

THOMAS JEFFERSON SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
October 26, 2016

Present:

Directors: Pratley, Bradshaw, Campbell, Collins, Easter, Meeks, Murdoch, Murray, Swanson, Thompson, Wagner
Staff: Sappington, Eiserman, Hyatt, MD Johnson, ME Johnson, Longanecker, Ramsey, Talley, Walton
Agencies: Cross (DCR), Kirkland (NRCS); Lipinski (NRCS)
Guests: None

Absent:

Directors: Goodman, McGoff (Assoc. Director); Tingley (Assoc. Director)

CALL TO ORDER:

Mr. Pratley established a quorum and called the meeting to order at 10:39 am.

ADDITIONS / CHANGES TO THE AGENDA: None

CLOSED SESSION:

MOTION: A motion to go into Closed Session as provided in the Code of Virginia Section 2.2-3711.A.1 to discuss prospective candidates for District employment was made by Mr. Wagner and seconded by Mr. Easter. **The motion passed unanimously.** Ms. Sappington was invited to attend the Closed Session, all others in attendance removed themselves from the meeting.

MOTION: Mr. Wagner moved and Mr. Collins seconded a motion to reconvene into Open Session. The motion passed unanimously.

CERTIFICATION: Mr. Wagner moved, "Pursuant to the Code of Virginia Section 2.2-3711(D), I move to certify that to the best of the Board's knowledge, only matters lawfully exempted and as identified in the motion by which the Closed Session was convened, were heard or discussed by this Board during the Closed Session". The motion was seconded by Mr. Easter. A roll call vote was taken with the following results:

Ayes: Bradshaw, Campbell, Collins, Easter, Meeks, Murray, Murdoch, Pratley, Swanson, Thompson. Wagner

Nays: 0

The motion passed unanimously.

MOTION: Mr. Wagner moved to approve the hiring of Anne Coates as the new District Manager with the salary and compensation package as agreed upon. The motion was seconded by Mr. Easter. Without further discussion – **the motion passed unanimously.**

At this time, Mr. Pratley provided additional information and details regarding Ms. Anne Coates' experience and work history.

PUBLIC COMMENT: None

ACTION ITEMS:

Minutes:

Mr. Pratley opened the floor for changes to the minutes. There were no changes.

MOTION: Mr. Thompson moved and Mr. Easter seconded to approve the Director's Meeting Minutes for September 28, 2016. Without further discussion, **the motion passed unanimously.**

Budget Committee Report:

- Mr. Easter stated that the Committee met and reviewed the financial reports and everything appeared to be in order. He reported that the Committee is still in discussion regarding the District's dedicated reserve funds as well as revisions to the previously approved FY17 budget.

- Mr. Easter reported the Budget Committee discussed the current level of staff and financial support the District provides the Thomas Jefferson Water Resource Protection Foundation (TJWRPF). He added that originally, the TJWRPF had anticipated District staff support would be limited to easement monitoring, however recently, staff (by request of the TJWRPF Board) has dedicated working hours towards "non-easement" activities, such as marketing, grant writing, admin time for financial reporting and working with land owners on potential easements. Mr. Easter added that income generated by acquiring easements have been invested and dedicated for easement monitoring, and the added staff expenses was creating an unexpected burden on the funds held in escrow for monitoring easements. He stated the TJWRPF Board questioned whether the District Board would consider absorbing some of the non-monitoring expenses, to help preserve these dedicated funds. Mr. Thompson provided additional background and details related to the most recent District invoice for staff time. The Directors discussed whether the TJWRPF should continue to utilize District staff hours for marketing, and other non-easement tasks as well as requesting the TJWRPF Board to submit an annual budget request to the District Board for consideration. Other discussion also included whether the TJWRPF Board should be seeking donations as a non-profit 501(c)(3) organization.

MOTION: Mr. Easter moved that the District absorb 50% of the current TJSWCD invoice for non-monitoring staff time (approximately \$5,000). The motion was seconded by Mr. Wagner.

Discussion: Mr. Thompson questioned whether he should recuse himself from voting since he sits on both Boards. Mr. Easter and Mr. Wagner also acknowledged their representation on both Board of Directors. It was the consensus that there was no conflict of interest since these Director will also be involved in preparing the FY18 TJWRPF budget, which will include the District staff hours anticipated to meet the Foundation's needs. Ms. Sappington clarified that because the staff hours billed to the TJWRPF have already been absorbed by the District (through payroll), the 50% reduction in the current invoice will not be direct reduction in the revenue portion of the District budget and that the \$4,500 anticipated revenue as shown in the District's FY17 approved budget will still be collected. The Directors also discussed separating the fees associated with monitoring and non-monitoring activities, and the how much authority the TJWRPF Board should exercise over District staff time, along with other related topics.

Mr. Easter "Called for the Question" and without further discussion, **the motion passed unanimously.**

MOTION: Mr. Wagner moved to approve the Budget Committee report and recommendations. Mr. Thompson provided the second. **The motion passed unanimously.**

Ag Committee Report:

- Mr. Thompson stated that the Ag Committee met before the regular Board meeting. Luke Longanecker reported that the Committee recommended approval for the following applications:*
 1. (3) Project increases (2 - SL-6 projects and 1-CRFR3 project) for a total of \$9,631.55
 2. (1) 2015 Backlog SL-6 NRCS partner project for \$25,868.39
 3. (1) Hardware River TMDL project for \$61,466.83
 4. (1) 2017 VACS project for \$48,894.08
 5. (1) 2017 CB CREP project for \$2,866.16

*Contract numbers for the individual projects can be found in the Ag Committee Meeting minutes dated Oct. 26, 2016

- Mr. Thompson added the Ag Committee recommended approval for a Dry Manure Structure Agreement, and added the agreement specifies that the producer will use the facility for its intended purpose for the life of the practice (10 years) and not for other purposes such as hay storage.

MOTION: Mr. Wagner moved to approve the Ag Committee report and recommendations. Mr. Easter provided the second, and **the motion passed unanimously.**

Water Resource Committee Report:

- Mr. Murray reported the Committee met and recommends the following for approval.*
 1. (2) District-Wide Septic System Cost Share applications (one pump-out, and one repair) totaling \$15,150.00
 2. (2) Hardware River TMDL Septic Cost Share applications (one pump-out, and one septic system

replacement) totaling \$10,150.00

**Specifics on the individual projects can be found in the Water Resources Committee Meeting minutes and attachment dated Oct. 26, 2016*

- Mr. Murray stated the Committee rejected one District-Wide Septic System Cost Share application due to the fact it was for an unoccupied, vacant structure that the owner wanted to upgrade so it could be used as rental property.

MOTION: *Mr. Wagner moved to approve the Water Resource Committee report and recommendations. Mr. Meeks provided the second, and without further discussion, the motion passed unanimously.*

CONSENT AGENDA:

Conservation Plans (CREP): Morse

Conservation Plans (FR-1): Magnolia Farm

Conservation Plans (FR-3): Haslam

Conservation Plans (LE-1T): Quick

Conservation Plans (LE-2): Campbell

Conservation Plans (SL-1): Abell Brothers; Bellair Produce; Smith (8)

Conservation Plans (SL-6): Louisa Properties; Inc.; Mechums View Farm; Black; Harris Farm; Casale; Gibbons; Goodwin; Havens (2); Lewis; Lundgren; Martel; McGhee; Magnolia Farm; Buck Mountain Farms; LLC; Nuckols; Pickwood; Price; Rodgers Family Farms; Ryalls; Saunders Brothers (2); Taylor (2); Thurman; REMT Inc.; Waldrop; Yagel

Conservation Plans (WP-4): Early Dawn Farm (2); Goodwin; Kean; McNeely; Perkins

Potential Tax Credits: Bundoran Farm Community Association Inc. (\$2,711.77 and \$3,055,88)

Final Tax Credits: Early Dawn Dairy, Inc. (\$6,726.56 and \$4,710.94)

Committee Minutes: Water Resources Committee (9/28/16); Budget Committee (9/28/16);

MOTION: *Mr. Meeks moved to approve the Consent Agenda. Mr. Thompson provided the second. The motion passed unanimously.*

DISCUSSION ITEMS:

Legislative Agenda:

Ms. Sappington reported the Draft Legislative Committee Agenda was included in the Director's packet and will be discussed at the VASWCD Annual Meeting in December. She added that the VASWCD met and reviewed Mr. Collin's suggestion that the current Stormwater and Erosion Sediment Control regulations be revised to more effectively address large pipeline projects. She stated that the Association suggested that the TJSWCD draft a resolution requesting the General Assembly to form a Study Committee to research the issue. This would also require the District to seek out willing legislators to sponsor the request. She added that Mr. Collins agreed that there was not enough time to adequately develop a comprehensive plan for the current session of the General Assembly, and that time would be better spent enlisting the assistance of other Districts in support of the request. Ms. Sappington thought that everything could be done properly in time for next year's General Assembly session.

South Anna 2 (Bowers Mill) Rehabilitation Application:

Ms. Sappington reported that the South Anna 2 (a PL566 flood control structure) is owned and maintained by Louisa County. She stated that the County is applying for federal assistance for dam repairs needed to meet the requirements of the State's Dam Safety Act. She added that the District was one of the co-sponsors of the South Anna Watershed Project that funded the original construction of the South Anna dams (which includes this one), and said that Hanover-Caroline SWCD was the other co-sponsor at the time. She continued, stating that the federal funding assistance that Louisa County is applying for requires the approval of the original sponsors and therefore requested Mr. Pratley's signature as Chair of TJSWCD's Board of Directors. Ms. Sappington affirmed that application presented to the District for approval names Louisa County as the lead organizer and reminded the Board that this particular structure is maintained by Louisa County

as a back-up drinking water reservoir. There was a brief discussion among the Board members after which a motion was presented to the floor.

MOTION: *Mr. Thompson moved to authorize Chairman Pratley to sign the application as requested by Louisa County. Mr. Wager seconded and the motion passed unanimously.*

FY17 Area II Spring Meeting:

Ms. Cross reminded the Directors that this year TJSWCD is slated to host the 2017 Area II Spring Meeting. She stated that it is the responsibility of the host district to transcribe the minutes of this meeting, as well as organize and plan for the event. Ms. Cross said this will be on the VASWCD Annual Meeting agenda in December, and that the TJSWCD should be prepared to provide some details at that time. Additional discussion was held regarding the potential dates, locations and events for the Area II Spring Meeting.

COOPERATING AGENCIES REPORTS:

DCR:

Ms. Cross distributed copies of her monthly report. She reported that Districts have been classified as a "local government" for procurement regulation purposes. She added this will not change the District's liability and bonding coverage as provided by the Commonwealth of Virginia.

Ms. Cross also reported that Burnley Farm has been selected as the winner of the Clean Water Farm Award for the York River watershed basin. She stated the winner has not yet been announced for the James River. (*Note: Shortly after this meeting date, Deer Creek Farm (Mark Campbell) was named as the recipient of the Clean Water Farm Award for the James River watershed basin.*)

Ms. Cross included other notable items from her written report in her presentation to the Board.

NRCS:

Mr. Kirkland reported that they have received 15 applications for the Blue Ridge PRISM - RCPP Partnership for Regional Invasive Species Management program funds. He also reported that they met last week on the RCPP DCR partnership program for stream exclusion and riparian buffers and the first application cut-off for both of these programs are in December.

VA Cooperative Extension Service:

Ms. Swanson reported that the Cooperative Extension Service was exempted from the State's 5% budget cuts, however staff has received an email requesting those with 5 or more years of service to consider accepting the buy-out option package.

TJWRP Foundation:

Mr. Johnson reported that the TJWRPF Board has recommended approval of the Houchens Place Subdivision easement.

MOTION: *Mr. Thompson moved to approve the Houchens Place Subdivision easement as recommended. Mr. Wagner provided the second. The motion passed unanimously.*

STAFF REPORTS:

Ms. Sappington reported that she has been working on providing a smooth transition for Ms. Anne Coates, the new District Manager. She reported that each staff member will be meeting with Ms. Coates to review their respective responsibilities as a part of her transition and orientation. Ms. Sappington added that she will be "on call" during the month of January and available to assist as needed. Mr. Pratley reminded the Board that this meeting date marks the 30 year employment anniversary for Ms. Sappington.

Ms. Johnson reminded the Directors to turn in their registrations for the VASWCD Annual Meeting scheduled for December.

DIRECTOR REPORTS:

Mr. Murray stated that he recently spoke with a local winery owner regarding the excess water treatment facility he noticed on site. The owner stated that he was not required to address gray water reuse, but voluntarily installed this system. This initiated discussion among Board members regarding potential incentives for winery owners to encourage them to recycle their excess water.

Mr. Murdoch reported that he has become concerned with a potential conflict of interest when bartering business services between farmers who are also Directors. He stated he will send an email out for comment.

ADJOURNMENT:

MOTION: *Mr. Wagner moved to adjourn the meeting. Mr. Thompson provided the second. The motion passed unanimously.*

There being no further business, the meeting was adjourned at 12:28 am.

Submitted by: _____
Recording Secretary

Approved: _____
Chair