

**DRAFT**  
**MINUTES**

Of the Regular Meeting on June 10, 2019 of the

**OKLAHOMA WILDLIFE CONSERVATION COMMISSION**

Held at the Oklahoma Department of Wildlife Conservation Building, Oklahoma City, Oklahoma, June 10, 2019. Commission meeting dates are filed with the Secretary of State, Office of Administrative Rules before December 15, annually. The Agenda is listed on the Department's website and was posted at the entrance of the Wildlife Department Building on May 30, 2019 at 6:40 p.m.

Chairman John Groendyke called the Commission in session at 9:00 a.m.

Rhonda Hurst, Executive Assistant, called the roll.

**MEMBERS PRESENT:** JOHN GROENDYKE, Chairman  
BILL BREWSTER, Vice-Chairman  
LEIGH GADDIS, Secretary  
JAMES V. BARWICK, Member  
BRUCE MABREY, Member  
JOHN ZELBST, Member  
ROBERT S. HUGHES II, Member

**MEMBERS ABSENT:** DANNY ROBBINS, Member

J.D. Strong, Director, introduced the following guests: Laura McIver, James Dietsch and John Bellah, Quail Forever; Marla Peek, Oklahoma Farm Bureau; Representative Rusty Cornwell, Vinita; Stephen Baldrige, Office of Secretary of Energy & Environment; Cooper Sherrill and John Weir, Oklahoma Prescribed Burn Association; Tyler Talley, eCapitol; Kelly Bostian, Tulsa World; Mike Evans, Don Chitwood, Gene Miller and James Aldridge, National Wild Turkey Federation. Additional guest arriving after introductions: Conrad Kleinholz and Jason Grace, Oklahoma Selfbow Society; Richard Godfrey, Ducks Unlimited; O.D. Curry, National Wild Turkey Federation; Jeremy Kemper and Josh Karum, Backcountry Hunters and Anglers; Shane Bevel, Tulsa Bird Dogs; Julie Griffin, Katie Blunk and Michael Horntuest, Oklahoma Prescribed Burn Association.

Director Strong recognized Jeff Neal, Wildlife Technician for 30 years of service.

Motion was made by Mr. Zelbst, seconded by Ms. Gaddis to approve the minutes from the May 6, 2019 regular Commission meeting. Motion carried with Commissioners Hughes, Barwick, Brewster, Gaddis, Mabrey, Zelbst and Groendyke voting "Yes".

Melinda Streich, Assistant Director of Administration and Finance, presented the Financial Statement for April 30, 2019. Motion was made by Mr. Barwick, seconded by Mr. Brewster to accept the statement as presented. Motion carried with Commissioners Hughes, Barwick, Brewster, Gaddis, Mabrey, Zelbst and Groendyke voting "Yes".

Corey Jager, Legislative Liaison, announced the first session of the 57<sup>th</sup> Oklahoma Legislature has officially adjourned. She gave a summary of all proposed Title 29 legislation and two additional bills affecting the ODWC. She also thanked all the partners for their support during the legislative session and invited them to stay after the meeting for a Partners

Appreciation Luncheon. Ms. Jager's written legislative report was sent to all Commissioners and will be kept with the minutes of this meeting.

Director Strong highlighted the Congressional report submitted by Brittnie Preston, the Department's part-time Federal and Congressional Liaison. This report was sent to all Commissioners and will be kept with the minutes of this meeting. Director Strong gave a Director's Report on calendar items and agency updates. This report was given to the Commission and will be kept with the minutes of this meeting. He also announced that he attended an agency head meeting with Governor Stitt where they covered customer service, accountability and had break-out sessions within the Cabinets.

Melinda Streich presented and requested Commission approval for the Department's FY 2020 Annual Budget. Ms. Streich explained the following:

The Retirement/Finance Committee chaired by Commissioner Groendyke and including Commissioners Brewster, Mabrey and Zelbst met at 1:00 p.m. on Tuesday, June 4 to review the proposed budget. The budget is comprised of 4 parts: Revenue, Personnel Costs, Operations, and Capital Expenditures.

#### Budget Summary

When comparing the proposed FY20 budget to the FY 19 annual budget, the difference between last year and this year are as follows.

- The operating and personnel budget of \$49,007,939 (excluding capital expenditures) increased 0.9%, or \$419,604.
  - The overall budget including capital expenditures decreased by 7.8%.
- FY20 Personnel costs of \$28,738,680 decreased \$149,936 over FY19.
  - The decrease is result of:
    - The Defined Benefit retirement contributions decreased \$150,000
    - Salaries decreased \$167,932 as a result of resignations and retirements
  - 24 vacant positions are included in the budget and in the process of being filled.
  - 3 new FTE's are proposed for Wildlife Division and include the following:
    - 1 Biologist and 1 Technician – Sans Bois WMA
    - 1 Wildlife Technician – Arbuckle Springs
    - Cost \$177,316
- FY20 Operations:
  - FY 20 operations budget additions include the following:
    - Administration's additions include \$36,780 for the last year of strategic planning, \$125,000 for building maintenance, and \$119,540 for human dimensions projects.
    - Wildlife Division's add-on request includes \$34,900 in operating expenses for OLAP, \$221,488 for land owner incentive payments, and \$200,000 for start-up costs for Sans Bois WMA.
    - Fish Division is adding \$530,000 for Lake Maintenance heavy equipment.
    - Enforcement added \$175,000 to purchase and operate new body cameras.
    - I&E's add-on of \$100,000 is for a marketing project to boost license sales, \$100,000 for the Council to Advance Hunting and Shooting Sports to assist with R3 (recruitment, retention and reactivation), and \$75,000 to reimburse NWTF for an R3 Coordinator.

- FY20 Capital Expenditures decreased from \$24.3 million in FY19 to \$17.9 million in FY20.
- The significant differences in capital expenditures include decreases in shooting range funding and land acquisition, plus increases in renovation projects.
- The Projected revenue:
  - A 5.5% decrease in projected revenue is a result of:
    - \$2,877,739 in grant revenue
    - \$775,498 in Natural Resource Damage Assessment Funds; \$303,500 from a reduction in caviar sales, controlled hunt fees and convenience fees that are now retained by Brandt to fund the new Go Outdoors Oklahoma License system.
    - Unobligated funds available are \$898,316
    - Lifetime License funds included \$7,500,000

Employee Compensation:

The budget does not include any pay increases, although several options were considered by the Retirement/Finance Committee.

Additional items for consideration:

\$40,000 for Federal agency and Congressional liaison contract

Chairman Groendyke stated that the Retirement/Finance Committee had met and would recommend the following additions to the proposed budget.

1. A 3% cost of living increase for all employees, including new hires on initial probation, which will result in an adjustment of the pay bands for each position.
2. An additional 5% increase for all employees who were on probation last year and did not receive the FY19 raise.
3. An increase in our hourly rate to \$11.00 per hour.

Motion was made by M. Brewster, seconded by Mr. Barwick to approve the budget as presented with the recommendations of Chairman Groendyke. Motion carried with Commissioners Hughes, Barwick, Brewster, Gaddis, Mabrey, Zelbst and Groendyke voting "Yes".

Melinda Streich requested Commission approval on a 2% Cost of Living Adjustment (COLA) for retirees in accordance with the Retirement Plan. Ms. Streich stated that no COLA was awarded in FY19. When the plan is more than 85% funded, a COLA may be awarded to Defined Benefit retirees. The actuary calculated the cost for a 2% COLA to be a one-time lump sum of \$1.4 million. If awarded January 1, 2020, the cost for FY20 would be \$700,000 and the remaining cost of \$700,000 would be funded in FY21. Chairman Groendyke stated that the Retirement/Finance committee met and recommended a 2% COLA for retirees effective January 1, 2020. He said that the Defined Benefit Retirement plan is well funded at 91.4%.

Ms. Gaddis inquired about the Defined Contribution Retirement Plan and why employees could not contribute more than 5% to their retirement fund. Mr. Groendyke stated that the employee contribution amount would have no bearing on the department's budget. He suggested this idea be sent to the Retirement/Finance Committee for review.

Motion was made by Ms. Gaddis, seconded by Mr. Mabrey to approve the 2% COLA for retirees. Motion carried with Commissioners Hughes, Barwick, Brewster, Gaddis, Mabrey, Zelbst and Groendyke voting "Yes".

Barry Bolton, Chief of Fisheries Division, requested Commission approval of the following emergency rules:

**Title 800. Department of Wildlife Conservation**

**Chapter 10. Sport Fishing Rules**

**Subchapter 1. Harvest and Possession Limits**

800:10-1-5. Bag limits on fish [AMENDED]

Lake Texoma is home to the largest Alligator gar population in Oklahoma. Current fisheries research and law enforcement efforts have identified a lack of harvest reporting because reporting procedures for Alligator Gar harvest are not well defined in Title 800. Accurate and timely reporting of Alligator Gar harvest is necessary for enforcement of regulations and population assessments. Current rules do not define the method or timeline required for reporting the harvest of Alligator Gar. More timely reporting of harvest and tagged individuals will assist with ongoing Alligator Gar population assessments. Alligator Gar are classified as a Category II species of special concern. Motion was made by Mr. Zelbst, seconded by Mr. Hughes to approve the emergency rules as presented. Motion carried with Hughes, Barwick, Brewster, Gaddis, Mabrey Zelbst and Groendyke voting "Yes".

Bill Dinkines, Assistant Chief of Wildlife Division, requested Commission approval on a Resolution for the bear hunting quota to include additional open areas in southeast Oklahoma. Mr. Dinkines indicated that there are actually two different bear populations in Oklahoma. The population in the Southeast has had a 6% increase in the past couple of years. During the last bear hunting season, 78 archery bears and 7 muzzleloader bears were harvested. Motion was made by Mr. Zelbst, seconded by Ms. Gaddis to approve the Resolution as presented. Motion carried with Hughes, Barwick, Brewster, Gaddis, Mabrey Zelbst and Groendyke voting "Yes".

Alan Peoples, Chief of Wildlife Division, requested Commission approval of the following emergency rules:

**Title 800. Department of Wildlife Conservation**

**Chapter 25. Wildlife Rules**

**Subchapter 7. General Hunting Seasons**

**Part 19. Seasons on Areas Owned or Managed by the Oklahoma Department of Wildlife Conservation and the U.S. Fish and Wildlife Service**

800: 25-7-140.1. Sans Bois WMA [NEW]

**Chapter 30. Department of Wildlife Lands Management**

**Subchapter 1. Use of Department Managed Lands**

800:30-1-4. Camping [AMENDED]

800:30-1-20. Restricted public use areas [AMENDED]

The Department recently purchased approximately 7,602 acres in southeast Haskell County. These rules will establish hunting season dates, camping and restricted use period regulations on the newly acquired Sans Bois WMA so that the public can utilize this property and the natural resources beginning this fall. Without passage of emergency rules, the public will not be able to access and utilize this property and the natural resources found there until the fall of 2020. Mr. Peoples explained that the controlled hunts would not be scheduled until fall of 2020 because a biologist has not yet been assigned to this new area and the need for harvest evaluations to be done prior to establishing controlled hunts. Mr. Barwick asked why archery would be closed during the first nine days of deer gun season. Mr. Peoples explained that the regulation was in line with most other WMA's to simplify the rules and if this area was the exception, an over concentration of hunters would converge on this area. Motion was made by Mr. Barwick, seconded by Mr. Zelbst, to approve the proposed emergency rules with the understanding that the rule of closing archery during first nine days of deer gun season would be

reviewed statewide for possible revision during the next permanent rulemaking cycle. Motion carried with Hughes, Barwick, Brewster, Gaddis, Mabrey Zelbst and Groendyke voting "Yes".

Regarding agenda item #15, consideration of the Chronic Wasting Disease (CWD) Response Plan, Director Strong requested that this item be tabled for a future meeting to allow for more review.

Mr. Groendyke announced that a nominating committee consisting of Mr. Zelbst as Chair, Mr. Hughes and Mr. Barwick had met to discuss recommendations for the FY20 Commission Officers. Mr. Zelbst announced that it was the recommendation of the committee that the slate of officers be Mr. Mabrey as Chairman, Mr. Hughes as Vice-Chairman and Ms. Gaddis as Secretary. Motion was made by Mr. Zelbst, seconded by Mr. Barwick to approve this recommendation for the FY20 Commission Officers. Motion carried with Hughes, Barwick, Brewster, Gaddis, Mabrey Zelbst and Groendyke voting "Yes".

Mr. Groendyke announced the next Commission Meeting is scheduled for July 1, 2019 at the ODWC headquarters in Oklahoma City at 9:00 a.m. The Commission also agreed to change the August 5 meeting to August 12 and move the location to Durant, Oklahoma.

Mr. Groendyke announced the Commission is invited to a Partners Appreciation Luncheon immediately following adjournment of this meeting. A quorum may or may not be present. No official business will be conducted and no action will be taken following adjournment.

The meeting adjourned at 10:33 a.m.

#### OKLAHOMA WILDLIFE CONSERVATION COMMISSION

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John D. Groendyke, CHAIRMAN

ATTEST:

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Leigh Gaddis, SECRETARY