

OKLAHOMA SCENIC RIVERS COMMISSION
SPECIAL BUSINESS MEETING

MEETING DATE: Tuesday, December 09, 2014
MEETING TIME: 5:30 p.m.
MEETING PLACE: Tahlequah Armory Municipal Center
100 North Water Street (located across the street on the Northeast corner
of the Old Cherokee Capital Square located in downtown Tahlequah)
Tahlequah, Oklahoma 74464

MINUTES

01. Meeting called to order.

Chairman Hilsher called the meeting to order at approximately 5:39 p.m.

02. Roll call.

MEMBERS PRESENT

Monte Bradford
Gerald Hilsher
Trey Peyton
David Pickle
Steve Randall
David Spears
Rick Stubblefield
John Larson (arrived after approval of minutes)

MEMBERS ABSENT

Jeff Bashaw
Randy Corp
Michael Fuhr
Riley Needha

03. Introduction of guests and visitors.

Mike & Pam Hazen, War Eagle Resort; Kevin Kelley, Diamondhead Resort; Ann & Wayne Jordan; Donna Pickle; Archie Peyton, Peyton's Place; Nancy & Daniel Fergor; Sean Rowley, Tahlequah Daily Press; Ed Brocksmith, STIR; Glen Sizemore; Jack Spears, Arrowhead Resort; Barb Daily, STIR; Gina Levesque, OCC; Denise & Mike Deason-Toyne, STIR; Francie Fite; David Preston; James Hickman, retired OSRC; Jerry Hammons; Nancy Garber, STIR; Senator & Mrs. Shaw; Jim Garman, Riverside Resort; Doug Hubbard, Cherokee County; Dennis & Shannon Gosa; Jason Chennault, CCSO; Jeff Bick, Baylor University, Dr. Ryan King, Baylor University; Caleb Robbins, Baylor University; Morgan Bettcher, Baylor University; Stephen Elser, Baylor University; Katherine Hooker, Baylor University; DeWayne Smoot, Muskogee Phoenix; Delia Haak, IRWP; Bill James, OSRC; Bobby Robertson, OSRC; Cheryl Allen, OSRC

04. Comments from guests and visitors.

This item is included within the agenda to allow time for public comment to the OSRC Board of Commissioners. Comments are limited to three minutes per speaker. This agenda item allows NO ACTION may be taken by Commissioners.

Denise Deason-Toyne, STIR President thanked Commissioners for their hard work, and then pointed out that Jerry Hammons has raised an issue on the agenda. She stated STIR would like to acknowledge Jerry Hammons and the other land owners for bringing their issues to the Commission and to the public. Dr. Deason-Toyne said STIR fully supports the concerns of the problem of alcohol abuse on the Illinois River. She said STIR would like to offer some alternatives, in lieu of a complete ban of the alcohol on the river. Dr. Deason-Toyne referred to OSRC Rules allows persons to have a 50 quart size cooler per person, which she purported allows one person to have 60 cans of beer, which is outrageous. She suggested perhaps have a rule or a law enforced of limiting consumption to one 6-pack

per person, which would reduce that problem? She also raised another issue that more rangers and equipment is needed to provide adequate enforcement. Dr. Deason-Toyne, recommended reinstatement of the user fees and that Commissioners and stakeholders should lobby the Governor and the Legislature seeking authority for OSRC to set user fees and also allow a study to find out which areas are being over utilized and perhaps make an adjustment there. She said the changes are needed so the public may have a better experience on the river and increase safety. Pam Hazen, War Eagle stated that the 48 quart cooler use has been revoked and that they don't allow that anymore.

05. Consideration and discussion, vote to approve, amend or take other action approving minutes from August 19, 2014 OSRC Regular Business Meeting.

Commissioner Pickle made a motion to approve the minutes from the December 7, 2014 OSRC Special Business Meeting. Trey Peyton seconds the motion. No discussion.

The vote follows:

Bashaw	Absent	Hilsher	Aye
Bradford	Abstain	Larson	Absent
Corp	Absent	Needham	Absent
Fuhr	Absent	Peyton	Aye
Pickle	Aye	Randall	Abstain
Spears	Aye	Stubblefield	Aye

Motion passed 5 Aye 2 Abstain 0 Nay

06. Administrator's Report.

*Commissioner John Larson arrived during the Administrator's Report

Administrator Ed Fite welcomes everyone. He then discussed the Oklahoma Senate Interim Study that took place in November. Mr. Fite reflected on several of the highlights that were conveyed to Senators present at the hearing. Specifically, he made mention:

- the history that lead to the enactment of the Oklahoma Scenic Rivers Act and creation of Commission
- Robert Kellogg, retired ODEQ Attorney appeared and spoke about the Commission based on his experience, observing that the OSRC for its small size is the most effective state environmental agency
- Dr. Lowell Caneday, Professor of Health & Leisure Studies, Oklahoma State University, discussed the obesity issue in the state and particularly diabetes. Dr. Caneday said our youth and the population as a whole are overweight and that there are not many opportunities to get out doors like we think. He said surrounding states have a lot of opportunity to get outdoors and be active
- Dr. Tracy Boyer, Agriculture Economics Professor, Oklahoma State University, provided a summary of the value of the Illinois River is much different than other rivers, it has clean water, a robust economy with lots of visitors and people can float year round
- David Cameron, Administrator for Siloam Springs, Arkansas appeared before the Committee and he complemented the Commission for its work and said "the City opted to build a new \$25 million waste water treatment plant in lieu of a \$5 million version because of the OSRC's influence"
- Dr. Bill Andrews, USGS-Oklahoma reported on water quality and showed that phosphorus trends were going down overall

Following the overview, Mr. Fite responded to a question raised by Commissioner David Pickle related to a new water treatment project located at Flint Ridge, a private landowners association development in southern Delaware and northern Adair Counties adjacent to the Illinois River. Mr. Fite explained that the Flint Ridge Water District was planning to increase its capacity to provide potable drinking water from one million gallons a day to two million gallons in the coming year or so as to supply water to several neighboring communities. Mr. Fite purported that the increase in treatment will not impact the flows within the Illinois River.

07. Discussion of proposition request from Jerry Hammons for development of rules prohibiting possession of alcohol on the Illinois River.

Chairman Hilsher introduces Jerry Hammons, who addressed Commissioners about the need for development of rules prohibiting possession of alcohol on the Illinois River.

After making several recommendations and comments Mr. Hammons introduced Wayne Jordan who briefly voiced his concerns from observing alcohol consumption on the Illinois River over the years. Mr. Jordan stated he wanted alcohol use limited or even excluded.

Mr. Hammons then introduced Jim Garman who owns Riverside Resort and he voiced support to ban alcohol on the river.

Mike Hazen then spoke up expressing a countering viewpoint supporting alcohol use.

Chairman Hilsher then asked Mr. Hammons what he wants the Commission to do regarding this issue.

Chairman Hilsher then inquired of Ranger Captain Bill James what are the problems, Captain James responds saying it's an alcohol problem in general. Captain James then took the floor and provided his thoughts based on his 35 years of law enforcement experience.

Following the discussion, Mr. Fite provided an explanation of the actual rule language that the maximum ice chest size is 50 quart capacity per person. He continued his comments referring back to 2006 when an OSRC Committee on Alcohol made recommendations to mitigate the issues. Chairman Hilsher then suggested several ideas along with proposing possible rulemaking.

Shannon Otteson-Gosa, STIR Attorney shared her concern as a home owner and expressed an opinion regarding alcohol. She suggested having an alcohol free river day. Kevin Kelley, owner of Diamondhead Resort asked about banning alcohol on all bodies of water in the state and not to just isolate it to the Illinois River.

08. Introduction of Dr. Ryan King and Team Members from Baylor University, to provide an overview of the 2014-2016 Arkansas-Oklahoma Joint Phosphorus Criteria "Stressor Test" Study related to Scenic Rivers.

This agenda item is included as discussion only for the purpose to introduce Dr. King and his research team members to the OSRC Board of Commissioners and public present at the meeting; and, Dr. King will provide a general explanation of the work plan and goals of the AR-OK Joint Phosphorus Criteria Study. NO RESULTS OF ANALYSES OR OTHER WATER QUALITY MONITORING DATA WILL BE PRESENTED AND NO ACTION WILL BE ACTED UPON RELATED TO THIS AGENDA ITEM.

Chairman Hilsher introduces Dr. Ryan King. Dr. Ryan King provided an overview of the 2014-2016 Arkansas-Oklahoma Joint Phosphorus Study that is related to the Scenic Rivers. He explained there are three members from Arkansas and three members from Oklahoma that are overseeing the study. The team is sampling a number of creeks in this area in addition to the Scenic Rivers. The Team is sampling every two months. Dr. King and his Team are very excited and confident in developing strong results. Dr. King introduced his team members, Dr. Jeffery Brak, Baylor University. Ms. Katherine Hooker, Baylor University. Stephen Elser, Baylor University. Morgan Bettcher, Baylor University. Caleb Robbins, Baylor University. The final report will be done December 2016.

09. Consideration and discussion, vote to approve, amend or take other action approving 2015 Oklahoma Scenic Rivers Commission Regular Business Meetings Schedule.

Administrator Fite presented three alternative groupings of meeting dates. Commissioner Pickle made a motion to adopt Option No. 3. Chairman Hilsher seconded the motion. Option No. 3 (sets 2015 Regular Business Meeting Schedule, all on Tuesday evenings, on the following dates: February 17th, April 21st, June 16th, August 18th, October 20th, and December 15th). Chairman Hilsher seconded the motion and then calls a vote:

The vote follows:

Bashaw	Absent	Hilsher	Aye
Bradford	Aye	Larson	Aye
Corp	Absent	Needham	Absent
Fuhr	Absent	Peyton	Aye
Pickle	Aye	Randall	Aye
Spears	Aye	Stubblefield	Aye

Motion passed 8 Aye 0 Nay

10. Adjournment.

Chairman Hilsher makes a motion to adjourn meeting. Commissioner Larson seconded the motion.

The vote follows:

Bashaw	Absent	Hilsher	Aye
Bradford	Aye	Larson	Aye
Corp	Absent	Needham	Absent
Fuhr	Absent	Peyton	Aye
Pickle	Aye	Randall	Aye
Spears	Aye	Stubblefield	Aye

Motion passed 8 Aye 0 Nay

Immediately following adjournment, Commissioners and staff with their spouses joined by many of the public attending the meeting stayed in the meeting room and enjoyed a Christmas Supper together.

Passed and approved this _____ day of _____, 2015. _____
Secretary/Treasurer

Subscribed and sworn to before me on this _____ day of _____, 2015.

Signature of notary officer
My Commission expires: December 11, 2017
Commission #01019412