

AGENDA
STATE BOARD OF AGRICULTURE
DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY

Tuesday, May 23, 2017
10:00 a.m.

2800 N. Lincoln Blvd.
Oklahoma City, OK 73105

1. Call to Order
2. Roll Call
3. Declaration of a Quorum
4. Introduction of Guests
5. Consideration and Proposed Action on Minutes of Regular Board Meeting of April 20, 2017
6. Public Comment
7. Consideration and Proposed Action on Division Reports
 - I. A. Administrative Services – Bryan Painter
Summary of present financial condition of the agency and monthly activities in the following areas: Finance, Human Resources, Fleet Management, Data Processing and Agriculture Law Enforcement Investigators.
 - B. Laboratory Services – Tanna Kilpatrick
Summary of analytical activities, customer contacts, and other pertinent information related to laboratory operations.
 - C. Forestry Services – George Geissler
Summary of activities and accomplishments in resource protection and rural fire defense, forest management and regeneration, water quality, urban forestry, forestry education and law enforcement. Includes statistics on wildfires and law enforcement activity and narrative of forestry program highlights for the month.
 - D. Food Safety & Consumer Protection Services – Kenny Naylor
Addresses the inspection of meat, poultry, egg, and milk processing facilities to determine compliance with regulatory standards. Addresses stop sale orders on insect and disease infested crops, phytosanitary certificates issued, insect survey summaries, pesticide registration updates, pesticide inspections, seed program and seed laboratory updates, weights and measures reports, scanner inspections, grain warehouses and meetings attended by division personnel.

- E. Animal Industry Services – Rod Hall, DVM
Addresses information and activities of staff related to control and eradication of animal diseases affecting livestock and livestock market audits. It also addresses emergency response preparation and education for response to any outbreak of foreign, emerging and/or eradicated disease.
 - F. Wildlife Services – Kevin Grant
Summary of activities and accomplishments in wildlife damage management to protect state resources such as agriculture, property, natural resources, and public health and safety from wildlife damage and wildlife threats.
 - G. Agricultural Statistics – Troy Marshall
Addresses the current crop conditions and livestock inventory numbers. Also included is a report on the number of information requests received, reports released during the previous month, reports to be released during the current month, and the meetings attended by Division personnel during the previous month.
 - H. Market Development Services – Jamey Allen
Summary of the accomplishments, projects and events of Ag in the Classroom, Agritourism, Communications, Domestic Marketing (Made in Oklahoma, Made in Oklahoma Coalition), Diversified Marketing (Farmers Market, Specialty Crop Block Grants, Plasticsulture, Farm to School), International Marketing, Market News and Rural Economic Development.
 - I. Agricultural Environmental Management Services – Jeremy Seiger
Executive summary that addresses Swine Feeding Operations, registered poultry feeding operations and poultry waste applicators, National Pollutant Discharge Elimination System (NPDES), plus agricultural composting facilities. Includes numbers and statistics on complaint investigations, technical assistance contacts, inspections, enforcement/compliance activities and seminars/meetings attended by Division personnel for the month.
 - J. Office of General Counsel – Teena Gunter
Summarizes activities of the division and Commercial Pet Breeders, including rules, collections, legal research, meetings, support for programs, contracts, employment issues, open records requests, farming and ranching incorporations, and informal and formal enforcement actions before the Board, district court, and federal court.
 - II. Ag Communications and Outreach Update – Betty Thompson
- 8. Consideration and Proposed Action on Claims – April 20, 2017
 - 9. Consideration and Proposed Action on Claims

10. Consideration and Proposed Action on Purchases/Contracts – April 20, 2017
- OSU Pesticide Applicator Training Contract for FY 2018 (year 2 of 5 year contract with Oklahoma State University) - \$143,000**
 - Unwanted Pesticide Disposal Program Contract for FY 2018 (year 4 of 5 year contract with Stericycle) \$250,000**
 - OSU laboratory testing fees for soil and water samples related to environmental pollution investigations - \$9,800**
 - OSU and ODAFF Soil Fertility Research Contract for FY 2018 (year 1 of 5) as described in 2 O.S. § 8 – 77.7 (A) For the purpose of conducting soil fertility research and extension involving efficient fertilizer use for agronomic crops and groundwater and surface water protection from plant food nutrients - \$450,000**
 - OSU Disease lab testing fees for the USDA Farm Bill grape survey - \$5,760**
 - FY 18 - A T & T Wireless - Agency cellular pooled plan phone and data service - \$110,000.00**
 - FY 18 - Comdata-Vehicle fuel and maintenance - \$1,500,000.00**
 - FY 18 - Agency Workers Comp Insurance premium - \$340,000.00**
 - FY 18 - Department of Public Safety - Unarmed Security - \$15,000.00**
 - FY 18 - Bank of America - Credit Card charges - \$30,000.00**
 - FY 18 - Federal Express - Agency Shipping Services - \$25,000.00**
 - FY 18 - Petroleum Traders- Bulk Fuel - \$60,000.00**
 - FY 18 - NASDA - Membership dues - \$10,700.00**
 - FY 18- Oklahoma Capital Improvement Authority - Bond payments - \$1,669,917.01**
 - FY 18 - Oklahoma Employment Security Commission - Unemployment benefits - \$30,000.00**
 - FY 18 - Oklahoma Public Employees Retirement System - Retirees unused sick leave for agency - \$40,000**
 - FY 18 - OMES - Department of Central Services- Printing - \$7,000.00**
 - FY 18 - OMES - Department of Central Services - Liability, vehicle personal property, equipment, contents, Tort and Directors and Officers Insurance - \$85,000.00**
 - FY 18 - OMES - EBC – FICA Savings - \$22,000.00**
 - FY 18 - OMES - Facility Services - Service Management Agreement - \$333,477.00**
 - FY 18 - OMES - ISD - Service Level Agreement - \$679,534.00**
 - FY 18 - OMES - OPM - Merit System Charges - \$26,000.00**
 - FY 18 - PDS Solutions - Agency Printer Maintenance - \$13,500.00**
 - FY 18 - Pitney Bowes - Mail Machine Rental and Supplies - \$20,000.00**
 - FY 18 - Presort First Class - Presort mail services - \$6,000.00**
 - FY 18 - Turnpike Authority - Pike Pass - \$21,000.00**
 - FY 18 - US Postal Services - Agency Postage - \$90,000.00**
 - FY 18 - Walnut Building LLC - Warehouse storage - \$14,000.00**
 - FY 18 - Xerox - Leases for agency copy devices - \$65,000.00**
 - FY 18 - Galt - Temporary services contracts for all divisions - \$215,000.00**
 - FY 18 - Aircraft Hanger Space - \$8,700.00**
 - FY 18- WLS - Helicopter Maintenance and Repair - \$35,000.00**
 - FY 17 - Purchase of Scotsman Touchfree ice macine for the employee breakroom - \$6,975.75**
 - Contract employee for Dairy Services - \$30,000**
 - FY 18 – \$12,000 – Use FedEx to ship live tree and shrub seedlings to customers throughout Oklahoma**

FY 18 - \$16,000 – Purchase parts, supplies and repairs for farm equipment from John Deere for Forest Regeneration Center
FY 18 - \$15,000 – Purchase tree and shrub seed for planting to grow seedlings that we sell at FRC
FY 18 – \$6,000 – Purchase oil and petroleum products for vehicles and equipment
FY 18 - \$15,000 – Purchase pesticides and fertilizers for Forest Regeneration Center and Forest Tree Improvement Center
FY 18 - \$12,500 – Purchase propane for Forest Regeneration Center and Forest Tree Improvement Center
FY 18 - \$6,000 – Purchase water for FTIC from McCurtain County Rural Water (Idabel)
FY 18 - \$10,000 – Purchase bags to ship seedlings
FY 18 - \$10,000 – Purchase boxes to ship seedlings
FY 18 - \$2,500 – Purchase electricity and sanitation services for FTIC from Idabel Public Works Authority
FY 18 - \$2,500 – Purchase services to test seed for germination and quality from USDA – Lab & Field Testing
FY 17 - \$40,000 – Purchase a John Deer Tractor w/Front End Loader attachment
FY 17 - \$9,900 – Purchase up to \$9,900 worth of medium material to grow our containerized seedlings.
FY 17 - \$1,500,000 – Firefighting Compact Resources – Opening of the Firefighting Compact Resources between the Southern Thirteen States
FY 17 - \$5,600 – B&W – Repairs of OFS fire truck damaged during suppression
FY 17 - \$21,363 – Thermo Cool Products – Purchase of thermos-gel to be used in the single engine air tankers to fight fires in Oklahoma
FY 18 - \$40,631 – Federal Grant – This allows our IMT, fire personnel, and some fire departments to utilize ESRI Collector.
FY 2017 – \$5,835 – Made in Oklahoma Bags for re-sale to MIO program participants
FY 18 – \$3,000 – Renewal of Agreement with a consultant assisting the International Marketing Program staff with the Oklahoma Economic Development internationally
FY 18 - \$9,400 – Agreement for graphic designer to work with Ag in the Classroom, Farm to School, and Plasticulture programs
FY 18 - \$10,000 – Agreement with Oklahoma State University to develop and update Ag in the Classroom curriculum
\$528,803.26 – USDA has provided a Specialty Crop Block Grant to ODAFF with the objective to solely enhance the competitiveness of specialty crops.

11. Consideration and Proposed Action on Purchases/Contracts

Printing of 1,000 Oklahoma Agricultural Statistics 2017 annual bulletins, and 3,000 Oklahoma Pocket Facts 2017 for FY 2018 - \$9,800 dollars.
OMES State Surplus - \$5,000
Purchase of two 2006 Ford Taurus's for fleet management use.
Verizon service for FY2018 for cell phones and internet - \$20,000.00
Contract employee for Dairy Services. Perform various duties at dairy plants in Oklahoma, collect milk and milk products for sampling. Conduct Oklahoma Dairy

plant and farm state surveys for sanitation compliance and enforcement - \$30,000.00

FY18 - \$30,000 - Purchasing supplies and repairs are essential for maintaining NE area's firefighting equipment.

FY18 - \$50,000 - Graphic design and printing of Tailgate Newsletter, brochures and other informational services that maybe needed by OFS.

FY18 - \$35,000 - Purchase of Wildland Fire Personal Protective Equipment.

FY18 - \$78,000 - Aerial Detection of wildfires in the Forestry Services Protection Area

FY18 - \$25,000 - Federal Grant to cover the prevention of Southern Pine Beetle from spreading from one landowner to the next.

FY18 - \$200,000 - Purchase of PPE, Tools, and A/V Equipment for the Wildland Cross Walk Training also known as G130 & G131 Training.

FY17 - \$10,000 - Uniforms for OFS employees all uniforms for OFS employees are required for recognition by the public.

FY18 - \$35,000 - Uniforms for OFS employees all uniforms for OFS employees are required for recognition by the public.

FY17 - \$20,000 - Dozier repair for the NE Area.

FY18 - \$14,000 - Shipping bags for seedlings are essential in the shipping of over 3 million seedlings to landowners in Oklahoma and surrounding states.

FY18 - \$10,000 - Repairs to Forest Regeneration Center's refrigeration trailers

FY18 - \$15,000 - Sphagnum Moss is essential in the shipping of over 3 million seedlings to landowners in Oklahoma and surrounding states.

Contract renewal for lease purchase agreement for the Laboratory Equipment.

Contract not to exceed \$307,642.56.

Contract for supply of Syringe Filters with and without Glass Pre-Filters for testing purposes. Effective 07/01/17 - 06/30/18. Contract not to exceed \$20,000.00.

Contract renewal for analytical gas and high quality argon for testing various agricultueal products and cylinder rental. Effective 07/01/17 - 06/30/18. Contract not to exceed \$17,000.00

Contract for supply of analytical grade water for laboratory testing. Effective 07/01/17 - 07/30/18. Total cost of contract \$6,500.00

FY 17 - Purchase of Kitchen utensils and colanders for school cafeterias - Farm to School promotional items. Funded by Specialty Crop Block Grant. - \$6,817.00

FY 18 - Agreement with Tulsa County Public Facilities Authority for booth spaces to be sublet to Made In Oklahoma companies at the 2017 Tulsa State Fair. - \$21,500.00

FY 18 - \$21,500.00

Contract renewal for OGC Administrative Law Judge FY 2018 effective 7/1/2017 - 6/30/2018. Contract not to exceed \$10,000.

Contract renewal (804A) for Westlaw and Clear accounts FY 2018 effective 7/1/2017 - 6/30/2018. Contract not to exceed \$19,000.

\$100,000 to USDA, APHIS for an operational wildlife damage management program (personnel and equipment) to protect OK resources from damage caused by predators, rodents, and feral swine.

12. Consideration and Proposed Action on Cases Resolved by Stipulations – April 20, 2017

Consumer Protection Services

J. A. King Scale Co., 1100 S. E. 66th Street, Oklahoma City
Johnson Fertilizer, Inc., P. O. Box 9, Sayre, Oklahoma
N. Jonas, P. O. Box 425, Bensalem, Pennsylvania
One Degree, 15601 HWY 51, Tahlequah, Oklahoma
Pioneer Scale, Co., P. O. Box 1255, Benton, Arkansas
Pitzer’s Lawn, 11401 South Broadway, Edmond, Oklahoma

Investigative Services

Clayton Webb, 15552 HWY 51A, Watonga, Oklahoma

**Possible Executive Session (if approved by the required number of members present):
As authorized by the Oklahoma Open Meeting Act in Section 307(B)(8) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of “[e]ngaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act.”

13. Consideration and Proposed Action on Cases Resolved by Stipulations

Consumer Protection Services

Casey’s General Store #3456, 102 W. Rogers Blvd., Skiatook, Oklahoma
Casey’s General Store, 5350 Adams Blvd., Bartlesville, Oklahoma
Family Dollar Stores, Inc., 10401 Monroe Road, Matthews, North Carolina
Jeff Goode, 104 Bryan Road, Devol, Oklahoma
Lawn Pro Don, P. O. Box 652, Marlow, Oklahoma
N & R Feed & Supply, 20878 Main Street, Harrah, Oklahoma

**Possible Executive Session (if approved by the required number of members present):
As authorized by the Oklahoma Open Meeting Act in Section 307(B)(8) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of “[e]ngaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act.”

14. Consideration and Proposed Action on Cases by Consent Order

Agricultural Environmental Management Services

Barry Squires, Latham LLC, P. O. Box 120, Carnegie, Oklahoma

**Possible Executive Session (if approved by the required number of members present):
As authorized by the Oklahoma Open Meeting Act in Section 307(B)(8) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of “[e]ngaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act.”

15. Consideration and Proposed Action on Delegation of Authority – April 20, 2017

**Delegation of Authority to Grant Exceptions from the Requirements of
OAC 35:48-3-14**

16. Consideration and Proposed Action on Emergency Rules

ANIMAL INDUSTRY

Title 35. Oklahoma Department of Agriculture, Food, and Forestry

Chapter 15. Animal Industry

Subchapter 49. Miscellaneous Animal Diseases

35:15-19-1 [AMENDED]

35:15-19-6 [NEW]

17. Consideration and Proposed Action on Agriculture Enhancement and Diversification Board Recommendation to approve applications.

18. Old Business

19. Consideration and Proposed Action – Next Board meeting scheduled for **Tuesday, July 11, 2017** in Oklahoma City.

20. New Business – Under the Open Meeting Act, this agenda item is authorized only for matters not known about or which could not have been reasonably foreseen prior to the time of posting the agenda or any revised agenda.

21. Adjournment