

MEETING MINUTES

Meeting/Project Name:	Noxious Weed Management Advisory Council Meeting		
Date of Meeting:	January 22, 2014	Time:	9:00 a.m. – 10:50 a.m.
Minutes Prepared By:	Carol Bearden	Location:	Conference Call / Webinar MDA – Rm# 68

1. Meeting Objective

Business Meeting

2. Attendees

Council Members: Ron de Yong*, Jim Olivarez, Jack Eddie, Dick Zoanni, Jennifer Vermillion, Kenny Keever, Kellieann Morris, Bobby LaSalle

Agency Representatives: Steve Shelly, Jim Jacobs, Tracy Sterling, Joe Merenz (for Gary Adams), Steve Siegelin, Dan Dobler*, John Gaskin, Floyd Thompson

Montana Dept. of Agriculture (MDA) Staff*: Greg Ames, Donna Rise, Dave Burch, Kim Antonick, Carol Bearden

* Attended in person

3. Agenda and Notes,	Decisions, Issues
Topic	Discussion
Welcome & Introductions	Ron de Yong opened the meeting and introductions were made. Ron welcomed two new council members, Kellieann Morris, Western County Representative, and Kenny Keever, Biological Research and Control Representative.

**June 6, 2013
Minutes Review**

The minutes and action items from the June 6, 2013 meeting were reviewed. Dave Burch reported that no comments were received from council members on action item #1 regarding aquatic weed listing changes. Dave said the rule change had been finalized in December 2013. Dave thanked John Gaskin for his assistance with scientific names on the weed list.

Dave reported that action item #2, the Noxious Weed Seed Free Forage (NWSFF) fee rule changes, had not received any council comments. The rule to increase fees had become effective in November. One additional rule change is in the works to correct the minimum fee for inspecting ten or less acres. The rule will change the fee from \$20 to \$45, which will be divided evenly between the inspecting entity and MDA. The hearing for this latest rule change will be in early February.

Action item #4 related to comments on the council term limit rule change was discussed. Tracy Sterling said that people had not been made aware of this rule change and that it should be reconsidered. Jim Olivarez said he shared Tracy's concern. Discussion followed and Ron de Yong noted the challenges in finding qualified people to serve, as well as the need to retain expertise on the council. Ron added that the Secretary of State's Office prefers a standardized default term of two years without a cap on the number of terms that can be served. Steve Siegelin asked if terms would continue to be staggered or if all council members were up for renewal at the same time. Dave Burch will advise the council after meeting with the MDA attorney.

Action item #3 was addressed. **Dave said that Kim Antonick has developed press releases for field inspectors regarding the rule changes and will be doing so for producers as well.** Ron de Yong added that the Montana Wheat and Barley Committee is interested and he will keep them informed on certified straw needs.

Action item #5, requiring additional biocontrol information on grant applications has been completed. Dave Burch said additional wording can be added if needed. Action item #6, the budget report, will be provided at this meeting. Jack Eddie moved to approve the minutes as written. Kellieann Morris seconded the motion, which was approved unanimously.

Noxious Weed Trust Fund Budget Report	<p>Greg Ames provided a budget report with estimates of the amounts expected to be available for grant awards at the March 2014 hearings. The Council was provided with information on grant awards and expenditures that have already been made or are pending for FY 14. Non-grant expenses for FY 14 were estimated at \$276,547, which is an estimate of 16% of the estimated FY 14 grant expenditures. Greg noted the difficulty in this calculation as actual grant expenditures will not be known until June 30, 2014.</p> <p>Estimated funds for the March 2014 grants awards were as follows: State Special</p> <table> <tr> <td>Revenue Fund</td><td>\$1,113,483</td></tr> <tr> <td>General Fund</td><td>\$ 101,159</td></tr> <tr> <td>Forest Service Funds</td><td>\$ 146,349</td></tr> <tr> <td>Unspent past Forest Service Funds</td><td>\$ 33,921</td></tr> <tr> <td>Reverted Funds</td><td>\$ 33,568</td></tr> <tr> <td>Total (estimate)</td><td>\$1,428,480</td></tr> </table> <p>The Noxious Weed Trust Fund balance was reported at \$10,000,000, where it will remain, since reverted funds are now re-awarded rather than being added back to the trust fund. Historical information on the weed vehicle fee and NWTF interest amounts, reverted funds, and March hearing funding / requests was provided to the Council.</p> <p>The decline in NWTF interest due to bond interest rates was discussed. Dave Burch said the annual hearing award amounts are based on estimates of the expected weed vehicle fee and NWTF interest amounts for the fiscal year and on previous year figures. Dave noted that the 2013 NWTF interest ended up being \$49,000 less than the amount estimated in March at the 2013 grant hearings. Greg emphasized that the amounts given are estimates that may be revised prior to the 2014 hearings.</p> <p>Declining Forest Service funding and unspent awards were discussed. Dan Dobler requested a history of Forest Service grant funds to the MDA noxious weed program. A report will be provided for the Council. From discussions with Janet Valle and Carol Randall of the Forest Service, Dave said they are waiting to see their budget figures and that they consider the NWSFF program an allowable line item.</p>	Revenue Fund	\$1,113,483	General Fund	\$ 101,159	Forest Service Funds	\$ 146,349	Unspent past Forest Service Funds	\$ 33,921	Reverted Funds	\$ 33,568	Total (estimate)	\$1,428,480
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Noxious Weed Program Overview	<p>Dave Burch reported that Larry Beneker, Bureau of Indian Affairs (BIA) Representative, is retiring at the end of February. A replacement for Larry's spot on the Council was discussed as the BIA may not fill his position. Steve Siegelin suggested contacting the Columbia River Basin BIA Office for possible representation on the Council.</p> <p>Dave advised the Council that the 2014 NWTF grant hearings would be held March 3rd – 7th in room #137 of the Capitol. The business meeting will begin at 12:30, followed by the hearings at 2:00. A wrap up discussion will be held at the end of each day of hearings and the deliberations will begin on Friday morning. Blocks of rooms have been held at the Hampton Inn and a map from the Hampton to the Capitol will be provided.</p> <p>Dave Burch reported that the \$7,500 Special County / Reservations grant payments would be made in March or April this year. County budget information provided in these applications will be given to the Council to assist in their review and consideration of 2014 grant applications.</p> <p>Two emergency weed grants have been awarded to Missoula County and contracts are in place. Dave noted that these projects were funded with State Special Revenue Funds from the NWTF and that contracts for both projects had retroactive clauses to allow work to begin quickly after approval of the applications.</p> <p>Dave updated the Council on the NWSFF program stating that Kim Antonick is working hard to modernize the program, which will be a part of a new MDA database system. Kim said she has not received comments from producers on the fee increase that will be in place for the 2014 season. Dave said the certified straw market in oilfield areas will be pursued.</p> <p>The Montana State Noxious Weed Plan is in the process of being updated and Dave said he has sent sections of the Plan to the appropriate agencies and representatives for updating. Dave hopes to have an updated draft available for review in September and a final version later this year. Jim Olivarez asked for clarification on how much of the Plan was being revamped and who would complete updates on sections such as research and management. Jim said he was concerned that Plan updates were not on the agenda at the Montana Weed Control Association's (MWCA) annual meeting held earlier in January. Dave said he has discussed the Plan update and a possible summit with the MWCA but believed the meeting agenda had been set earlier. Dave is working with Melissa Maggio-Kassner on the biocontrol section update and believes that Celestine Duncan as the MWCA integrated weed management chair, will be involved. Dan Dobler confirmed involvement by the MWCA but as a work in progress he felt it would have been difficult to include in the agenda.</p> <p>Dick Zoanni had emailed questions to Dave, which were discussed including Dick's question pertaining to limiting the number of applications that can be submitted by an entity. Several council members were opposed to setting any limits and felt that funding should be based on the merit and goals of the project. The number of years a project can be funded was discussed. Dave said that reducing grants to a one year cycle and an application cap of \$75,000 has been helpful, however, new invaders need to be kept in check and some projects may never end. Jack Eddie said there should be not be a limit on years of funding if good progress is being made.</p>
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Noxious Weed Summit Advisory Council Update	<p>Ron de Yong discussed the Noxious Weed Summit Advisory Council (NWSAC), which as a Governor's council is in the Governor's hands for any changes. With the Governor considering an invasive species council, Ron expects that decision to be made first and to influence his decisions on the NWSAC. Ron said he sees an increase in the Governor's office activity with collecting information on groups involved with invasive species. Ron noted that Tim Baker had included this topic in the 30 priority items referred to during his presentation at the MWCA annual meeting. Ron said it may be taking longer for a decision partly due to the Governor not receiving a unified message from the council when attending the NWSAC meeting.</p> <p>Ron noted that the Noxious Weed Management Advisory Council is valued and relied on for input, expertise, and information, which will continue regardless of the outcomes with an invasive species council and the NWSAC.</p>
Biocontrol Funding Discussion	<p>Dave Burch discussed the current NWTF grant contracts between MDA and Montana State University (MSU) for research projects that have subcontracts with CABI. Dave said MDA attorney, Cort Jensen, suggested that MDA become a signatory on the sub-award contract between MSU and CABI. In discussions with Jeff Littlefield and Jeff's discussions with MSU, it was found that this could not be done. Dave reported that Cort feels this leaves no recourse for MDA if a problem were to develop with the funding to CABI, other than going through MSU. Cort is advising that NWTF research project funding, which ultimately goes to CABI, be awarded in one contract directly between MDA and CABI. Tracy Sterling said Jeff Littlefield had discussed this with her and she was concerned the change would move responsibility away from the scientists, and move NWTF grant funds to MDA. Dave Burch advised that the funding would be to CABI – not MDA, and that the MDA contract wording with CABI would preserve the scientists responsibility. If the change is made, one contract for all NWTF CABI awards would be written and it would have specifics tying it back to each awarded project application and researcher. Tracy commented that MSU has successfully been working with CABI since 2003, and as a sibling agency with the State of Montana a change should not be necessary. MSU currently pays CABI when work has been completed, and Tracy added that if an issue arose, a payment would not be sent. Tracy asked if this change would be made to all grants with subcontractors such as commercial applicators. Donna Rise said MDA is not in any way displeased with MSU but they wanted to advise the Council of the MDA legal council recommendation. Donna said that all NWTF contracts are reviewed by Cort and the subcontract issue may be greater with CABI projects as an international subcontractor. Tracy suggested that Cort speak with MSU attorney Leslie Taylor. Ron agreed and will have Cort contact Leslie.</p>

**Other Business
Public Comment
Agenda Items
Adjourn**

Ron asked for other business and public comment. Dave Burch asked for feedback on the GoTo Meeting system that was used for this meeting and received all positive comments.

Greg Ames reviewed budget issues currently facing the weed program in meeting the allowable percentage for non-grant expenses. Greg said legislative clarification would help in determining a budget, if the percentage was based on prior year revenue, rather than based on the current year grant expenditures. Revising it would allow MDA to determine a solid budget amount at the start of each fiscal year. Greg noted that currently a budget cannot be finalized for FY 14 until end of FY 14 when all submitted and approved grant reimbursements have been made. Donna added that this would provide a better opportunity to meet statute requirements. Input from the Council was encouraged.

Greg reported that currently within the allowed 16% non-grant expenses, MDA maintains a tight budget to fund 2.2 FTE's (full-time employees), which includes portions, but not all, of the salaries for Donna, Kim, Dave, and Carol. In FY 15 when the allowed percentage drops to 12%, further staff reductions could be faced if additional funds are not found. Greg reviewed the efforts made by MDA to acquire funds including requests to other agencies, and a grant application that has been submitted to the Rocky Mountain Elk Foundation, requesting \$20,000 per year to assist the NWSFF program. Ron has also been working with the Governor's Office to secure one-time only contingency funding of \$60,000 for the weed program. Ron said the contingency funding will be applied for in July and he is hopeful that it will be approved. If approved it will be used to offset the reduction of allowable non-grant expenditures from 16% to 12%, and the need for layoffs.

Ron discussed the importance of a united front in pursuing \$150,000 that will be needed in future years to replace the hoped for \$60,000 one-time only funding, and to provide for one FTE as statewide weed coordinator. Ron is working to have this funding included in the Governor's budget, but cautioned that inclusion is very selective and competitive. Ron encouraged a grass roots effort for these funds as they may not be included in the Governor's budget. Ron said the Governor's Office begins making decisions on legislative issues in March and expected it would be April before budget issues are addressed.

Agenda items for the March 3, 2014 business meeting were discussed and included:

- Discussion of weed program funding efforts
- Update on attorney discussion regarding CABI contracts
- Overview of CABI by Jeff Littlefield / David Weaver

Ron asked for public comment. None was heard. The meeting was adjourned at 10:50 a.m.

4. Action	Items			
Action		Assigned	Due Date	Status
1	Check with MDA attorney on staggering council member terms and advise Council.	Dave Burch	Completed	Letter sent to Council members.
2	Provide the Council with a history of Forest Service grant awards to the MDA weed program.	MDA Noxious Weed Staff		Open

2	Contact the Columbia River Basin BIA Office regarding filling the BIA Representative position on the Council.	MDA Noxious Weed Staff		Open
2	Ask Cort Jensen to speak with MSU attorney Leslie Taylor regarding NWTF contracts with MSU / CABI.	Ron		Update at March meeting.