



IDAHO OIL AND GAS CONSERVATION COMMISSION

Kevin Dickey, Chairman
Marc Shigeta, Vice Chairman
Dr. Renee Breedlovestrout, Commissioner
Jim Classen, Commissioner
Tom Schultz, Commissioner

Mick Thomas, Secretary to the Commission

Final Minutes
Idaho Oil and Gas Conservation Commission Regular Meeting
August 17, 2017

The regular meeting of the Idaho Oil and Gas Conservation Commission was held on Thursday, August 17, 2017 in the State Capitol, Lincoln Auditorium (WW02), Lower Level, West Wing, 700 W Jefferson St., Boise, Idaho. The meeting began at 9:00 a.m. Commissioner Schultz opened the meeting then turned it over to Secretary Thomas. The following members were present:

Commissioner Renee Breedlovestrout
Commissioner Jim Classen
Commissioner Kevin Dickey
Commissioner Tom Schultz
Commissioner Marc Shigeta

1. Division Administrator's Report

- A. Introductions to Division Staff
- B. Financial Update
- C. Summary of Current Well Permits
- D. Summary of HB301

DISCUSSION: Commissioner Schultz asked Secretary Thomas to go over the monthly reporting forms. Commissioner Classen stated that he had some issues about the forms and volunteered himself and Chairman Dickey to meet with Department staff to go over the forms. Secretary Thomas responded that it could be discussed at a future meeting. More discussion was had on what forms the Department was working on and what forms were required by statute. Commissioners can review forms with Department staff and discuss the forms at a future meeting.

Background information was provided by the presenter indicated below. No Commission action is required on the Information Agenda.

- **INFORMATION - Commission Orientation**

2. Overview of Legal Requirements – Presented by Kristina Fugate, Deputy Attorney General

**3. Commission Guidelines and Department Policies – Presented by Mick Thomas, Division Administrator
- Oil and Gas**

- **REGULAR**

4. Election of Chairman and Vice Chairman

RECOMMENDATION: Direct the Commission to elect a Chairman and Vice Chairman.

DISCUSSION: Active discussion was had amongst all five Commissioners and reasons were given on the nominations on both elections of the Chairman and Vice Chairman. More details on the discussion can be heard on the audio recording of this agenda item which is available by request to the Department of Lands, Attn: Oil and Gas Commission Recording Secretary, PO Box 83720, Boise, Idaho 83720-0050 or by email to public_records_request@idl.idaho.gov.

COMMISSION ACTION-Chairman: A motion was made by Commissioner Classen to nominate Commissioner Shigeta as Chairman. Commissioner Dickey seconded the motion. Subsequently, Commissioner Shigeta made a motion to nominate Commissioner Schultz as Chairman. Commissioner Schultz noted that discussion on the first motion needed to be held before considering a second motion. After discussion, Commissioner Classen requested that his motion be withdrawn, with approval of his second. Commissioner Dickey agreed with withdrawal of that motion and motion was withdrawn. Commissioners Shigeta's motion was not considered due to lack of a second. Commissioner Breedlovestrout then nominated Commissioner Dickey to be the Chairman. Commissioner Classen seconded that motion. Commissioner Schultz called for a vote. The motion to have Commissioner Dickey as Chairman carried with four ayes and Commissioner Shigeta abstaining from the vote.

COMMISSION ACTION-Vice-Chair: A motion was made by Commissioner Breedlovestrout to nominate Commissioner Shigeta to be Vice-Chairman. Commissioner Classen seconded the motion. The motion carried 5-0 to have Commissioner Shigeta as Vice Chairman.

At 10:28 a.m., a motion was made by Commissioner Schultz that the Commission convene in Executive Session pursuant to Idaho Code § 74-206 to communicate with legal counsel regarding pending/imminently likely litigation as provided in Idaho Code § 74-206(1)(f). Vice Chairman Shigeta seconded the motion. *Roll Call Vote:* *Aye:* Shigeta, Breedlovestrout, Classen, Schultz, Dickey; *Nay:* None; *Absent:* None.

Chairman Dickey called for a 5-minute break before entering Executive Session.

- **EXECUTIVE SESSION**

- A. Idaho Code 74-206(1)(f) - to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. [TOPIC: CAIA v. Schultz, Idaho Federal District Court Case No. 1:17-cv-00264-BLW]

At 11:06 a.m., the Commission resolved out of Executive Session by unanimous consent. No action was taken by the Commission during the Executive Session.

- **CONSENT**

5. Approval of Minutes – March 1, 2017 Special Meeting (Boise)

CONSENT AGENDA COMMISSION ACTION: A motion was made by Commissioner Classen that the Commission approve the meeting minutes on the Consent Agenda. Commissioner Schultz seconded the motion. The motion carried on a vote of 5-0.

- **REGULAR**

6. Fiscal Year 2019 Budget Proposal – Presented by Debbie Buck, Financial Officer

RECOMMENDATION: Direct the Department to include the enhancement request of \$25,000 (one-time dedicated operating funds) in the FY2019 budget proposal to the Division of Financial Management on September 1, 2017.

DISCUSSION: Commissioner Breedlovestrout stated that she thought RBDMS already had the electronic reporting. Commissioner Schultz and Secretary Thomas clarified that this enhancement request was for the module that allows for electronic forms to be submitted directly. At the moment we are uploading PDFs to the database.

COMMISSION ACTION: A motion was made by Commissioner Classen for the Department to include the enhancement request of \$25,000 (one-time dedicated operating funds) in the FY2019 budget proposal to the Division of Financial Management on September 1, 2017. Vice Chairman Shigeta seconded the motion. The motion carried on a vote of 5-0.

There being no further business before the Commission, at 11:11 a.m. a motion to adjourn was made by Commissioner Schultz. Commissioner Breedlovestrout seconded the motion. The motion carried on a vote of 5-0. Meeting adjourned.

