

# SHOW-ME CHAPTER NEWSLETTER

March 2006



## The President's Corner

By Renee Cook

I want to take this opportunity to thank **Steve Wilson**, Past President, for his outstanding leadership in 2005. Steve did an excellent job representing the chapter, identifying opportunities, taking care of yearly business, and keeping us informed. I also want to thank our past executive council members and committee chairpersons for a job well done. I look forward to working with this year's executive council, returning committee chairpersons, and our new committee representatives; **Ron Redden**, Membership Committee, and **Bill White**, State Envirothon Committee Chapter Representative.

A few months ago, I was reminded of how much the Show-Me Chapter's recognition means to individuals. **Don Hamer**, past "Conservationist of the Year" award winner, passed away from cancer on December 31, 2005. Don was recognized by the Show-Me Chapter for the project coordination of the "Protecting Water Quality—A field guide to erosion, sediment and storm water best management practices for development sites in Missouri" publication. Today, this publication continues to be used throughout Missouri and Kansas. Although, Don's accomplishments were very worthy of the recognition, I remember Don's gratefulness when he received the award. When I attended Don's memorial service, I found that his

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family was also very aware of the meaning of the award to Don. On display with all of his accomplishments throughout his life, was the plaque that he received from the Show-Me Chapter.

I want to thank all the Show-Me Chapter members for your membership and continued commitment to making our chapter and society successful. Always know that your commitment to SWCS and conservation is making a difference. I also thank you for your confidence in me to lead the Show-Me Chapter this year, it truly is an honor.

Our next Executive Council Meeting is April 12, 2006 at the State NRCS Office in Columbia, MO. The meeting is open to all members and I encourage you to attend. If you are unable to attend and you have anything you would like the council to consider, contact your area director, council person, or me.

## 2006 Annual Conference to Be Held In Keystone, Colorado

The 2006 Soil and Water Conservation Society Annual Conference is scheduled for July 22-26, 2006, in Keystone, Colorado. This conference is a combination of workshops, plenary sessions, and educational tours. The conference will emphasize:

- \* Water use and management - Learning to live with limits
- \* The science of targeting- Getting the right practices implemented in the right places and at the right time
- \* Conservation and the 2007 Farm Bill - Presentations highlighting key issues and recommendations for reform regarding the conservation provision of the U.S. Farm Bill

For more information, visit the web site at: [http://www.swcs.org/en/swcs\\_international\\_conferences/](http://www.swcs.org/en/swcs_international_conferences/)

## Managing the Public Trust Amid Competing Voices by Allyssa Berry

The original wording of the due process clause in the fifth amendment of the Constitution protected the rights of the accused from unfair government action. Since that time, the due process clause has been interpreted to encompass other relationships between the government and its citizens. In the case of eminent domain, the government is required to give "fair compensation" to private property owners when property is seized. For years, the litmus test for the seizure of private property through the power of eminent domain has been the demonstration of "public use". This generally included roads, public buildings and dams.

In 1954, the Supreme Court ruled in *Berman v. Parker*, that cities can use eminent domain to redevelop parts of a city that were abandoned, crime ridden or dilapidated. Slowly, governments have applied this ruling to seize private productive property in order to enable more profitable private development. According to the Institute for Justice, more than 10,000 seizures of this sort occurred between 1988 and 2001. A more recent Supreme Court decision, *Kelo vs. New London*, has brought this issue to the forefront. In a controversial 5 to 4 decision, the Court ruled that public use does include economic development. As a result of this decision, 30 states have taken steps to define "public use" to prevent inevitable abuse.

Meanwhile, private property is being condemned to make way for more profitable, higher tax generating or more aesthetic development. A private citizen has little chance of reversing the action; the cost of hiring an attorney to fight this action is just one of the financial barriers. The private property owner whose property is condemned faces a series of adverse effects. First, the condemnation begins with the government declaring the property "blighted". This is a legal term that has nothing to do with the actual condition of the property. It is used only to describe the government's declaration that the property has potential for a different, and arguably, a better

purpose. For example, a home might be considered blighted if it has only one garage, or is small, or has clapboard siding. The standards are generally based on newer houses being built in the community. Thus, it discriminates against older neighborhoods where the poor and the elderly tend to live.

What's even worse, is an area might be labeled blighted years before a buy-out proposal. People who need to sell or want to move find their property is not in high demand on the real estate market. Those who choose not to sell and who are ultimately forced to do so, wind up paying capital gains taxes if they cannot find affordable housing to in which to reinvest. Clearly the argument "we were here first" does not carry much weight. People who are forced to sell their homes face the loss of a social community and the bonds of the neighborhood. Seized property could very well have emotional or traditional value to the owners. Compensation or fair value alone does not account for the non-tangible value of the property or the lost value of the future.

The United States government and all underlying governments were created by the people, for the people. Most governments want good things to happen in their communities and to the citizens who reside there. When the power of eminent domain is used, there is a strong belief by the officials that there will be an improvement that will positively impact the community. They may believe the development will create a stronger tax base, better jobs, or more desirable surroundings that would attract other opportunities to their growing community. New development in an abandoned or crime ridden area can revitalize a neighborhood and save the government tax dollars. In addition, they must weigh the benefits with the impact on the environment. Every official faces the public at election time. If they desire reelection, they must prove that they are working

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## 2006 MNRC Conference Review

By Kim Worth

This year's Missouri Natural Resources Conference (MNRC) addressed "Managing the Public Trust Amid Competing Voices". As in recent years, the conference was held at the Tan-Tar-A Resort in Osage Beach, Missouri during the first week of February. The host society was the American Fisheries Society, with much help from The Wildlife Society, the Society of American Foresters, and our very own Soil and Water Conservation Society.

The days preceding the official start of the MNRC, at the Wednesday night mixer, were filled with meetings from most all of the participating societies and agencies. Also prior to the Mixer were the 3<sup>rd</sup> Annual 5K Fun Run and Student Job Fair. Both of those events continue to grow in size, and quality. The Wednesday evening Mixer and Poster Session was very well attended, and the roast hog, conversation, and booths were wonderful.

Thursday morning Greg Pitchford welcomed the attendees and called the conference to order. The Plenary Session speakers were Ms. Susan Morath Horner, ESQ., J.D. and Mr. Jim Posewitz. Ms. Horner, a consultant, lecturer, and attorney, discussed the evolution of the Public Trust Doctrine and how to navigate through all the issues competing for limited public resources. Mr. Posewitz, retired from the Montana Department of Fish, Wildlife and Parks and founder of Orion - The Hunter's Institute, presented the

hands-on version of "How America Found its Conservation Ethic".

The workshops held on Thursday afternoon and Friday morning are always an excellent chance for learning. I am always pleasantly surprised by a subject, that interests me personally, yet is presented in such a quality way that I almost always come away from the presentation excited about something that can be applied to my job.

The sentiment of being surprised by the unexpected value of a presentation was kind of an underlying theme for me this conference. I didn't know what the Public Trust could do for me, but as always, the Conference Committee had all of the bases covered. The Missouri Natural Resources Conference is an outstanding venue for expanding your mental boundaries and making valuable acquaintances. I highly recommend that everyone take the opportunity to attend next year's conference which will be held Wednesday, January 31 - Friday, February 2, 2007.



support like this that will guarantee the continued successes of the fund drive.

This year we drew for three raffle prizes. The winners and prizes are as follows:

**Renee Cook**, Branson ticket package,  
**Beverly Maltsberger**, hunting knife,  
**Tom Hagedorn**, \$250 Bass Pro Certificate.

Some of you may remember that Tom won the Bass Pro Certificate last year as well. I realize this could cause those of you who faithfully buy tickets each year to get jealous, angry, bitter and so forth. My suggestion is to direct all that emotion towards Tom in hate mail and to increase your chances of winning next year by purchasing even more tickets! He must not be allowed to win again and your buying tickets next year will ensure that!

## Scholarship Fund Drive

By Michael Morris

The Show-Me Chapter of the Soil and Water Conservation Society's annual scholarship fund drive was a success this year. The fund drive which is held at the annual Missouri Natural Resources Conference at Tan-Tar-A, netted approximately \$2,040.00. Currently our Society awards two scholarships each year, one for \$1,000.00 and another for \$500.00. Thus, the fund drive ensures that the scholarships for next year will be fully funded with an additional \$500 available for new, expanded or future scholarships.

As Chairperson for the Fund Raising Committee, I want to thank everyone who bought and sold tickets for the raffle as well as those who participated in the silent auction. I would especially like to recognize some individuals who helped make the silent auction and raffle a success. Individuals like **Dave Owen** who donated a hunting knife, **Craig King** who built a lawn table and benches for the silent auction as well as getting several other silent auction items donated. Many others donated items to the silent auction - it is

## 2006 Conservation Federation of Missouri Annual by Gary Baclease

The Conservation Federation of Missouri held their 70<sup>th</sup> annual meeting on February 24, 25, and 26, 2006 at the Lodge of the Four Seasons. The meeting was well attended by the board members and delegates. In addition there were nearly 50 students at the meeting who serve as the Federation's Conservation Leadership Core (CLC). The students serve as the secretary at the Resource Committee Meetings and work on the resolution's process. The student involvement in the process has proven to be extremely important and a tremendous benefit to the federation as well as to the students who have participated. Many of the students will become natural resource professionals after graduation from college and will continue to be active in the Conservation Federation.

The board meeting was held on Friday, February 24 and Don Johnson from Festus, Missouri, the 1<sup>st</sup> vice president, chaired the event. After the approval of the minutes from the last meeting and the treasurer's report, the following represents several of the items of business that was discussed.

On January 1, 2006 the Conservation Federation was officially granted 501(c)3 tax-exempt non-profit status. The Federation had been working on this change in order to save money and to increase membership. Membership continues to be something the Federation works to increase and the point was made that there are 50,000 members in the affiliate organizations and over 2 million sportsmen in the state that could be members.

The Ways and Means Committee discussed the fund raising activities. The Natural Events Calendar and a new note card program just being started were both projected to be very productive in generating income. Other fund raising possibilities discussed were to use the "just-round-up" concept used by Midway, a mail order shooting and reloading business in Columbia who asks buyers if they want to round up for the NRA.

**Dave Murphy**, Executive Director gave the Executive Director's and President's report because President Judd Kirkham was not able to be at the meeting. Dave outlined four goals set by Judd for the Federation; 1) Strategic Planning, 2) Defense of the Design for Conservation Sales Tax, 3) Increased membership, and 4) Legislation. The Federation has been successful in accomplishing the goals due to Judd's leadership. It was reported that the legislative budget hearings as well as some legislation were difficult

at times. Dave reiterated the importance for the board to talk to their representatives and senators about the importance of the Design for Conservation. He mentioned that it was the Federation's job is to educate the legislators because most all are new to state government.

During the annual awards ceremony, Bob Priddy who gives radio broadcasts on Across Our Wide Missouri gave a presentation on the Thomas Hart Benton paintings in the capital building and the history of Missouri related to the painting. He pointed out that if you look at the paintings, that in the beginnings of Missouri history there were huge green hardwood tree forests and warm season grass prairies along with the wildlife, then as you move through time and the development of the state the last painting is of a dead tree stump with nothing around it but the brown soil and how that is changing now due to the Federation's work. Ten awards were presented at the ceremony that was sponsored by Bass Pro Shops in Springfield.

Awards were presented to:

Steve Brigman, Joplin, for Conservation Communicator  
 Ozarks Wilderness Waterways Club, Kansas City, for Conservation Organization  
 Jennifer Battson, Linn, for Professional Conservationist  
 Nick Prough, Harrisonville, for Wildlife Conservationist  
 Ron Coleman, Wildwood, for Conservationist of the Year  
 John Bowles, Florissant, for Conservation Educator  
 William "Jake" Jacoby, Holt, for Hunter Education Instructor  
 Watershed Committee of the Ozarks, Springfield, for Water Conservationist  
 Dane Balsman, Springfield, and Patrick "Neal" Hutton, Weableau, for Youth Conservationists

Mr. John Hoskins, Director of the Missouri Department of Conservation provided opening remarks. Mr. Hoskins stated that the citizens of Missouri have supported conservation for 70 years. He informed the audience of the services provided by MDC that includes fish hatcheries, stream accesses, partnerships with a long list of state, federal, and private organizations, landowner contacts and assistance, and continued work that MDC does with both urban and rural residents. He mentioned that MDC works with a very diverse stake holder group and has to continue with strategic planning and using sound science to make decisions. He mentioned that the citizens of the state demand public service and leadership from MDC when it comes to the states fish, forest, and wildlife resources.

During the banquet, the new Conservation Federation  
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**(Conservation Federation Report continued)**

officers were sworn in. The following are the Conservation Federation officers for next year. Don Johnson - President, Glenn Chambers - 1<sup>st</sup> Vice President, Mike Schallon - 2<sup>nd</sup> Vice President, Randy Washburn - Treasurer, Duane Addleman - Secretary

During the resource committee meetings, the committees produced 20 resolutions. Gary Baclesse chaired the Environment & Land Use committee and Gary Vandavelde provided a resource report on NRCS programs. The resolutions committee approved 15 of the resolutions to be presented to the board and delegates. All 15 of the resolutions passed during the board's resolution meeting. The resolution's process worked very smoothly due in part to the CLC student's leadership. The CLC students authored 4 of the resolutions passed by the board. There being no other business, the meeting adjourned.

### **MEMBERSHIP REPORT** Submitted by Ron Redden, Membership Chairman

As of the beginning of March, the Missouri Show-Me Chapter membership has slipped to 219. This number reflects 13 terminated memberships during the month of February. While it is important to draw new memberships into our chapter, it is even more important to retain our current membership. So you won't forget, please be sure to renew your membership just as soon as you receive your renewal notice. Area memberships are: Central, 85; Northeast, 40; Northwest, 28; Southeast, 15; and Southwest, 51.

## Show-Me Chapter Leadership



Fred Young, David Ritchhart, Diane Bradley, Bill White, Kim Worth, Dean Martin, Renee Cook, David Ancell, Jay Lingwall, Diana Sheridan, Steve Wilson, Melinda Barch, and John Knudsen

(essay continued)

for the best interest of the entire community.

The third party of interest, the investor, has risked a great deal of capital and time to choose an area in which to invest. It seems reasonable that an investor would want a fair return on the investment. Impediments and limitations to development make the project less attractive to an investor. Asking the government to help in easing these burdens benefits the investors and the community through an infusion of money and jobs.

Balancing the interests of all concerned is nearly impossible. In too many cases, the private developer contacts the government to express interest in acquiring certain property. In the interest of the community, the government begins the process of purchasing the property through eminent domain. This manner of dealing leads to mistrust of the government and the investors. Direct negotiation with the property owners by the investor might lead to unbalanced agreements between investors and neighbors. It is a better idea to empower the community to make a decision about its own future. A natural resource professional, other professionals and representatives of the community, and directly impacted parties should be part of a committee. Their responsibility would be to gather all the facts about any proposed change and present these facts in open forums. In the interest of fairness and democracy, the issue should face a vote among the community. If the vote were to pass, according to law, the displaced people will receive fair compensation, but if it fails, let it be shown that the will of the people rules.

In some cases where the acquisition impacts a small number of individuals, a committee may be unrealistic. Still, every effort should be taken to fairly negotiate. If there is failure to reach a conclusion, the property owners have the right to gather signatures to petition the government for a referendum vote. In both cases, direct democratic action provides the

community with self-determination. Given all facts, people will choose what serves the community best.

Despite the conflicts and ever differing goals, there is common ground. Each group wants to have the freedom to make choices that are in their best interest. Each group has an interest that the government should have the power to resolve conflicts in a peaceful and equitable manner. Each group wants to exist in a community that is able to meet the needs of its citizens with causing unjust harm. In the end compromise may not make everyone happy, but hopefully, finding a common ground and understand one another will be the ultimate goal.

Allyssa Berry is the winner of the \$1000 SWCS/Broemmelsiek Scholarship. Allyssa is a sophomore honor student at the University of MO -Columbia, majoring in Ag journalism. Allyssa recently co-authored an article in the MO Soybean Council magazine.

Allyssa is the daughter of Greg & Meridith Berry of rural Pattonsburg.



## Show–Me Annual Awards By David Johnson

The Show-Me Chapter of the Soil and Water Conservation Society presented several awards during the Missouri Natural Resources Conference held at Tan-Tar-A Resort in early February.

The Chapter's most prestigious award "Professional Conservationist" was presented to longtime Chapter member **Wanda Eubank** at the Conference's awards banquet. In a letter of support for her nomination, **Bob Broz's** states that "Wanda's talent has been in moving people ahead to think in a unique and challenging way about conservation and environmental issues". Her efforts have led to many successful educational programs and conferences with audiences ranging from wastewater treatment professionals, real estate professionals, soil and water professionals and youth audiences. Wanda is an outstanding example of a person dedicated to preserving our natural resources.

At the Chapter's annual meeting, Jack Bowles of the Ferguson-Florissant School District in the St Louis area was presented the Educator of the Year award for his work as the "Green Man" in working with urban students known as "asphalt children" who have spent their entire lives on concrete and asphalt in educating them about the environment and our natural resources. Jack also serves as the coach of the school districts highly successful envirothon team.

The Media Award was presented to Chris Cline of the St. Francois County Daily Journal Newspaper in appreciation of his efforts in keeping the public informed about soil and water conservation issues. In his remarks after receiving the award, Chris, who is a young reporter, was proud of the fact that the very first story he had written which was picked up by the Associated Press was a story about abandoned uncapped wells.

Although unable to attend, the Chapter's Legislative Award was awarded to State Senator David Klindt for his work with getting the Parks and Soils Tax on the ballot without having to go through the initiative petition process each time the tax is scheduled to expire.

An Appreciation Award was given to **Craig King** for the outstanding job he did as the Local Arrangements Chair of the SWCS West North Central "It's The Water Workshop" held in Hannibal this past fall. **Andrea King** received an Appreciation Award for the many things she did to help make the "It's The Water Workshop" a success. The Quality Inn and Suites of Hannibal, Manager Melanie Campbell and staff also received an Appreciation Award for the extra effort they gave which was instrumental in making the "It's The Water Workshop" a success.

## President's Awards By Steve Wilson

I want to thank the entire membership for this past year of hard work and dedication. It is never possible to honor and recognize all the work each of you do every year. It was my distinct pleasure to select a handful of members that distinguished themselves during the past year.

The first award was given as a group award to **Peggy Lemons**, **Judy Stinson**, and **DeDe Vest** for their tireless work on the 2005 Cannon Envirothon that was held this past July in Springfield. Unless you lived under a rock this past year, you are aware of the hard work by these individuals and many, many more over the past years preparing for and accomplishing the successful international competition for high school students from throughout the United States and Canada.

The final discretionary award that was presented at the MNRC this past month was given to a relatively new member. **Kim Worth's** tireless efforts with the MNRC committee, serving as Vice-President, Web-Master, and now President-elect, made her an obvious choice for recognition by the Chapter. Kim's willingness to assist and lead has been a tremendous asset to the Chapter this past year and I'm sure for many years to come.

Thank everyone for all the success of last year and allowing me to have the privilege to serve as your President. I would like to remain active, while taking a much smaller role with the Executive Council, over the next year, again Thank you and here's to yet another good year for the Show-Me Chapter.

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