

Spring Creek Coalition February 2021 Special Board Meetings Minutes

A special meeting of the board was called on **February 18th, 2021** by President Beth Rooney.

The purpose of the meeting was to gain feedback on and consider approval of the draft Petition against the Oklahoma Department of Agriculture, Food & Forestry prepared by our legal counsel, Jason Aamodt and Matt Alison.

Present were: Travis Fite, George Kamp, Beth Rooney, Jessica Spencer, Karen Harris, and David Martinez.

The meeting was called to order at 6:10pm.

Board members provided their feedback and discussions were held on how grievances would potentially play out in court.

George Kamp made a suggestion for paragraph 36 that we will take back to Aamodt/Alison. Consider that this statement could add more heft to the petition if it were clearly pointed out that the 8 registrations being re-issued annually of each calendar year since 2018 equals 32 re-issues (8 X 4 years).

The consensus of the board was to approve the petition with one caveat: we would like Kelly Foster to have an opportunity to have her opinions on the Petition be considered by Aamodt and Alison before we take a vote. We also feel that it would be very beneficial to have Kelly and Waterkeeper Alliance on board as part of the Legal Counsel team and hope that can happen.

Rooney, Harris & Martinez will convey these concerns to Aamodt & Alison. Once addressed, **we will hold another special meeting, possibly Thursday, February 25, to take a vote on the petition.**

The meeting was adjourned at 6:50pm.

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A special meeting of the board was called on **February 25th, 2021** by President Beth Rooney.

The purpose of the meeting was to meet our legal counsel, Jason Aamodt and Matt Alison, and hold a vote on the Petition against the Oklahoma Department of Agriculture, Food & Forestry.

Present were: Travis Fite, George Kamp, Beth Rooney, Jessica Spencer, Karen Harris, David Martinez, and guests Jason Aamodt and Matt Alison.

The meeting was called to order at 6:10pm when a quorum was present.

Matt and Jason met Board members.

Matt took the lead explaining the Petition and answering questions from board members. He noted that Oklahoma is required to implement the Federal clean water statutes and for poultry, this duty has been given to the OK Department of Agriculture.

Matt explained that the Federal definition of a Concentrated Feeding Operation (CAFO) is 125,000 animals or more. Although Oklahoma calls them poultry feeding operations (PFO's), the number of birds per barn certainly qualifies poultry operations as CAFO's.

Matt outlined possible progression of the lawsuit. Courts are backed up, and criminal matters take precedent over civil. He expects a hearing before the end of the year. Details on strategy are privileged, and therefore not being recorded in these minutes.

Additional Item: Matt discussed an opportunity we have to join with the Kirkpatrick Foundation and Public Justice group from Washington, DC, to challenge Oklahoma on their Agriculture nuisance limitation statutes that went into effect after State Question 777 got defeated two years ago. Jason and Matt are looking into ways to finance this potential additional lawsuit.

Jason and Matt left the meeting so that the Board could discuss and vote on the lawsuit Petition.

President Rooney reported that Kelly Foster feels the Petition is great and contains all the environmental items she had hoped for. Kelly will not be co-counsel but will be available to help Jason, Matt, and the SCC Board in whatever way we need her to make our lawsuit a success.

A motion was made by Karen Harris, seconded by Travis Fite, to approve the lawsuit Petition.
PASSED.

Rooney will convey the Board's decision to Aamodt and Alison.

The meeting was adjourned at 7:10PM.

Minutes prepared by President Beth Rooney.