

MINUTES

NORTH DAKOTA ATMOSPHERIC RESOURCE BOARD OCTOBER 24, 2002

The meeting of the Atmospheric Resource Board was called to order by Chairman Jay Sandstrom at 9:00 a.m., Thursday October 24, 2002, in the lower level conference room of the State Office Building, Bismarck, North Dakota.

ROLL CALL

Roll call was taken and members present were Jay Sandstrom, Chuck Tompkins, Mary Cichos, Dave Schmidt, Bobb Brewer, Dale Frink, and Gary Ness. Staff members present were Darin Langerud, Director; LeNor Dollinger, Business Manager; Aaron Gilstad, Chief Meteorologist; Dawn Feist, Project Assistant; and Andrew Clausen, Assistant Meteorologist. Other present were Mike Dwyer, ND Weather Modification Association; James Sweeney and Hans Ahlness, Weather Modification, Inc. (WMI) and Jim Gunkelman, ICE, Inc.

ELECTION OF OFFICERS

Chairman Jay Sandstrom called for nominations for Chairman.

Gary Ness moved nominations ceased and a unanimous ballot be cast for the current officers to remain the same for the next year, Jay Sandstrom, Chairman; Mary Cichos, Vice Chairman, and Hattie Melvin, Secretary. Seconded by Bobb Brewer. Members Chuck Tompkins, Dave Schmidt, Bobb Brewer, Dale Frink, and Gary Ness voted aye. There were no nay votes. Motion carried.

MINUTES

Bobb Brewer moved the minutes of the telephone conference call on March 28, 2002 be approved as distributed. Seconded by Dave Schmidt. Members Chuck Tompkins, Dave Schmidt, Bobb Brewer, Dale Frink, and Gary Ness voted aye. There were no nay votes. Motion carried.

FINANCIAL STATUS REPORT

LeNor Dollinger reviewed the financial status report for September 30, 2002. A 1.05% reduction in general fund appropriations was made as requested. The reduction was made in the funding for the intern pilot program.

REVIEW 2002 NORTH DAKOTA CLOUD MODIFICATION PROJECT

Copies of the preliminary cost review for 2002 ND Cloud Modification Project (NDCMP) were distributed. Ms. Dollinger reviewed the preliminary cost report as presented. Ms. Dollinger informed the board that the over budget figures in

District II was from the extension in Ward County. The county funds collected from Ward County for the extension are also reflected in the cost report.

Seeding agent usage/inventory - Mr. Gilstad distributed and reviewed the final chemical inventory. Mr. Gilstad stated due to a busy summer, a large amount of chemical was expended, which will necessitate a large chemical purchase in 2003.

Mr. Tompkins asked if the failure rate for flares were higher this year. Mr. Gilstad commented that the failure rate for the flares was approximately 4.5% on second time duds. Mr. Gilstad stated the failure rate was lower this year compared to last year.

Mr. Langerud reviewed the dry ice report. The dry ice report includes the dry ice purchased for the extension in Ward County.

Generator performance - Mr. Gilstad distributed and reviewed the generator performance worksheet. Mr. Gilstad commented that the overall generator failure rate for the 2002 NDCMP was 5.83%.

Aircraft operations - Mr. Langerud recommended six penalties be taken of fifty-two instances that occurred during the summer. The total amount of the penalties recommended by the director for missed launches was \$4,139.00, which was for five cloud base aircraft and one cloud top aircraft.

Mr. Hans Ahlness has asked the board to re-consider the recommendations that the director has proposed for penalty. Mr. Ahlness has asked the board to consider disregarding two of the penalties because of efforts the pilots put toward getting the aircraft operational again.

Bobb Brewer moved to eliminate \$1,192.00 of the penalties and apply a penalty of \$2,947.00 as recommended by the director. Seconded by Chuck Tompkins. Members Chuck Tompkins, Mary Cichos, Dave Schmidt, Bobb Brewer, and Dale Frink voted aye. There were no nay votes. Motion carried.

CONTRACTOR'S FINAL REPORT

Mr. Langerud reported the staff has reviewed the final report submitted by WMI and everything appears to be in order. Mr. Langerud has one clarification, which has to do with the calculations of the silver iodide usage. The rate is now calculated at three gallons per hour for the cloud base aircraft. The rate of chemical usage for the cloud top aircraft should be calculated higher than the cloud base aircraft. The cloud top aircraft flies at a faster speed, in turn releasing chemical at a faster rate. Mr. Langerud made the recommendation that the board approve the final report as presented.

Mary Cichos moved the motion to approve the final report for the 2002 NDCMP by WMI and authorize the final contract payment less penalty. Seconded by Chuck Tompkins. Members Chuck Tompkins, Mary Cichos, Dave Schmidt, Bobb Brewer, and Dale Frink voted aye. There were no nay votes. Motion carried.

STATUS OF APPLICATION FOR MONTANA WEATHER MODIFICATION LICENSE AND PERMITS

Mr. Langerud informed the board the financial responsibility provision in the Montana law for the permit application has not been accepted by the Montana Department of Natural Resources.

Mr. Langerud reported there is interest within the Montana Farmers Union on starting a weather modification program. Mr. Langerud participated in two public meetings in Montana to provide information. The Farmers Union will make the decision whether they want to pursue this further. If the board does decide to pursue further, they will look at making some regulatory changes to Montana's law. As the law is written the Farmers Union would have to meet the same criteria that ARB compiles with.

The ARB staff will continue to pursue licensing and permitting in Montana to the extent possible.

2003-05 BUDGET

Mr. Langerud outlined key points of the budget that were submitted to OMB. The requirement from OMB was to submit a 95% general and special fund budget. The budget was submitted to OMB in August. The proposed 2003-05 budget changes as submitted were outlined as follows:

- The salaries line item was increased \$32,754 to accommodate the reclassification of a temporary position to a FTE (full-time equivalent). Special fund salaries were reduced by \$18,143.
- Travel was reduced by \$52,165. This constitutes cutting the funding for the Intern Pilot Program. The interns were paid from the line item travel non-state employees.
- Cooperative research general funds were reduced by \$50,000. Then Cooperative research special funds were increased by \$39,391. This constitutes a swap from general funds to special funds from either the Resource Trust Fund or Water Development Trust Fund with a net loss of \$10,609.
- There were some other operating items outlined to comply with the request by OMB.

Approval of FTE - As Mr. Langerud mentioned earlier, the budgeting process included reclassifying a temporary position to a FTE. Mr. Langerud asked the

board's approval for the reclassification. Mr. Langerud informed the board that the temporary position is now held by Ms. Dawn Feist. Ms. Feist's position will be reclassified to an FTE. There will be an increase to salaries of \$14,611.

Dave Schmidt moved to approve the reclassification of the temporary position to a FTE. Seconded by Mary Cichos. Members Chuck Tompkins, Mary Cichos, Dave Schmidt, and Bobb Brewer voted aye. Member Dale Frink abstained. Motion carried.

Motion of support - Mary Cichos made a motion to support the budget that was submitted for the 2003-05 biennium. Seconded by Bobb Brewer. Members Chuck Tompkins, Mary Cichos, Dave Schmidt, Bobb Brewer, and Dale Frink voted aye. There were no nay votes. Motion carried.

ARB PILOT INTERN PROGRAM

Mr. Langerud reported to the board funding of the Pilot Intern Program is being discontinued. There will be a new memorandum of understanding with University of North Dakota (UND). The interns will still be involved in the project as in the past, however, the interns will not be reimbursed by the board or covered under the boards Workers Compensation policy.

WEATHER DAMAGE MODIFICATION PROGRAM

Mr. Langerud distributed copies of the grant proposal that was submitted to the Bureau of Reclamation. Based on the funding for this year's research, the decision was made to submit a proposal of approximately \$192,000. There were five other states interested in submitting a proposal for conducting research. The proposal for the first year will entail analysis of existing data sets. The proposal outlined four analyses that ARB, UND, and South Dakota School of Mines & Technology would be interested in researching. The first analysis would be of rainfall, UND would conduct the analysis using ARB Cooperative Network. Secondly, a rainfall analysis will include the National Weather Service Observer Network. The SDSM&T will conduct analysis using the longer term data and it will be done in the same matter of the Crop Hail Insurance Data study. Third, UND will conduct an analysis using the Stanley Radar to look at case studies and compare them to the Minot NexRad. Finally, SDSM&T has an instrument called the cloud condensation nuclei counter that they will modify and run semi-automated in Bowman. The instrument will collect atmospheric data to help determine what types of clouds are present and what opportunities are available for hygroscopic seeding.

Mr. Langerud informed the board that \$3.5 million is being requested for fiscal year 2003. Mr. Langerud mentioned that no other information will be available until Congress re-convenes.

2002 ARBCON REPORT

UNIVERSITY OF IOWA RESEARCH GRANT FINAL REPORT:

Mr. Gilstad informed the board that Mr. Langerud and he are working on completing the final report. The research data that was used is 1977 to 1999 from both the National Weather Service and ARBCON.

GROWING SEASON RAINFALL TOTALS:

Mr. Gilstad passed out copies of the total rainfall map for the 2002 growing season. The map included data collected from ARBCON observers for June through September. April and May were not included in the total map because of snow events that occurred.

CONTINUUM OF GOVERNMENT PLAN

Ms. Dollinger informed the board of the background on how the continuum of government came into existence. In the last year the area of risk management has grown tremendously. Last winter Ms. Dollinger and Ms. Feist completed the Water Commission's Emergency Response Plan/Contingency Plan. Soon after the plan was completed and approved, the agency received a letter from the Governor directing all agencies to develop a business continuity/disaster recovery plan to recover from a disaster that would impact its ability to function. The Governor appointed a team called the State Continuum of Government team (COG) to develop a State Continuity of Government Plan. The team put together a format for the agency COG Plans. COG Plans from agencies will become a part of the statewide COG Plan. The Water Commission Continuum of Government Team consisting of Ms. Dollinger, Coordinator; Milt Lindvig, Director of Water Appropriation Division; Chris Bader, Chief of Information Technology Section; and Bruce Englehardt, Chief of the Investigations Section of the Water Development Division. The COG team has been looking at the business functions of the Water Commission. The COG team will identify which of the functions are considered essential, vital, necessary, or desired. Once the Water Commission team has identified the functions that are essential, those functions will then be forwarded to the Governor's team. The team will then write a disaster recovery plan dealing with worse case scenarios and how they will be handled.

OTHER BUSINESS

Mr. Langerud introduced Mr. Andy Clausen to the board. Mr. Clausen will be working in the office over the winter. Mr. Clausen worked the past two summers as a field meteorologist for the NDCMP.

Mr. Gunkelman introduced himself to the board members and mentioned ICE, Inc. is working on developing a salt based flare.

Discussion was held on the issue of the 2002 flare contract and procurement practices surrounding the awarding of the bid. It was noted the State Procurement Office had determined ARB staff had carried out the process according to state procurement rules and regulations.

PERFORMANCE BOND FOR 2003 NDCMP

Chuck Tompkins moved to amend the contract with Weather Modification, Inc., to change the amount of the 2003 contract performance bond from 25% of the contract price to a set payment of \$10,000. Seconded by Bobb Brewer. Members Chuck Tompkins, Mary Cichos, Dave Schmidt, Bobb Brewer, and Dale Frink voted aye. There were no nay votes. Motion carried.

Being no further business, the meeting was adjourned at 12:20 p.m.

MARY CICHOS, SECRETARY

JAY SANDSTROM, CHAIRMAN

Transcribed by Dawn Feist