



lease agreement for portion of property for regional and educational facility. Discussion on language of proposed 99 year lease agreement that uses terms such as AGFC programs shall have “superiority”, “ownership”, control are negative in contrast to July 2012 agreement that uses language such as “collaboration”, “cooperation”, “assistance”.

**Board Resolution:** Motion by Mardis, second by Faupel to approve the following language be used in negotiating lease agreement(s) with AGFC. Propose these language revisions to the AGFC 5-28-13 draft 99 yr lease agreement:

1. Paragraph 7(c) p. 4.

Rationale: Management and shared use of Tract 2 is a critical piece of whole deal; management plan should be drafted and agreed to by both parties before a lease is signed. IRWP programming for Tract 2 is designed to meet grant requirements and we are not able to be flexible on changing plans, and as owner of the property, to meet our financial obligations we cannot agree to AGFC’s needs for use on Tract 2 being superior to IRWP’s. Lease should identify IRWP’s uses as superior to AGFC, if there is a conflict. Lease and Management plan must state clearly that shared control of uses of Tract 2 are set forth in Management Agreement. We would count on, and hold accountable, AGFC proposed uses stated in the Plan.

Proposed draft language: 7.(c) The Commission and Partnership shall share use of Tract 2 of the Premises, and shall have jointly prepared a Watershed Sanctuary Management Plan, which will be incorporated herein by reference, for execution prior to or simultaneous with the execution of this Lease, which shall state the parties’ understandings and obligations regarding the management and shared use of Tract 2 of the Premises for conservation and education purposes. The parties will review the Management Plan annually and adjust it where they mutually deem it appropriate. The Management Plan will be made available for public review in compliance with applicable laws. If a conflict arises as to activities or conduct of one party that prevents the other from properly conducting its own planned activities, the parties shall communicate with each other and strive in good faith to find a satisfactory resolution. Where no resolution is possible, the Partnership’s use shall be superior to the Commission’s use to prevent jeopardizing the Partnership’s grant and other organizational obligations.

2. Paragraph 18, pg 8::

Proposed draft language in paragraph 18.(a):

If the Commission defaults in the payment of the rent for a period of ninety (90) days or longer, or as to any covenants herein provided for a period of ninety (90) days or longer, after receipt of written notice from the Partnership specifying such default, or the Commission fails to take possession of the leased Premises and begin construction of facilities for Tract 2 within 30 days of the execution of this lease, and begin construction of NWA Regional Office and Education Center within 180 days of the execution of this Lease, or should the Commission abandon the Premises or cease operation of the NWA Regional Office and Education Center for a period of 180 days or more, then the Partnership shall have the right to reenter the leased Premises and take possession of same and all improvements therein, and this Lease shall terminate. The Commission agrees that in such event it will vacate the leased Premises promptly. The parties agree that time is of the essence for performance hereunder.

3. Tract 2: Hold 25 year lease agreement in place. Original agreement was amended in Oct. 2012 to be from 10 years to 25 years to accommodate federal funding sources; however, AGFC sites federal requirements are that AGFC must have “ownership” or superiority of uses of property, which is not acceptable to IRWP and these terms were not part of original language of agreement. June 2012 agreement language talked only of “Collaboration, cooperation, assistance”. Liability responsibility must be made clear and addressed appropriately.

Board voted in favor of resolution outlined above.

AR-OK Phosphorous Study update given by Rob Smith, NWA Council, Communications and Policy Specialist. Gov. Beebe has appointed Matlock, Haggard, Scott from UA; Gov. Fallin appointed Smithee, Phillips, Shelby (spelling?) to serve on 6 person panel to oversee design and results of study. Almost raised \$600,000 to fund the study with support from state senators and house members, cities, counties, private donations.

NRCS Conservation Innovation Grant update by Dr. Josh Payne, OSU showed new website and blog educating public about P-Removal structure technology.

USGS monitoring request for partial funding for gauges at Illinois River Hwy 16, Hwy 59, Baron Fork. **Board Action:** Motion by Lewis, second by Mardis to approve \$3,775 in partial funding for 3 USGS gauges; vote in favor of \$3,775 from IRWP to support USGS gauges at these sites.

**Program and Planning Committee:** Hunter Haynes, chair absent.

Fischer Ford Whitewater Recreation and Riparian Project report by Scott Carney. IRWP will work with Boater Parks to install streambank riparian tree buffers, two rain gardens, trees and shrubs for parking areas. Trees will be provided through the Flint Creek Power Plant Tree Farm and small potential contract with BoaterParks company.

Rain Garden Project report by Becky Roark, Rain Garden Resource Specialist. 12 Rain gardens installed in IRW with an additional 13 scheduled for installation this fall.

CREP-EQIP Conservation dinner report: ANRC led agencies in providing free dinner for landowners to come and hear CREP revisions and relaunch. IRWP hosted an information table.

IRWP will host a NWA Land Trust dinner Oct. 17 at JBU Simmons Great Hall – make reservations

**Membership Committee:** Tom Allen, chair

1. 2013 Sponsorship and Communication strategy update – Delia Haak (meeting behind schedule; will make this report at Nov 2013 board meeting)
2. Golden Paddle Award nomination forms distributed and must be submitted for consideration by Membership committee by September 1. Awards will be announced Oct.3 at Crystal Bridges Conference banquet.

**Nominations Committee:** Evan Teague, chair

Board members up for re-election:

2013 Expiring Terms:

Jerry Hunton - Agriculture

Mark Simmons - Business

Tim Snell - Conservation

Tom Hopper - Construction

Sam Goade - Government

Tracie Ashley - Tech, Res, & Ed

Gene Pharr - At Large (AGRI)

Jay Hale - At Large (TRE)

Jackie Smith - At Large (CNSV)

Patrick Tenney - At Large (CNST)

Board member Nomination process attached as Appendix A.

**Other Business: None**

Motion by Hopper, second by Stubblefield to adjourn. Board voted in favor of adjourning at

8:05 pm

\_\_\_\_\_  
Gene Pharr, Board Secretary

Date: \_\_\_\_\_