49 *administrator due to her participation on the Governor's Award for Excellence in Agriculture*  
50 *nominating committee and position as co-chair of the Ag Summit in 2018*. Commissioner  
51 Trebesch seconded the motion. Motion carried by unanimous vote.

52

53 Commission recessed at 11:43 AM.

54

55 Commission reconvened at 12:39 PM.

56

57 **ITEM #5e: FINANCIAL REPORTS**

58 Action: Commissioner Radford made a motion to *approve the May 31, 2017 financial reports*.  
59 Commissioner Slichter seconded the motion. Motion carried by unanimous vote.

60

61 **ITEM #5f: FY 2018-2021 STRATEGIC PLAN**

62 Action: Commissioner Radford made a motion to *approved the FY 2018-2021 STRATEGIC PLAN*  
63 *with noted changes*. Commissioner Trebesch seconded the motion. Motion carried  
64 unanimously.

65

66 **ITEM #6b: DISTRICT SUPPORT SERVICES: FY 2018 TECHNICAL ASSISTANCE ALLOCATION**  
67 **AWARDS**

68 Action: None taken

69 **ITEM #6c: DISTRICT SUPPORT SERVICES: CAPACITY BUILDING FUND REQUESTS**

70 Action: Commissioner Slichter made a motion to *approve dividing \$10,000 in regional event*  
71 *Capacity Building Funds equally among the 6 IASCD Divisions for 2018.* Commissioner Radford  
72 seconded the motion. Motion carried by unanimous vote.

73

74 Action: Commissioner Radford made a motion to *approve, depending on the availability of*  
75 *Trustee and Benefit Capacity Building funds from the legislature, annually dividing \$10,000 of*  
76 *the funds equally among the 6 IASCD Divisions to support regional events.* Commissioner  
77 Trebesch seconded the motion. Motion carried by unanimous vote.

78

79 Action: Commissioner Radford made a motion to *approve allocating the remaining \$40,000 in*  
80 *Trustee and Benefit Capacity Building funds equally among all conservation districts (\$800 to*  
81 *each).* Commissioner Slichter seconded the motion. Motion carried by unanimous vote.

82

83 **ITEM #6d: DISTRICT SUPPORT SERVICES: FY 2017 BUDGET HEARING**

84 Action: Commissioner Trebesch made a motion to *accept the District Budget Hearing and*  
85 *Unmet Program / Project needs report.* Commissioner Radford seconded the motion. Motion  
86 carried by unanimous vote.

87

88 **ITEM #6e: DISTRICT SUPPORT SERVICES: DISTRICT REFERENCE MANUAL UPDATE**

89 Action: None taken

90

91 **ITEM #6f: TOTAL MAXIMUM DAILY LOAD IMPLEMENTATION PLANNING ANNUAL UPDATE**

92 Action: None taken

93

94 **ITEM #7a: REPORTS**

95 Action: None taken

96

97 **ITEM #8: EXECUTIVE SESSION**

98 Action: Commissioner Gier made a motion to convene in Executive Session pursuant to Idaho  
99 Code Section 74-206(1)(f) for the purpose of discussing pending litigation with legal counsel.  
100 Commissioner Radford seconded the motion. Motion carried unanimously by Roll Call vote.

101

102 Roll call: Chairman Norman Wright, Commissioners Gerald Trebesch, David Radford, Leon  
103 Slichter and Glen Gier were present.

104

105 Executive Session commenced at 2:14 PM.

106

107 Executive Session ended at 2:34 PM.

108

109 Commissioners reconvened in Open Session at 2:34 PM. No action was taken.

110

111 **ITEM #9: ADJOURN**

112 The meeting was adjourned at 2:37 PM. The next Commission Meeting will be held in Boise and  
113 via teleconference on August 24, 2017, at 10:00 am.

114

115 Respectfully submitted,

116

117

118

119 Leon Slichter, Secretary

DRAFT



23 **Item #3a CONSIDERATION OF DELEGATING CONTRACTING AUTHORITY TO ADMINISTRATOR**  
24 Action: Commissioner Gier moved to delegate contracting authority to the Administrator to  
25 expend an amount not to exceed \$30,000 to contract for emergency grant writing and other  
26 professional services related to spring 2017 flooding in prioritized Idaho watersheds.  
27 Commissioner Slichter seconded. Motion carried by unanimous vote of Commissioners present.

28  
29 **Item #3b AUTHORIZE PARTICIPATION IN NRCS GRANT**  
30 Action: Commissioner Slichter moved to authorize submission of a grant application to the  
31 National Fish & Wildlife Foundation to fund a coordinator and project implementation leader in  
32 restoring lost hydrology to wet meadow, mesic and wetland areas. Commissioner Gier  
33 seconded. Motion carried by unanimous vote of Commissioners present.

34  
35 **ITEM #4: ADJOURN**  
36 The meeting was adjourned at 8:24 am. The next Regular Commission Meeting will be held in  
37 Boise and via teleconference on August 24, 2017, at 10:00 am.

38  
39 Respectfully submitted,

40

41

42

43 Leon Slichter, Secretary



23 **ITEM #2: AGENDA REVIEW**

24 Action: None taken

25 **ITEM #3a: AUTHORIZE ADMINISTRATOR TO SIGN CONSERVATION TECHNICAL ASSISTANCE**  
26 **AGREEMENT WITH NRCS**

27 Action: Commissioner Slichter made a motion to *authorize the administrator to sign a*  
28 *Conservation Technical Assistance Agreement with NRCS for a term of 1-4 years.* Commissioner  
29 Trebesch seconded the motion. Motion carried by unanimous vote.

30

31 **ITEM #3b: FY 2019 BUDGET REQUEST**

32 Action: None taken

33

34 **ITEM #3c: PARTNERSHIP REPRESENTATION**

35 Action: None taken

36

37 NRCS representatives are Curtis Elke and an alternate, which rotates quarterly among his  
38 leadership team.

39

40 IASCD representatives are Kent Foster, Division 3 and Benjamin Kelly, IASCD Executive Director.

41

42 Commission Representatives are Commissioner Norman Wright and Administrator Teri  
43 Murrison.

44

45 IDEA representatives are Robbie Taylor and Vicki Lukehart

46

47 Commissioner Radford left the meeting at 3:48 PM.

48

49 **ITEM #4: ADJOURN**

50 The meeting was adjourned at 3:52 PM. The next Commission Meeting will be held in Boise and  
51 via teleconference on August 24, 2017.

52

53 Respectfully submitted,

54

55

56

57 Leon Slichter, Secretary

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**IDAHO SOIL & WATER  
CONSERVATION COMMISSION**

ITEM #4b

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS RADFORD, ROEMER, SLICHTER, AND TREBESCH**  
**FROM: RHONDA YADON, FISCAL & HR MANAGER**  
**DATE: AUGUST 10, 2017**  
**RE: FINANCIAL REPORTS, FISCAL MATTERS**

**FINANCIAL REPORTS**

Attached for your review is the Financial Detail Report for the fiscal year ended June 30, 2017. We ended the year very close to budget in the general fund, reverting \$92 in Personnel and \$691 in Operating. We encumbered \$29,000 of general funds from Operating to cover existing engineering and grant writing contracts for flood-damaged areas. We also encumbered approximately \$6,200 in the Professional Services Fund for remaining Deep Soil Sampling expenditures. Overall, we ended the 2017 fiscal year in very good financial standing and staff will be ready to address any questions you may have at your meeting.

The Financial Detail Report and Financial Summary Report (including the financial projections for the year) for the month ending July 31, 2017 will be available in hard copy at your meeting. For those of you that will be attending the meeting remotely, I will have the reports emailed to you no later than Wednesday, August 23.

**NEW HIRES AND VACANCIES**

This month staff interviewed and hired a new Administrative Assistant 2. Corrine Dalzell started with the Commission on Monday, August 7. She will be at your meeting, and I look forward to introducing her to you. She comes to us having worked several years at Health & Welfare. She is excited about our mission and is a true public servant.

Delwyne Trefz interviewed applicants last month for the Water Quality Specialist position in Marsing. Jon Beals accepted the position and brings with him considerable experience from Office of Species Conservation.

**COMMISSIONER HONORARIUMS**

Below is a schedule of the honorarium balances as of June 30, 2017. We spent 72.2% of the Honorarium Budget and approximately 90% of the Operating Travel Budget.

Commissioner	Days Budgeted/ Traveled to Date	Benefit Costs included in Honorariums	Honorariums Budgeted	Expended to Date	Projected Balance/ (Overage)
Wright	26 / 28	\$104	\$1,404	\$1,514	(\$110)
Gier	20 / 14	\$80	\$1,080	\$754	\$327
Trebesch	20 / 10	\$80	\$1,080	\$538	\$542
Radford	22 / 13	\$88	\$1,188	\$700	\$488
Slichter	24 / 16	\$96	\$1,296	\$861	\$435
Totals		\$450	\$6,050	\$4,367	\$1,682

**RECOMMENDED ACTION:** Approve the June 30, 2017 Year End Report and approve July 31, 2017 Monthly Report





**SOIL & WATER  
CONSERVATION  
COMMISSION**

H. Norman Wright  
Chairman

Gerald Trebesch  
Vice Chairman

Leon Slichter  
Secretary

Dave Radford  
Commissioner

Cathy Roemer  
Commissioner

Teri Murrison  
Administrator

**MEMO**

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS TREBESCH,  
SLICHTER, ROEMER, AND RADFORD**  
**FROM: TERI MURRISON, ADMINISTRATOR**  
**DATE: AUGUST 4, 2017**  
**RE: ADMINISTRATOR'S REPORT**

ACTIVITIES

Activities have been limited since your last meeting due to heavy workload related to developing Conservation Technical Assistance agreements with NRCS, the grant application to the National Fish and Wildlife Foundation for the sage grouse coordinator, and the preparation of the FY 2019 budget request (with WQPA and other enhancements), etc.

Staff attended:

- Food Producers Summer BBQ
- NRCS Technical Advisory Committee meeting
- Chairman's Ag Summit conference call
- City of Meridian and Nampa's Growing Together Ag Field District Roundtable meeting
- Ag Summit Conference Committee meeting
- Idaho Rangeland Resource Commission board meeting

FY 2018 COMMISSION MEETING SCHEDULE

Your scheduled meeting dates and locations are as follows:

<b>Date &amp; Time</b>	<b>Meeting, Location</b>	<b>Meeting Type</b>
September 14, 2017, 10 am – 3 pm, MT	Regular meeting, 322 E. Front Street, Suite 560, Boise	In person
October	– no meeting due to IASCD Division meetings --	----
November 14-17, 2017	Listening Session in conjunction with IASCD Annual Conference, Riverside Inn, time TBD, Boise	In person
December 14, 9 am – 2 pm MT <i>(if necessary)</i>	Regular meeting, 322 E. Front Street, Suite 560, Boise	In person or teleconference
January 15, 2018, 1 pm MT	Regular meeting, 322 E. Front Street, Suite 560, Boise (Joint Board meeting with IASCD)	In person
February 19, 2018, 1 pm – 5 pm MT	Regular meeting, 322 E. Front Street, Suite 560, Boise – held in conjunction with Ag Summit - Strolling Supper (February 19), Summit meeting February 20 (Red Lion Hotel, Boise)	In person
March	– no meeting due to IASCD Division meetings --	----
April 12, 2018 9 am – 2 pm, MT	Regular meeting, 322 E. Front Street, Suite 560, Boise	In person
May 9, 10, 11, 2018	Regular and special meetings (details TBD), tour of North Idaho projects, North Idaho Forestry Contest	In person

CONTRACT/MOU RENEWALS

Last year the Board delegated authority to the administrator to sign routine contracts and renew existing contracts already discussed and/or considered by the Board. For your information, the following contracts have been renewed:

- NRCS Office Space/IT Support (*renewed for FY 2018*)
- Department of Administration for IT (*renewed - automatic renewal until terminated*)
- Conservation technical assistance (CTA) Agreements and Grant Application Updates
  - CTA for NRCS Field Staff Positions (\$179,010)
  - CTA for match on Commission TRS2 position
  - National Fish and Wildlife Foundation Sagebrush Landscapes Restoration Specialist Position

IASC D DIVISION MEETINGS AND ANNUAL CONFERENCE

- Division meetings

DATE	Location	Organizing District	Proposed Commissioner* to Represent Board
Thursday, October 5, Division 1	Plummer?	Benewah	Slichter
Friday, October 6, Division 2	?	Lewis	Slichter
Tuesday, October 10, Division 3	Cascade?	Valley	Trebesch
Tuesday, October 24, Division 4	?	Minidoka	Roemer
Wednesday, October 25, Division 5	Pocatello?	Portneuf	Wright
Thursday, October 26, Division 6	Salmon?	Lemhi	Radford

*\*Honorarium, travel reimbursement provided to assigned Commissioner*

- IASC D Annual Conference, November 14-17<sup>th</sup> at the Riverside Hotel in Boise. (*draft agenda not yet available, Chairman has requested Listening Session to be held during the meeting's breakout sessions*)

REQUESTED ACTION: For information only



**SOIL & WATER  
CONSERVATION  
COMMISSION**

H. Norman Wright  
Chairman

Gerald Trebesch  
Vice Chairman

Leon Slichter  
Secretary

Dave Radford  
Commissioner

Cathy Roemer  
Commissioner

Teri Murrison  
Administrator

**MEMO**

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS TREBESCH, SLICHTER,  
ROEMER, AND RADFORD**  
**FROM: TERI MURRISON, ADMINISTRATOR**  
**DATE: AUGUST 17, 2017**  
**RE: FY 2019 BUDGET REQUEST**

The Commission's FY 2019 Budget Request must be approved by the Board and submitted to the Division of Financial Management (DFM) and the Legislative Services Office (LSO) by September 1, 2017, along with the Performance Measures Report (*see Item 4e, following*). The details below are provided for your consideration in approving the draft budget request (*amounts may not total due to rounding*):

FROM	FTPs	PERSONNEL	OPERATING	CAPITAL	TRUSTEE & BENEFIT	TOTAL
General Fund: Administration & Board	15.65	1,222,100	249,300		3,253,200	4,724,400
Dedicated Fund: RCRDP Administration	2.1	165,300	134,700			300,000
Dedicated Fund: Professional			30,000			30,000
Dedicated Fund: Revolving Fund			30,000			30,000
Temporary positions (NRCS CTAs, NFWF)	4.25	267,600	16,800 (10% from NRCS CTA only)			284,400
<b>TOTAL</b>	<b>22</b>	<b>1,655,000</b>	<b>460,800</b>		<b>3,253,200</b>	<b>5,369,000</b>

Rhonda Yadon will cover the specifics contained in the Budget Request Synopsis (attached). Highlights include:

- Reduction of Health Insurance Costs by approximately \$27k
- Replacement/Upgrade of Office Phones: Per a memo from Department of Administration on June 21, 2017, SWC needs to comply with an upgrade to the state phone system, which will cost approximately \$1,900.
- Replacement of Hard Drives in Staff Laptops: Per Department of Administration suggestion, SWC proposes replacing the hard drives in all staff laptops to add faster processing and longevity costing \$1,800.

- WQPA Funding Request: The Board will remember discussing with members of the IASCD Board, possible Trustee and Benefits line item enhancement requests. Attached is a copy of a letter from IASCD Board President Kit Tillotson detailing their request for FY 2019. Summarized, it is as follows:
  - The IASCD Board supports a budget request to re-fund the Commission's currently unfunded Water Quality Program for Agriculture. Details of that funding request include:
    1. PERSONNEL - Request \$29,000 ongoing in GF Personnel Fund
      - i. Reclassify existing water quality resource conservationist to ag program specialist (increase salary and benefits by \$12k/year)
      - ii. Request .25 additional FTP for fiscal/HR manager (increase salary and benefits by \$17k/yr)
    2. OPERATING – Request additional \$50k ongoing
      - i. Contract out 2 TMDL Implementation Plans/yr. (\$32k)
      - ii. \$18k for program administrative expenses (travel, supplies, overhead, etc.)
    3. TRUSTEE AND BENEFITS
      - i. Request minimum of \$1M in ongoing funds for project implementation in regular WQPA program through the GF Trustee and Benefits fund
      - ii. Request minimum of \$1M one time for flood mitigation projects either in WQPA or a separate standalone through the GF Trustee and Benefits fund (or perhaps RCRDP dedicated fund?)
- NRCS CTA for TRS2: (already approved in FY 2019 – then it terminates)
- NRCS CTA for field positions (up to 3 years – 1<sup>st</sup> year covered in non-cog)
- NFWF grant spending authority, including ¼ funding for TRS2
- Water Center Lease Cost Increase: As provided for in our lease with the Department of Water Resources, the rate increases annually for the life of the lease. The FY 2019 Budget requests an additional \$609.24 to cover the anticipated rate increase. SWC also needs to allocate the cost of rents more accurately between general funds and the RCRDP Program. As the size of our Boise Office staff has increased, it is more accurate to allocate approximately 20% of the lease cost to RCRDP instead of 50%.

RECOMMENDED ACTION: Approve FY 2019 Budget Request granting authority to Administrator to make minor adjustments to request amounts, if necessary.

Attachments:

- FY 2019 Budget Request Synopsis
- IASCD Letter regarding including re-funding WQPA and Trustee & Benefit Line Item Enhancement in FY 2019 Budget Request

**Soil and Water Conservation Commission**

FY 2019 Budget (Preliminary)

Thursday, August 24, 2017

	FTP	Personnel Cost	Operating Expense	Capital Outlay	Trustee / Benefit	Total
<b>FY 2018 Appropriation</b>						
General Fund - Administration & Board	15.40	1,207,200	183,900	90,600	1,253,200	2,734,900
Dedicated Fund - Federal Grants	0.25	17,500	-	-	-	17,500
Dedicated Fund - RCRDP Administration	2.10	167,100	146,400	-	-	313,500
Dedicated Fund - Professional Services	-	-	30,000	-	-	30,000
Dedicated Fund - Revolving Loan	-	-	30,000	-	-	30,000
<b>Total</b>	<b>17.75</b>	<b>1,391,800</b>	<b>390,300</b>	<b>90,600</b>	<b>1,253,200</b>	<b>3,125,900</b>
<b>Program Maintenance Adjustments</b>						
<b>DU 8.41 - Removal of One-Time Expenditures</b>						
General Fund - Administration & Board	-	-	-	(90,600)	-	(90,600)
Dedicated Fund - Federal Grants	-0.25	(17,500)	-	-	-	(17,500)
Dedicated Fund - RCRDP Administration	-	-	-	-	-	-
<b>DU 10.11 - Health Insurance</b>						
General Fund - Administration & Board	-	(30,400)	-	-	-	(30,400)
Dedicated Fund - RCRDP Administration	-	(4,000)	-	-	-	(4,000)
<b>DU 10.12 - Variable Benefit Costs</b>						
General Fund - Administration & Board	-	6,200	-	-	-	6,200
Dedicated Fund - RCRDP Administration	-	800	-	-	-	800
<b>DU 10.31 - Repair, Replacement Items</b>						
General Fund - Administration & Board	-	-	3,200	-	-	3,200
Dedicated Fund - RCRDP Administration	-	-	500	-	-	500
<b>DU 10.61 - CEC Regular Employees</b>						
General Fund - Administration & Board	-	10,100	-	-	-	10,100
Dedicated Fund - RCRDP Administration	-	1,400	-	-	-	1,400
<b>DU 10.71 - Nondiscretionary Adjustments</b>						
General Fund - Administration & Board	-	-	12,200	-	-	12,200
Dedicated Fund - RCRDP Administration	-	-	(12,200)	-	-	(12,200)
<b>Line Items</b>						
<b>DU 12.01 - WQPA Funding</b>						
General Fund - Administration & Board	0.25	29,000	50,000	-	2,000,000	2,079,000
<b>DU 12.02 - NRCS CTA Field Office Positions (3)</b>						
Dedicated Fund - Federal Grants	-	167,600	16,800	-	-	184,400
<b>DU 12.03 - NFWF Grant</b>						
Dedicated Fund - Federal Grants	0.25	100,000	-	-	-	100,000
<b>FY 2019 Request:</b>						
General Fund - Administration & Board	15.65	1,222,100	249,300	-	3,253,200	4,724,600
Dedicated Fund - Federal Grants	0.25	267,600	16,800	-	-	284,400
Dedicated Fund - RCRDP Administration	2.10	165,300	134,700	-	-	300,000
Dedicated Fund - Professional Services	-	-	30,000	-	-	30,000
Dedicated Fund - Revolving Loan	-	-	30,000	-	-	30,000
	<u>18.00</u>	<u>1,655,000</u>	<u>460,800</u>	<u>-</u>	<u>3,253,200</u>	<u>5,369,000</u>
<b>Change from FY 2018</b>	<u>0.25</u>	<u>263,200</u>	<u>70,500</u>	<u>(90,600)</u>	<u>2,000,000</u>	<u>2,243,100</u>
<b>Percentage Change from FY 2018</b>	<u>0.014085</u>	<u>18.91%</u>	<u>18.06%</u>	<u>-100.00%</u>	<u>159.59%</u>	<u>71.76%</u>
<b>General Fund Increase from FY 2018</b>						<u>1,989,700</u>
<b>General Fund Percentage Change from FY 2018</b>						<u>72.75%</u>



# Idaho Association of Soil Conservation Districts

55 SW 5th Avenue, Suite 100 Meridian, ID 83642 208-895-8928 WWW.IASCD.ORG

August 1, 2017

Teri Murrison, Administrator  
Idaho Soil & Water Conservation Commission  
322 E. Front St., #560  
Boise, Idaho 83720

Dear Teri,

The Idaho Association of Soil Conservation Districts Board of Directors met on Friday, July 21, 2017 with your Commissioners to discuss the FY 2019 Idaho Soil & Water Conservation Commission Budget. As a result of that meeting this letter is to inform you that the Idaho Association of Soil Conservation Districts supports a FY 2019 budget request of a minimum of \$1,000,000 in ongoing funds for project implementation through the Water Quality Program for Agriculture (WQPA). This request takes into consideration a statewide effort to appropriate funds for water quality best management practices.

WQPA would provide a logical conduit for funding distribution given that both Statute and Rule are already in place. In addition, conservation districts would all agree that a program that is accountable to the Executive and Legislative branches of state government is crucial to the success of water quality projects by private land owners. The program would also provide equitable and dependable funding for water quality implementation projects statewide with little overhead and start up expenses.

Idaho's 50 soil and water conservation districts and the Idaho Soil & Water Conservation Commission are the primary entities to provide assistance to private landowners and land users in the conservation, sustainment, improvement and enhancement of Idaho's natural resources. Through the administration of WQPA, the Idaho Association of Conservation Districts has confidence that funds would be equitably administered and assistance to conservation districts would be provided for technical and administrative outreach as funds are available.

Thank you for your consideration.

Sincerely,

Kit Tillotson  
IASCD President

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Box 701  
Lava Hot Springs, ID  
83246  
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83832  
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Meridian, ID  
83646  
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### Director

Matt Woodard  
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Idaho Falls, ID  
83404  
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## Staff

### Executive Director

Benjamin Kelly  
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208-895-8928



**SOIL & WATER  
CONSERVATION  
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Teri Murrison  
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**MEMO**

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS TREBESCH, SLICHTER,  
ROEMER, AND RADFORD**  
**FROM: TERI MURRISON, ADMINISTRATOR**  
**DATE: AUGUST 4, 2017**  
**RE: PERFORMANCE MEASUREMENTS REPORT**

Attached is a copy of the final draft of the Commission's FY 2017 Performance Measures Report. A final report must be submitted to the Division of Financial Management (DFM) and the Legislative Services Office with the FY 2019 Budget Request.

The PMR is purposefully not all-inclusive and is condensed per instructions from DFM. The following elements of the PMR are mandatory:

- Agency Profile
- Core Functions
- General Fund Revenue & Expenditures
- Profile of Key Services
- Performance Highlights
- Performance Measurements

Staff will review the draft PMR at the meeting for your consideration.

RECOMMENDED ACTION: Approve FY 2017 Performance Measures Report

Attachment: DRAFT FY 2017 Performance Measures Report

## Part I – Agency Profile

### Agency Overview

The Idaho Soil and Water Conservation Commission (ISWCC) was created in 1939 under Idaho Code § 22-2716, et. seq.) to form local conservation districts to work on reducing soil erosion generated by agricultural land management practices. ISWCC is now also the lead agency for a number of voluntary conservation programs that address water quality and other natural resource issues. ISWCC has no regulatory authority. The ISWCC was led in FY 2017 by five Commissioners appointed by the Governor: Chairman H. Norman Wright, Vice Chairman Gerald Trebesch, Secretary Leon Slichter, and members Dave Radford and Glen Gier. The administrator was Teri Murrison. In FY 2017, the agency had 17.75 administrative and technical staff located in Boise and in offices around the state.

### Core Functions/Idaho Code

1. **District Support and Services:** provides technical, financial, and other assistance to Idaho's 50 conservation districts.
2. **Comprehensive Conservation Services:** provides/promotes non-regulatory incentive and science-based programs to support voluntary conservation activities enhancing environmental quality and economic productivity.
3. **Administration:** ensures fiscally responsible operations to support Commissioners, programs, and staff.
4. **Outreach:** engages local, state, and federal partners, non-governmental organizations, and resource and agricultural production groups to promote agricultural stewardship (voluntary conservation).

### Revenue and Expenditures

Revenue	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$2,364,100*	\$2,531,000	\$2,590,700	\$2,730,900
Receipts	5,600	6,800	29,600	300
RCRDP Loan Program	1,447,600	1,033,700	960,800	1,189,000
SRF Loan Program	31,900	84,300	99,300	86,300
Federal Grant Funds	0	0	0	0
<b>Total</b>	<b>\$3,849,200*</b>	<b>\$3,655,800</b>	<b>\$3,680,400</b>	<b>\$4,006,500</b>
Expenditures	FY 2014	FY 2015	FY 2016	FY 2017
Personnel Costs	\$1,151,400	\$1,149,700	\$1,239,400	\$1,331,000
Operating Expenditures	286,200	346,400	272,100*	290,500
Capital Outlay	0	71,400	80,100	74,100
Trustee/Benefit Payments	1,169,200	1,203,200	1,253,200	1,353,200
RCRDP Loan Disbursements	794,100	352,400	415,200	596,500
DEQ Loan	44,300	71,700	86,700	\$73,700
<b>Total</b>	<b>\$3,445,200</b>	<b>\$3,194,800</b>	<b>\$3,346,700*</b>	<b>\$3,719,000</b>

\* indicates where numbers have been updated to correct prior year errors.

### Profile of Cases Managed and/or Key Services Provided

Cases Managed and/or Key Services Provided	FY 2014	FY 2015	FY 2016	FY 2017
Conservation systems implemented on all cropland (acres)	186,076	97,432	133,586	97,776
Conservation implemented on other land uses (acres)	78,925	83,255	6,348	6,549
Grazing/pasture management systems implemented (acres)	531,613	486,449	506,625	339,356
Riparian acres implemented with protection, restoration, enhancement or creation (acres)	289	1,201	3,399	3,981
Conservation Reserve Program (CRP) – Private agricultural land removed from tillage-induced erosion through financial incentive for a contractual time period.	589,484	583,135	568,839	568,729

Numbers above include conservation statistics from federal and local partners: NRCS and districts. The reason “other land uses” declined so significantly is unknown, although it is suspected that it may have dropped beginning in FY 2016 due to policy, funding, or programmatic changes by a partner federal agency.

**FY 2017 Performance Highlights**

- **District Support:** Overall responses to the satisfaction survey were up, there was general improvement in responses from respondents who previously reported dissatisfaction with Commission services; and a new measure was established to track requests and awards for technical assistance: # of technical assistance hours requested by districts vs. the actual hours awarded. Since FY 2014, there has been a downward trend on the number of hours requested and an upward trend in the hours awarded. This is due to improved forecasting of needs, understanding Commission capacity, and agency efficiencies.
- **Conservation Reserve Enhancement Program:** A new measure was established to track the amount of water conserved. In addition to the agency’s contract certification, the Farm Service Agency has certified an additional 24 contracts covering 2,335 acres (these data are not included below). The CREP Steering Committee officially requested an increase in rental rates from Washington DC to increase producer participation. A decision is pending.
- **Resource Conservation and Rangeland Development Program:** Interest in the program continues to falter. Inquiries are down, as are new applications and loan funds actually disbursed (this despite an aggressive multi-year marketing and outreach program). In FY 2018, the Commission Board will review statute and rule to determine potential legislative, rule, and program-based changes in FY 2020 that encourage continued utilization of the fund for agricultural stewardship/voluntary conservation in a sustainable way (one that increases interest income generation for program support). The Commission is working with partners to conduct planning and stakeholder outreach (to determine support and strategies), reporting back at the end of FY 2018. In FY 2017, a new measure was added to track borrower satisfaction with the program.
- **Total Maximum Daily Load (TMDL) Implementation Plans:** The agency is keeping pace with the TMDL plan workload released by DEQ. A new measure was added to track the number released by DEQ.

**Part II – Performance Measures**

*Note: There is a disconnect between some of the actual FY 2017 numbers and FY 2018 targets caused by establishing performance measure targets in the updated Strategic Plan (June 30<sup>th</sup> deadline) prior to collecting the previous year’s performance data (July 30<sup>th</sup> deadline).*

Performance Measure		FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
<b>District Support &amp; Services</b>						
1. # of District Surveys on Commission Satisfaction - Strongly agree - Somewhat agree - Neutral - Somewhat Disagree - Disagree N/A	actual	36 of 50	35 of 50	34 of 50	42 of 50	
		17%	28.6%	29%	43%	
		25%	45.7%	62%	48%	
		33%	8.6%	3%	2%	
		17%	14.3%	3%	7%	
		3%	2.9%	3%	0%	
	target	50 of 50				
		25%	25%	34%	36%	34%
		47%	47%	47%	46%	47%
		23%	23%	7%	8%	7%
	5%	5%	10%	8%	10%	
	0%	0%	2%	2%	2%	

Performance Measure		FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
		0%	0%	0%	0%	0%
2. District five-year plans updated	actual	50	50	50	50	-----
	target	50	50	50	50	50
3. Technical Assistance Provided to districts						
# of technical assistance hours requested/awarded (new)	actual	13,280/7,204	10,855/5,351	10,751/5,733	7,360/6,071	-----
	target	-----	-----	-----	-----	7,400/6,100
# of districts w/projects	actual	38	40	38	39	-----
	target	39	39	39	40	40
# of new projects	actual	57	81	34	19	-----
	target	58	58	50	50	50
# of ongoing projects	actual	103	106	101	70	-----
	target	65	115	100	75	100
# of landowners served	actual	386	229	241	316	-----
	target	300	400	300	245	300
<b>Comprehensive Conservation Programs</b>						
4. CREP Program Deliverables						
Total Contracts	actual	156	155	155	168	-----
	target	160	160	175	160	160
Total Acres	actual	16,792	16,729	16,526	17,257	-----
	target	17,500	17,500	21,000	22,000	17,500
Certified Contracts	actual	28	7 (82 total contracts)	6 (88 total contracts)	2 (90 total contracts)	-----
	target	7	15	15	10	10 (10,460 total contracts)
Certified Acres	actual	2,537	300 (8,880 total acres)	647 (9,527 total acres)	131 (9,658 total acres)	-----
	target	1,500	1,500	1,500	1,500	800
Water Conserved (new)	actual	-----	-----	-----	34,514 acre ft.	-----
	target	-----	-----	-----	-----	36,000 acre ft.
5. Ground Water Quality/Nitrate Priority Areas						
Acres Treated	actual	27,918	39,863	42,594	42,194	-----
	target	37,700	37,700	37,700	42,000	37,700
Nitrates Reduced (lbs.)	actual	141,779	138,247	145,370	142,000	-----
	target	132,100	132,100	132,100	140,000	132,100
Phosphorus Reduced (lbs.)	actual	32,084	27,745	29,575	28,500	-----
	target	26,500	26,500	26,500	28,000	26,500
Sediment Reduced (tons)	actual	54,618	143,670	150,170	148,500	-----
	target	142,600	142,600	142,600	150,000	142,600
6. RCRDP Loan Program						
# of new loans	actual	12	7	12	5	-----
	target	12	15	12	15	12

Performance Measure		FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Total \$ conservation projects	actual	\$841,624	\$392,517	\$875,049	\$326,473	-----
	target	\$350,000	\$950,000	\$850,000	\$900,000	\$850,000
Inquiries received	actual	-----	48	63	36	-----
	target	-----	-----	50	65	50
Applications submitted	actual	-----	20	15	5	-----
	target	-----	-----	25	28	25
Pending @ end of FY	actual	-----	5	0	0	-----
	target	-----	-----	2	2	2
Applications denied or withdrawn	actual	-----	6	3	1	-----
	target	-----	-----	5	5	5
Satisfied customers (new)	actual	-----	-----	-----	5	-----
	target	-----	-----	-----	-----	5
<b>7. TMDL Ag Implementation Plans (subject to DEQ priorities)</b>						
by # of new plans assigned DEQ (new)	actual	-----	-----	-----	7	-----
	target	-----	-----	-----	-----	7
Completed	actual	6	8	7	10	-----
	target	7	6	6	7	6
In Progress	actual	15	16	17	22	-----
	target	12	12	12	15	12
Pending	actual	19	18	18	10	-----
	target	24	19	19	18	19
<b>Outreach</b>						
<b>8. Communications Note: new social media analytic tools were deployed in FY 2017, accounting for the significant change in numbers</b>						
Website (Total Visitors)	actual	-----	71,822	-----	19,607	-----
	target	-----	-----	-----	-----	74,000
(Ave. Page Views) per visitor	actual	-----	-----	26	204.73	-----
	target	-----	-----	-----	26	26
(Ave. Hits/Day)	actual	-----	-----	31,936	22,000	-----
	target	-----	-----	-----	33,000	33,000
(Total Hits)	actual	-----	-----	1,018,241	669,967	-----
	target	-----	-----	-----	1,100,000	1,020,000
Facebook (impressions/# of posts)*	actual	220	153	230	163	-----
	target	-----	275	275	275	-----*
(Post Reach)	actual	-----	-----	48,046	38,851	-----
	target	-----	-----	-----	50,000	50,000
(New Page Likes)	actual	-----	-----	170	72	-----
	target	-----	-----	-----	200	200
Twitter (# of tweets)	actual	89	36	40	115	-----
	target	-----	150	150	75	55

Performance Measure		FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
(Twitter Impressions)	actual	-----	-----	11,144	19,059	-----
	target	-----	-----	-----	12,000	11,200
(Profile Views)	actual	-----	-----	762	434	-----
	target	-----	-----	-----	800	700
(New Followers)	actual	-----	-----	111	70	-----
	target	-----	-----	-----	200	200
Newsletter subscriptions**	actual	505	725	591	620	-----
	target	-----	750	750	675	700

**Performance Measure Explanatory Notes**

*\* In FY 2017, some performance measures were determined not to be meaningful and will no longer be included in annual reporting.*

*\*\*FY 2016 reduction in newsletter distribution list due to the cleanup and consolidation of subscription lists.*

**For More Information Contact**

Teri Murrison, Administrator  
 Idaho Soil & Water Conservation Commission  
 322 E. Front St., Suite 560  
 Boise, ID 83702  
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 Fax: (208) 332-1799  
 E-mail: Teri.Murrison@swc.idaho.gov

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**IDAHO SOIL & WATER  
CONSERVATION COMMISSION**

ITEM #5a

**TO: CHAIRMAN WRIGHT AND COMMISSIONERS RADFORD, ROEMER,  
SLICHTER, AND TREBESCH**  
**FROM: DELWYNE TREFZ, DISTRICT SUPPORT SERVICES**  
**DATE: AUGUST 11, 2017**  
**RE: DISTRICT SUPPORT SERVICES REPORT**

District Funds Allocations

- \$575,000 of Trustees and Benefits funds were disbursed to districts during July (see enclosed 'FY2018 District Allocations Disbursed in July' spreadsheet for details)
  - Base Allocation (\$8,500/district)
  - Operations Allocation (\$2,000/district)
  - Capacity Building Allocation (\$800-\$2,467/district)
- \$678,200 Trustees and Benefits funds remain to be disbursed to districts as Match Funding

District Match Allocations

- District Financial & Match reports are due no later than August 16<sup>th</sup>
- SWCC staff will review for completeness and organize the reports in preparation for the District Allocations Work Group (DAWG) meeting
- DAWG to meet via teleconference the first full week of September to determine the value of local funds and services eligible for state match funds
- Commission will convene a special meeting via teleconference during the 2<sup>nd</sup> full week of September to consider DAWG-recommended match allocations (Thursday, September 15)
- Match allocations will be distributed to Districts before the end of September

District Survey Results

- 34 Districts submitted responses to our FY2016 survey
- Results are presented in the enclosed 'FY 2016 District Survey Results' spreadsheet
- Responses are trending in a positive direction

RECOMMENDED ACTION: For information only

Attachments: FY 2018 District Allocations Disbursed in July  
FY 2017 District Survey Results

## FY2018 District Allocations Disbursed in July

District	Base Allocation	Operations Allocation	Capacity Building Funds			Total Allocation to Date
			Standard Cap Bldg Allocation*	Regional Programs Cap Bldg Allocation**	Total Cap Bldg Allocation	
Ada	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Adams	\$ 8,500.00	\$ 2,000.00	\$ 800.00	\$ 1,666.67	\$ 2,466.67	\$ 12,966.67
Balanced Rock	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Bear Lake	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Benewah	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Blaine	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Bonner	\$ 8,500.00	\$ 2,000.00	\$ 800.00	\$ 1,666.67	\$ 2,466.67	\$ 12,966.67
Boundary	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Bruneau River	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Butte	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Camas	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Canyon	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Caribou	\$ 8,500.00	\$ 2,000.00	\$ 800.00	\$ 1,666.67	\$ 2,466.67	\$ 12,966.67
Central Bingham	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Clark	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Clearwater	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Custer	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
East Cassia	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
East Side	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Elmore	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Franklin	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Gem	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Gooding	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Idaho	\$ 8,500.00	\$ 2,000.00	\$ 800.00	\$ 1,666.67	\$ 2,466.67	\$ 12,966.67
Jefferson	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Kootenai - Shoshone	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Latah	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Lemhi	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Lewis	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Madison	\$ 8,500.00	\$ 2,000.00	\$ 800.00	\$ 1,666.67	\$ 2,466.67	\$ 12,966.67
Minidoka	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Nez Perce	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
North Bingham	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
North Side	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Oneida	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Owyhee	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Payette	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Portneuf	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Power	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Snake River	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
South Bingham	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Squaw Creek	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Teton	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Twin Falls	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Valley	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Weiser River	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
West Cassia	\$ 8,500.00	\$ 2,000.00	\$ 800.00	\$ 1,666.67	\$ 2,466.67	\$ 12,966.67
West Side	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Wood River	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
Yellowstone	\$ 8,500.00	\$ 2,000.00	\$ 800.00		\$ 800.00	\$ 11,300.00
<b>Total</b>	<b>\$ 425,000.00</b>	<b>\$ 100,000.00</b>	<b>\$ 40,000.00</b>	<b>\$ 10,000.00</b>	<b>\$ 50,000.00</b>	<b>\$ 575,000.00</b>

\* **Capacity Building Allocations:** For FY2018 SWCC had \$50,000 to distribute to districts as Capacity Building funds. During their June, 2017 meeting, Commissioners approved distributing those funds as shown in the table above. A total of \$10,000 was provided to help fund district programs that have a regional, or statewide, impact. The remaining \$40,000 was divided equally amongst the 50 conservation districts, equating to \$800/district.

\*\* **Regional Programs That Received Capacity Building Funds** are shown in the following table.

**Regional or state-wide prgrams which received capacity building funds for FY2016**

<b>Sponsoring District</b>	<b>Program</b>	<b>Capacity Bldg Funds Allocated</b>
Adams	Rangeland Skillathon	\$1,666.67
Caribou	NCF Envirothon	\$1,666.67
Bonner	State Forestry Contest	\$1,666.67
Idaho	Grazing Conf & Soil Health Workshop	\$1,666.67
Madison	State Envirothon	\$1,666.67
West Cassia	State Land & Soil Evaluation Event	\$1,666.67
<b>Total</b>		<b>\$10,000.00</b>



IDAHO SOIL & WATER  
CONSERVATION COMMISSION

## 2017 DISTRICT SURVEYS

Maria Minicucci 27Aug2017

# SURVEY INTENT AND ORGANIZATION

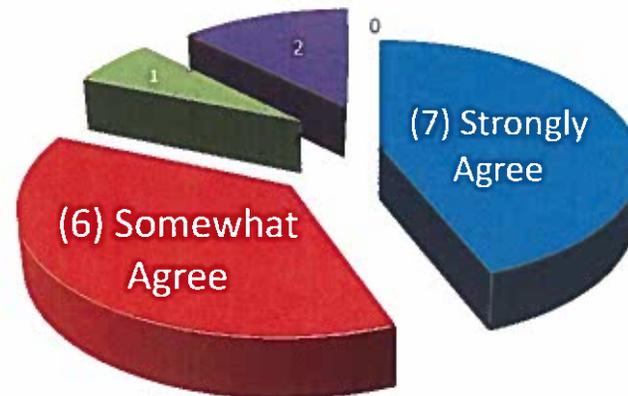
## Intent

- Evaluate appropriate allocation of Commission funding and services.
- Solicit feedback to help to determine future Commission priorities

## Methods

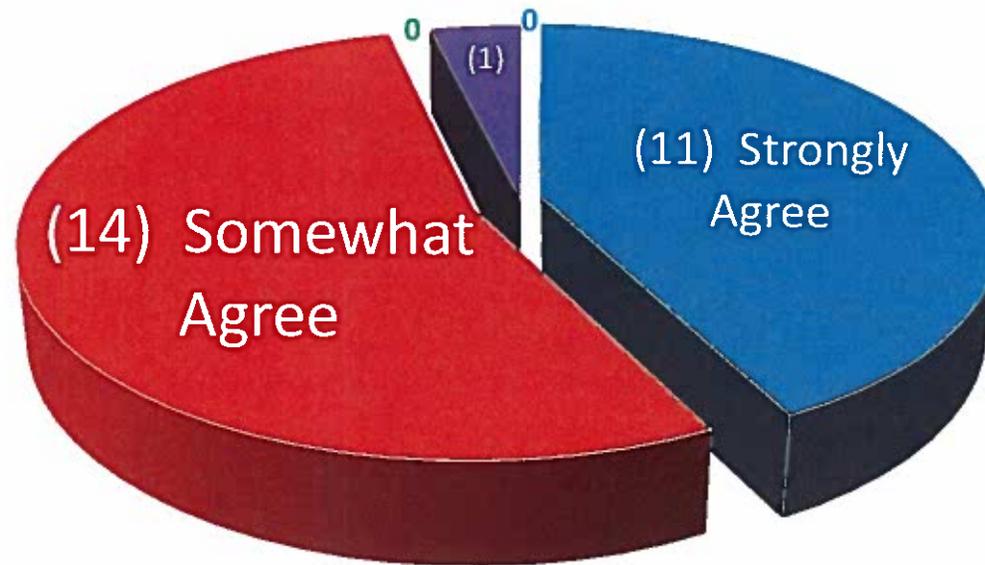
- A: Survey Monkey: Open to all – Internet based via Commission web site (13)
- B: Paper Surveys: Sent to Every District for Supervisors' responses (26)

# Survey Monkey Overall Satisfaction with Commission Services



# SUPERVISORS' SURVEY

## OVERALL SATISFACTION WITH COMMISSION SERVICES



# Wish List Comparison

## Priority of Enhanced Services

	1	2	3	4	5	6	7	8
Add'l funds for outreach and education (S)								
Add'l funds for outreach and education (SM)								
Refund CIG (S)								
Refund CIG (SM)								
Add'l funds for rangeland health (S)								
Add'l funds for rangeland health (SM)								
Add'l funds for general operations (S)								
Add'l funds for general operations (SM)								

# Wish List Comparison

## Priority of Enhanced Services

	1	2	3	4	5	6	7	8
Refund WQPA (S)								
Refund WQPA (SM)								
Add'l funds for Rural/Urban Interface projects (S)								
Add'l funds for Rural/Urban Interface projects (SM)								
Add'l funds for healthy forest/wildfire mitigation & planning (S)								
Add'l funds for healthy forest/wildfire mitigation & planning (SM)								
Add'l funds for fish and wildlife mitigation (ESA) (S)								
Add'l funds for fish and wildlife mitigation (ESA) (SM)								

# CONCLUSIONS

- Support for the Commission is consistently high
- Staff and partner priorities are similar but not identical to Supervisor priorities
- Highest priorities are for additional funds for general operations, outreach and education, and re-establishment of CIG and WQPA

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# IDAHO SOIL & WATER CONSERVATION COMMISSION

**COMMISSION**

ITEM #5b

H. Norman Wright  
Chairman

Jerry Trebesch  
Vice Chairman

Leon Slichter  
Secretary

Dave Radford  
Commissioner

Cathy Roemer  
Commissioner

Teri A. Murrison  
Administrator

**TO: CHAIRMAN WRIGHT, COMMISSIONERS ROEMER, RADFORD, SLICHTER, AND TREBESCH**  
**FROM: TERRY HOEBELHEINRICH, LOAN OFFICER**  
**DATE: August 10, 2017**  
**RE: RESOURCE CONSERVATION AND RANGELAND DEVELOPMENT PROGRAM UPDATE AND FISCAL YEAR SUMMARY**

Since May 25, the following activities have been conducted by staff:

<b>Marketing</b>	<ul style="list-style-type: none"> <li>• Reviewed FY 2018 marketing plans</li> <li>• Updated print advertising</li> <li>• Reviewed FY 18 RCRDP budget and FY 16 &amp; '15 expenses</li> <li>• Contacted past loan inquiries</li> <li>• Contacted DEQ for 319 projects</li> <li>• Contacted NRCS staff for new EQIP contracts</li> </ul>
<b>Loan Applications</b>	<ul style="list-style-type: none"> <li>• 7 loan inquiries have been received since the last update on May 25</li> <li>• 1 new loan application (incomplete)</li> </ul>
<b>Loan Portfolio</b>	<ul style="list-style-type: none"> <li>• 69 loans, \$2,814,686</li> <li>• \$61,919 approved, but not disbursed</li> <li>• 1 delinquency with approved plan, collateral field inspection</li> <li>• Monitoring restitution account</li> </ul>
<b>FY 2017 Loan Activity Summary</b>	<ul style="list-style-type: none"> <li>• 36 loan inquiries (some projects delayed until Fall)</li> <li>• 5 loan applications received</li> <li>• No loan applications pending</li> <li>• 5 loans approved, \$335,784</li> <li>• 1 loan applications withdrawn or denied</li> </ul>

**Customer Service Survey**

The customer service survey offers insights to borrower experiences and perceptions. NRCS remains a consistent referral for our conservation loans. Borrowers like the low interest rates and customer service from staff. There remains a consistent concern about the amount of information and time needed to complete the loan application and loan completion processes. Borrowers also feel the program needs to be promoted more.

**ACTION:** For Information Only

Attachment: Customer Survey Results

FY17 RCRDP CUSTOMER SURVEY						
14 EVALUATIONS SENT						
5 EVALUATIONS RETURNED						
<b>1 Would you do business with SCC again?</b>						
			Yes	No	N/A	
			5	0		
<b>2 Would you refer the RCRDP loan program to anyone else?</b>						
			Yes	No	N/A	
			5	0		
<b>3 How did you learn about the program?</b>						
	Local Conservation District		1			
	Newsletter		0			
	NRCS		3			
	Web site		0			
	Other		1			
<b>4 Rate your satisfaction of the following: 1= unsatisfied, 5= completely satisfied</b>						
			1	2	3	4
	Interest Rates (one did not respond)					2
	Conservation District Support (one did not respond)					2
	Processing Time (one did not respond)				1	2
	Customer Service from SWCC staff					2
	Application requirements			1	1	2
	Completion requirements (one did not respond)			1	1	1
<b>5 What did you like most about the program?</b>						
	1 Worked great for me					
	2 Interest rates and the fact that it is Administered by ISCC					
	3 A great source of revenue to help, offer cash-strapped small farms make their operations more efficient and reliable					
	4 Easy to work with, very informative, very thorough					
	5 One did not respond to the question					
<b>6 What did you like least?</b>						
	1 One did not respond to the question					
	2 The paperwork required for the loan					
	3 Lengthy processing time					
	4 Can't think of anything					
	5 Cheryl needs to "get rid of the typewriter" take credit cards! 😊					
<b>7 Please provide any suggestion that would help the SWCC market the loan program more effectively</b>						
	1 I was not aware this program was available until other farmers informed me. Could do a better job of telling people of programs					
	2 One did not respond to the question					
	3 One did not respond to the question					
	4 Get the word out people don't know about the program					
	5 One did not respond to the question					
<b>8 We welcome any other comments or suggestions</b>						
	1 Keep the program above reproach					
	2 Thank you so much for assisting me through a most difficult period!!!					
	3 One did not respond to the question					
	4 One did not respond to the question					
	5 One did not respond to the question					

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# IDAHO SOIL & WATER CONSERVATION COMMISSION

**ITEM #5c**

**TO: CHAIRMAN WRIGHT, COMMISSIONERS ROEMER, RADFORD, SLICHTER, AND TREBESCH**  
**FROM: TERRY HOEBELHEINRICH, LOAN OFFICER**  
**DATE: August 9, 2017**  
**RE: ANNUAL REVIEW & SETTING OF RESOURCE CONSERVATION AND RANGELAND DEVELOPMENT PROGRAM INTEREST RATES**

Per administrative rule 60.05.01 the Commission shall determine interest rates not to exceed 6% annually.

### Background

FISCAL YEAR			APPROPRIATION / SPENDING AUTHORITY	EXPENSES	APPROPRIATION LESS EXPENSES
2013			\$290,100	\$276,248	\$13,852
2014			\$290,100	\$242,531	\$47,569
2015			\$297,500	\$239,385	\$58,115
2016			\$301,300	\$235,573	\$65,727
2017			\$312,000	\$237,009	\$75,999
2018			\$313,500	?	?

FISCAL YEAR	RCRDP REVENUE (ACTUAL OR PROJECTED)	TREASURY (REVENUE) (ACTUAL OR PROJECTED)	TOTAL REVENUE (PROJECTED)	EXPENSES	REVENUE LESS EXPENSES
2013	\$238,480	\$20,233	\$258,713	\$276,248	(\$17,535)
2014	\$170,452	\$17,425	\$187,877	\$242,531	(\$54,654)
2015	\$136,047	*-\$13,660	\$122,387	\$239,385	(\$116,998)
2016	\$112,267	\$32,619	\$144,886	\$235,573	(\$90,487)
2017	\$101,700	\$59,310	\$161,010	\$237,009	(\$75,999)
2018	\$89,323	\$74,345	\$163,668	\$249,300	(\$85,632)
Change ('17-'18)	(\$12,377)	\$15,035	\$2,658	\$12,291	(\$9,633)

### Assumes

- \*Includes \$32,931 loss from Idaho Treasury Bond Losses
- 3.17% average interest rate for RCRDP portfolio (3.67% in FY 17)
- 1.06% estimated FY 2018 interest rate for treasury (cash) ( 0.85% in FY 17) ( 0.47 % in FY 16)

RCRDP LOAN PORTFOLIO BALANCE AS OF 6-30-2017	\$ 2,814,616	3.17%
<u>RCRDP TREASURY CASH BALANCE AS OF 6-30-2017</u>	<u>\$ 7,013,685</u>	1.06%
RCRDP TOTAL LOAN PORTFOLIO & CASH AS OF 6-30-2017	\$ 9,828,301	1.67%

- *Memo continues on next page* -

<p>FY 2017 Term &amp; Interest Rate Requests</p>	<ul style="list-style-type: none"> <li>• 4 - 2.5% - 7 year terms</li> <li>• 0 -2.75% - 10 year terms</li> <li>• 1 - 3.0% - 12 years</li> <li>• 0 - 3.25% - 15 years</li>   <li>• 2.74% is Weighted Average Interest Rates of Loan Applications Received &amp; Approved in FY 2017</li> </ul>
<p>Interest Rate Trends</p>	<ul style="list-style-type: none"> <li>• 5 year treasury rates have increased slightly.</li> <li>• Ave. FY 14 1.55%</li> <li>• Ave FY 15 1.57%</li> <li>• Ave FY 16 1.44</li> <li>• Ave FY 17 1.62</li>   <li>• 10 year treasury rates have increased slightly.</li> <li>• Ave. FY 14 2.71%</li> <li>• Ave FY 15 2.23%</li> <li>• Ave FY 16 2.02%</li> <li>• Ave FY 17 2.09</li>   <li>• The Federal Reserve raised the Federal Funds Rate ¼ of a point in FY 2017. The current outlook is the Fed. will not raise rates in the near term and expects to slowly increase rates in the long term if there is sufficient growth in the economy and inflation increases to the 2% goal.</li>   <li>• Historical Federal Reserve Rates <ul style="list-style-type: none"> <li>FY 2017 1.16</li> <li>FY 2016 0.26</li> <li>FY 2015 0.11</li> <li>FY 2014 0.08</li> <li>FY 2013 0.14</li> <li>FY 2012 0.10</li> <li>FY 2011 0.16</li> <li>FY 2010 0.15</li> <li>FY 2009 0.70</li> <li>FY 2008 3.71</li> <li>FY 2007 5.25</li> </ul> </li> </ul>
<p>Interest Rate Recommendations for FY 2018</p>	<ul style="list-style-type: none"> <li>• No changes in loan interest rates or terms</li> <li>• 2.5%, 7 year term</li> <li>• 2.75%, 10 year term (new equipment and real estate)</li> <li>• 3.0%, 8 - 12 year Term</li> <li>• 3.25 %, 13 – 15 year term</li> <li>• 5% Combination 1<sup>st</sup> lien equipment and 2<sup>nd</sup> mortgage</li> <li>• 6% second mortgages</li> </ul>

**RECOMMENDED ACTION:** Approve interest rates and loan terms for FY 2018.

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# OPEN MEETINGS LAW

IDAHO CODE §§ 74-201 THROUGH 74-208



# WHEN DO OPEN MEETING LAWS APPLY?

All meetings of a governing body of a public agency.

- “governing body”: members of a public agency, with two or more members, with authority to make decisions for or recommendations to a public agency regarding any matter.
- “Public agency” includes any state board, commission, department or agency created by statute except the judiciary.
- “meeting”: convening of a governing body to make a decision or to deliberate toward a decision on any matter.

# IS THIS A MEETING?

Is there a quorum (a majority of the Commission)?

- Should not try to evade public meeting requirements by holding smaller meetings or using a “go-between.”

Is the Board making a decision or deliberating?

- Decision: any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required
- Deliberation: the receipt or exchange of information or opinion relating to a decision.
  - Does not include informal or impromptu discussions of a general nature.
  - If unsolicited information is received by the governing body identity and description of information should be disclosed at the public meeting if it is to be considered in rendering a decision.

Meeting can be formal, informal, or social

If in doubt, hold a public meeting

# TYPES OF MEETINGS

- Regular Meeting: convening of a governing body of a public agency on the date fixed by law or rule to conduct the business of the agency.
- Special Meeting: convening of the governing body of a public agency pursuant to a special call for the conduct of business as specified in the call.

# NOTICE REQUIREMENTS

Regular Meeting: 5 calendar days' meeting notice, 48 hour agenda notice.

Special Meeting/Executive Session Only: 24 hours' meeting and agenda notice unless emergency.

Notice and Agenda must be posted in prominent place at principal office of the public agency.

Meeting notice must state the meeting date, time, place, and name of agency

Agenda-

- Sets forth the purpose of the meeting and the items of business.
- Must make a good faith effort to include all items known to be probable items of discussion.
- May be amended by posting amended agenda at least 48 hours before regular meeting or 24 hours before special meeting
- May be amended at meeting upon (1) motion stating the reason for amendment and good faith reason the agenda item was not included in the original agenda, (2) vote adopting the amendment, and (3) record of motion and vote in meeting minutes.

# OPEN MEETING REQUIREMENTS

Must be open to the public and all persons shall be permitted to attend.

- May adopt reasonable rules and regulations to ensure orderly conduct at meeting.
- Cannot make it practicably impossible for the public to be present.
- Not required to allow public comment.

No decision may be made by secret ballot.

Meeting shall not be held at any public place where discrimination on the basis of race, creed, color, sex, age or national origin is practiced.

Teleconference allowed if:

- At least one member of governing body or the chief administrative officer is physically present at the meeting location.
- Communication among members of governing body audible to public attending meeting in person and to other members.

# EXECUTIVE (CLOSED) SESSION

## Procedure

- Motion stating specific statutory subsection authorizing executive session and a roll call vote with 2/3 majority recorded in the minutes.

Under Idaho Code § 74-206, Executive Session may be held for:

- Hiring, evaluation, dismissal or disciplining of specific employee;
- Acquire interest in real property not owned by public agency;
- Consider records exempt from public disclosure;
- Preliminary trade negotiations involving trade or commerce where governing body is in competition with governing bodies in other states or nations;
- Communicate with legal counsel to discuss pending litigation or imminent litigation;
- Communicate with risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed; or
- Labor negotiations

Violation to discuss non-identified subjects in executive session.

ALL FINAL DECISIONS MUST BE MADE OUTSIDE OF EXECUTIVE SESSION

# MINUTES

- Written minutes must be taken at all open meetings
- Full transcript or recording is not required
- Minutes at a minimum must include:
  - All members of governing body present;
  - All motions, resolutions, orders, or ordinances proposed and their disposition;
  - Results of all votes, and upon request of member, the vote of each member by name; and
  - If executive session held, reference to statutory subsection authorizing executive session and enough detail to identify the purpose and topic of executive session.

# VIOLATIONS/CURE

If meeting is not in compliance, any action taken is null and void.  
Citizen suit allowed to enforce the Act.

## Civil Penalty

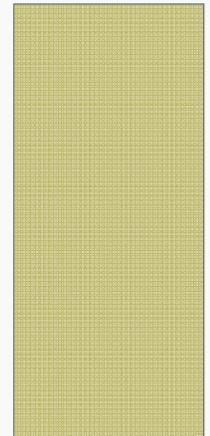
- Members of governing body are subject to civil penalty up to \$250.
- Member who knowingly violates the law and has a previous violation within 12 months is subject to civil penalty up to \$2,500.

## Cure

- Agency self-recognizes violation or within 14 days of receipt of notice of alleged violation publically acknowledges violation and intent to cure.
- Within 14 days of acknowledgement agency declares all action at meeting in violation of act void.
- Cure bars imposition of civil penalties.

# PUBLIC RECORDS LAW

IDAHO CODE § § 74-101 THROUGH 74-126



# WHEN DOES IT APPLY?

Applies to all state or local public agencies

A Public Record includes, but is not limited to any writing that: (1) contains information relating to the conduct or administration of the public's business and (2) is prepared, owned, used, or retained by any state or local agency.

- A writing includes typewritten or handwritten documents, pictures, maps, tapes, magnetic or punched cards and computer media
- Includes handwritten notes taken during commission meetings
- Includes emails and text messages
- Includes documents maintained on personal devices

Rule of thumb: unless expressly exempted it is likely subject to a public records request.

# RIGHT TO EXAMINE

Every person has a right to examine and take a copy of any public record of the state at all reasonable times.

- Copy includes transcribing, photocopying, duplicating and reproducing as long as original is not altered or damaged
- Must provide certified copy upon request
- Required to separate exempt and nonexempt information and provide nonexempt information
- Agency is not required to organize information or provide copies in format not used in the normal course of business.

Custodian of record: person having custody and control of the records in question.

- Cannot refuse access to records by contracting with nongovernment entity to perform duties
- Duty to protect integrity of records and prevent alteration.

Agency may establish fee schedule not to exceed actual cost to copy/mail record.

- May charge for labor for complex requests, for requests requiring retrieval of archived records, or for after-hour examination
- May require advanced payment

# DISCLOSURE EXEMPTIONS

- Personnel Records: shall not be disclosed without the employees written consent except: employment history, classification, pay grade and step, longevity, gross salary and salary history, status, workplace and employing agency.
- Records of personal debt filed with a public agency pursuant to law.
- Trade secrets, production records, financing record, mortgage portfolio loan documents, or similar business records of a private concern.
- Disclosing/selling list of persons for purpose of mailing and telephone list prohibited (\$1,000 civil penalty for bad faith violation)

# SECTION 1619 OF THE FARM BILL

## 7 U.S.C. § 8791

- Idaho Law exempts from disclosure records exempt under federal law.
- Section 1619 of the Farm Bill prohibits the USDA and cooperators from disclosing “information provided by an agricultural producer or owner of agricultural land concerning the agricultural operation, farming or conservation practices, or the land itself in order to participate in programs of the Department” or geospatial information maintained by the USDA about agricultural land or operations based on the above information.
- Payment information and name and address of recipient are not confidential and are subject to disclosure.
- May release statistical information that does not identify individual owner or producer or the specific data gathering site.
- If information is received by the Commission from NRCS or from agricultural producer/owner in order to participate in a program involving NRCS or the Department of Agriculture then 1619 applies.

# PROCEDURE WHEN RECEIVING REQUEST

- Request submitted in writing (includes email) with requester's name and contact info.
- Agency must grant or deny request within 3 working days of receipt.
  - May extend to 10 days if longer time needed to locate records and upon notifying requester.
  - If records need to be converted to a different electronic format may take longer than 10 days if mutually agreed.
  - If agency fails to respond the request is deemed denied after 10 working days.
- If agency denies request in whole or part, person legally responsible for administering public agency shall notify requester in writing.
  - Shall state that the attorney for the agency reviewed the request or that the agency had the opportunity to consult with an attorney and chose not to.
  - Shall indicate the statutory authority for the denial
  - Shall indicate clearly the person's right to appeal and time period for doing so

# COURT ACTION/PENALTIES

Denial may be appealed within 180 days from date of mailing the notice of denial

- Agency must keep all documents subject to appeal until decision rendered or as otherwise provided by statute, whichever is longer.
- If a court finds the request or the denial to be frivolous, it may award costs and attorney fees to the prevailing party.

## Additional Penalties

- If court finds denial was made deliberately and in bad faith may assess civil penalty against official not to exceed \$1,000
- Immune from liability if official acted in good faith
- In short: ask attorney to review request before denying it.

# RECORD RETENTION

Every state agency is required to adopt guidelines that identify the subject matter or public records maintained by the agency, the custodian and the physical location of such documents.

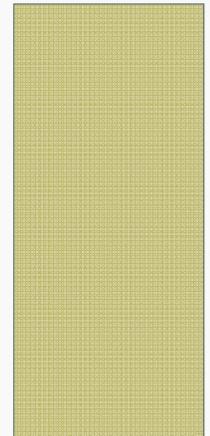
Records should be maintained as set forth in the Commission's record retention policy.

Public Record laws apply to all writings containing information relating to the conduct or administration of the public's business, including those created and maintained on your personal devices.

- Should be retained in the same manner and on same schedule as set forth in the Commission's record retention policy.

# ETHICS IN GOVERNMENT

CONFLICTS OF INTEREST & SOLICITATION



# THREE STATUTES GOVERN

Ethics in Government Act (Idaho Code § § 74-401 through 74-406)

Bribery and Corrupt Influence Act (Idaho Code § § 18-1351 through 18-1362)

Prohibition Against Contracts with Officers Act (Idaho Code § § 74-501 through 74-511)

\*These provide the MINIMUM requirements\*

# ETHICS IN GOVERNMENT ACT

Applies to “public officials”—includes elected, appointed, and employed public officials

Requires disclosure of conflicts of interest

Civil Liability for intentional violations  
(Fine up to \$500)

# ETHICS IN GOVERNMENT ACT

## Conflict of Interest

Any official action or any decision or recommendation by a person acting in official capacity, where the effect would be the private pecuniary (economic) benefit of the person, member of household, or a business with which person or member of household is associated.

- Household=spouse, dependent children, others legally obligated to support.
- Association with business=director, owner, partner, employee, or holder of stock worth \$5,000 or more.

The following are not conflicts:

- Interest/membership in particular business is a prerequisite to the holding of office.
- Action would affect to the same decree all persons engaged in the same industry, class, profession, or occupation.

# ETHICS IN GOVERNMENT ACT

## Procedure for Conflicts of Interest

- Do not take any official action or make a formal decision or recommendation if official has a conflict and fails to disclose it.
- Seek legal advice if official believes that there is a real or potential conflict.
- If advised there is a real or potential conflict prepare written statement describing conflict and deliver it to appointing authority.
- Official may then act on the advice of attorney.
- After disclosure, official may request to be excused from debate/vote on issue, but it is not required.

# BRIBERY AND CORRUPT INFLUENCE ACT

Applies to all “public servants” – including “any officer or employee of government” and any person participating as an advisor, consultant or otherwise in performing a governmental function.

Criminal liability for violations

- At minimum, misdemeanor offense with up to \$1,000 Fine and/or 1 year in jail
- May result in forfeiture of office

# BRIBERY AND CORRUPT INFLUENCE ACT

## Bribery

It is a felony offense to solicit, accept or agree to accept:

- A pecuniary (economic) benefit to self or household member as consideration for a decision, opinion, recommendation, vote or other exercise of discretion as a public servant
- Any benefit as consideration for a violation of legal duty as a public servant.
  - Benefit broadly defined as anything regarded by the beneficiary as gain or advantage.

It is a misdemeanor offense to solicit, accept or agree to accept a pecuniary (economic) benefit for self or household member for a past official action.

# BRIBERY AND CORRUPT INFLUENCE ACT

## Gifts

It is a misdemeanor offense to solicit, accept or agree to accept:

- any pecuniary benefit for self or household member from interested or likely interested persons in connection with government contracts or economic transactions.
- Any compensation for advice in preparing or promoting a contract or other transaction or proposal that would likely involve exercise of official discretion.
- pecuniary benefit for self or household member for exercising official duties.
  - Does not include trivial benefits that do not exceed \$50.00 that are incidental to personal, professional or business contacts and involve no substantial risk of undermining official impartiality

# BRIBERY AND CORRUPT INFLUENCE ACT

## Using Position for Personal Gain

It is a misdemeanor offense to:

- Use public funds or property to obtain pecuniary benefit for self or household member
- Use or disclose confidential information [not subject to public disclosure] gained by reason of official position with intent to gain pecuniary benefit for self or household member or to harm the government entity served.
- Be interested [self or relative within second degree] in any contract made by him or herself in official capacity or by the board in which he or she is a member.
  - Exception: If less than 3 suppliers of good or service in 15 mile radius may contract with self or relative if (1) competitive bid and submits the low bid (2) neither public servant or relative prepares contract or bid and public servant does not vote on or approve contract, (3) public servant makes a full disclosure in writing of interest; (4) neither public servant or relative violated any provision of Idaho law.
- Conspire with a vendor to influence award of a contract
- Appoint a relative or vote for appointment of a relative to position or to employment when it is paid out of public funds.

# BRIBERY AND CORRUPT INFLUENCE ACT

## Improper Influence

It is an offense for another to threaten a public servant with harm with the purpose of influencing decision or to privately address a public servant with the purpose to influence the outcome on the basis of unlawful consideration.

If you believe this has happened contact legal counsel.

# PROHIBITIONS AGAINST CONTRACTS WITH OFFICERS ACT

Applies to members of the legislature and state, county, city and district officers.

Prohibits officers from being interested in any contract, purchasers at any sale, or vendors at any purchase made by the board in which they are members.

## Criminal Liability

- Violation is a misdemeanor offense
- Fine up to 1,000 and/or up to one year in jail

Contracts made in violation of Act are voidable  
[except by violating officer]

# PROHIBITIONS AGAINST CONTRACTS WITH OFFICERS ACT

Not a violation if:

- Interest is remote [landlord/tenant, employee or agent if wages are fixed, holds less than 1% of shares];
- Interest is fully disclosed to the board prior to formation of contract and noted in minutes; and
- Contract is approved in good faith by board without including vote of interested officer.

If officer attempts to influence board, contract is void.

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