

**THOMAS JEFFERSON SOIL & WATER CONSERVATION DISTRICT**  
**BOARD OF DIRECTORS MEETING MINUTES**  
**February 26, 2020**

**Present:**

*Directors:* Pratley (Chair), Campbell, Collins, Easter, Lucas, Meeks, Murdoch, Murray, Swanson  
Thompson, Willis

*Assoc. Directors:* Cowger, Daughters, Merle-Smith, Tingley

*Staff:* Coates, Eiserman, Hyatt, Kirschner, Linaberry, Longanecker, Moyer, Talley

*Agencies:* Cross (DCR), Lipinski (NRCS)

*Guests:* Jim Gehlsen, Morgan Perkins

**Absent:**

*Directors:* Bartz

*Assoc. Directors:* Tweardy

**CALL TO ORDER:** Mr. Pratley called the meeting to order at 10:09 a.m.

**ANNOUNCEMENTS:** Mr. Pratley announced that the Area II spring meeting is May 12 at Middleburg Community Center. New employees Jen Linaberry and Audrey Kirschner shared introductions. Ms. Linaberry is assisting with education programs and Ms. Kirschner is focusing on Albemarle County outreach.

**GUEST INTRODUCTIONS:** Morgan Perkins was present on behalf of Kelley Thomas regarding an agricultural cost share application. Jim Gehlsen was attending as Area II chair.

**ADDITIONS / CHANGES TO THE AGENDA:** Mr. Meeks asked to add the state TAC to the agenda.

**PUBLIC COMMENT:** None.

**CLOSED SESSION:** None.

**ACTION ITEMS AND UPDATES:**

**Directors Meeting Minutes:**

Mr. Meeks noted a correction to the attendance list. He asked that staff absences not be listed in the minutes, as staff have been asked to attend only when needed.

***MOTION:*** *Mr. Meeks moved to approve the Directors Meeting Minutes for January 29, 2020, as amended. Mr. Thompson seconded the motion, and the motion passed unanimously.*

**Letter to VSWCB regarding FY20 Technical Assistance:**

Ms. Coates shared a draft letter to the Virginia Soil and Water Conservation Board. She explained the potential impact of the amended technical assistance policy. VSWCB is scheduled to meet March 26 in Charlottesville. Mr. Pratley encouraged Directors to attend the meeting to comment. Ms. Cross noted that revisiting the technical assistance policy is on the meeting agenda.

***MOTION:*** *Mr. Thompson moved to approve the letter to VSWCB. Mr. Collins seconded the motion, and the motion passed unanimously.*

**Committee Guidelines:**

Mr. Pratley suggested that all committees have an initial meeting for the year to discuss membership, goals, meeting schedules, and coordination with staff. Public notice must be posted for all committee meetings and minutes must be taken.

Mr. Murray asked to formalize the creation of the Climate Committee. Ms. Coates replied that this was included on the committee roster she distributed. Mr. Pratley said yes, this changed from an ad hoc committee to a standing committee.

Mr. Pratley stated that it is in the District policy manual that Associate Directors do not have a vote. Mr. Easter commented that the policy covered Board meetings, not committee meetings. Mr. Pratley replied that the policy does not differentiate.

Mr. Easter recalled that his experience has been that they have had open meetings and Associate Directors were able to vote. He favors enfranchising Associate Directors at the committee level, noting that all matters come to the Board for a final vote.

Mr. Pratley remarked they have more Associate Directors now, and those larger numbers could sway committee decisions. Mr. Murray stated that committees bring issues to the Board for vote, and Associate Directors do not outweigh Directors there.

Mr. Thompson stated that any attendee can voice a position and have input at the committee level, but the Board has legal obligations and is entrusted with public funds. Ms. Swanson noted that the Board appoints the Associate Directors.

Mr. Pratley asked Ms. Cross about procedures in other Districts. Ms. Cross outlined varying processes, commenting that Associate Directors commonly have a vote but staff normally does not, but it is up to each organization how the committees operate.

Ms. Willis expressed reluctance to grant a vote to persons who were not elected and without input from the county they represent.

Mr. Gehlsen said everyone on Prince William's committees has a vote, including staff, unless they wrote the plan.

Mr. Merle-Smith commented that committee reports to the Board can note whether there was a difference of opinion between Directors and Associate Directors at the committee level. As an Associate Director, he would like to have a vote on committees.

Mr. Easter noted that counties do not have input on appointed Directors either. Two Directors are appointed by the VSWCB.

Mr. Murray would like staff to vote as well. Mr. Tingley suggested that Personnel/Operations Committee remain closed to Associate Directors given the sensitivity of personnel issues. Ms. Coates expressed concern about the possibility of a committee comprised of entirely Associate Directors who do not have the same attendance requirements as Directors; she asked that committees have a majority of Directors. Ms. Coates said she is not entirely comfortable with staff voting. Mr. Longanecker prefers that staff

present recommendations but not vote.

**MOTION:** *Mr. Easter moved that Associate Directors have a vote in committee. Mr. Murray seconded the motion. The motion passed 8-3 (Meeks, Pratley, Thompson opposed).*

Mr. Pratley directed that Section I.2 of the policy manual be amended to reflect the above policy revision.

Mr. Pratley asked Directors to review the committee list and consider whether committees can be eliminated or combined, as some committees rarely meet. Ms. Coates requested that each committee meet at least once a year, preferably early in the year, to discuss committee goals. The Legislative Committee still needs a chair. Mr. Tingley agreed to continue to chair the Climate Committee.

### **Strategic Planning Recap and Next Steps:**

Ms. Coates noted that a comment summary was included in the Board packet, and they had a staff debriefing on Monday. The strategic planning session was well attended with a variety of viewpoints represented. Ms. Coates suggested separating out internal operational goals and focusing on higher-level goals in the public-facing document. Mr. Murray noted that strategic plan goals can form a basis for grant applications and exploring new programs. Mr. Coates asked committees to take an active role in refining goals for their program areas.

Ms. Cowger asked whether the Legislative Committee handles seeking locality funding. Ms. Coates replied that the Personnel/Operations Committee and Budget/Finance Committee would most likely handle this, but the Legislative Committee could choose to. Mr. Pratley said the Legislative Committee has largely focused on state policy, while the District Manager works with Directors from each locality on specific locality budget requests.

### **Agriculture Committee:**

Mr. Thompson summarized Kelley Thomas' application (Contract No. 02-20-0134, SL-6W, \$73,269.98) for a grazing system including exclusion fencing and water infrastructure. The applicant has asked the Board to consider the project today due to pressing issues.

Mr. Perkins was present as the farm manager and spoke to the application. He explained his concerns that sheep cannot be moved during lambing season and outlined the difficulties in providing adequate access to water after a well failure. Toting water is inefficient and time-consuming, sheep drowned when allowed pond access, and he has concerns about the pond water quality. Mr. Perkins responded to questions regarding management plans.

Directors discussed the application at length and reviewed possible alternatives for phased implementation. Mr. Easter expressed concern about a new lease on a property with inadequate facilities. Mr. Lucas outlined resource concerns that predate the current tenant and suggested approving the complete project. Mr. Campbell and Ms. Swanson preferred a modified or phased project. Mr. Pratley asked about the project ranking and how it would have fared in committee.

Mr. Thompson noted that the request would have to be altered by the producer, not the Board. Mr. Longanecker said staff could offer recommendations for a phased approach but doing it all would give more grazing land for that herd size. Mr. Talley outlined possible phasing options and explained why he was looking for the whole-farm plan. Ms. Swanson and Mr. Campbell expressed concern that the operator was unprepared. Mr. Pratley noted that a phased application could not be considered today and would have to come back to a future meeting with revised cost estimates. Ms. Cross noted the project

cannot be paid out until it is fully complete and meets specifications.

**MOTION:** *Mr. Lucas moved to approve the project as presented. Mr. Collins seconded the motion. Staff responded to questions regarding the amendments. The motion passed 7-4 (Campbell, Easter, Meeks, and Swanson opposed).*

Mr. Thompson referenced the Agriculture Committee meeting minutes for projects recommended for approval. Mr. Longanecker noted the need to add a transfer agreement for Riverview Cattle Farms LLC to the consent agenda.

Mr. Thompson reported that the committee reviewed the carryover report and heard a presentation from Ms. Kirschner on outreach plans. A producer breakfast is planned for March 5 to gather feedback to submit to the TAC. Mr. Longanecker said 23 farmers plan to attend the breakfast, representing all four counties.

**MOTION:** *Mr. Murray moved to approve Agriculture Committee report. Mr. Lucas seconded the motion, and the motion passed unanimously.*

#### **Water Resources Committee:**

Mr. Murray reported that septic and urban practices are included on the consent agenda for approval. They had their first ACAP applications and new Hardware applications. They may fully expend the Hardware funding with the contract extension.

Mr. Murray related that the committee heard a request for \$1,000 for lawn testing at Lake Anna. The committee supports the proposal but has concerns that people may add fertilizer if soil tests say the soil is deficient. He suggests screening for whether people currently use fertilizer, and contractor education may be a better use of the funds.

Mr. Lucas shared information from his discussions with the Lake Anna Civic Association water quality committee. Mr. Murray stated that the District cannot support the requested wetland project due to lack of funding. Mr. Murray suggested other possible funding sources, such as TNC. Mr. Lucas noted the carp problem and explained how constructed wetlands may not be a good solution for the algae issue, but they continue to explore causes.

Mr. Murray reported that staff recommends waiting until after the first round of ACAP applications before requesting changes to the CCAP/ACAP scoring criteria, and the committee supports that recommendation.

**MOTION:** *Mr. Thompson moved to accept the Water Resources Committee report. Mr. Collins seconded the motion, and the motion passed unanimously.*

#### **Budget/Finance Committee:**

Mr. Meeks reported on fiscal year-to-date financial statements, noting that operating revenues are at 60 percent of annual budget amounts and operating expenditures are at 64 percent of annual budget amounts, at 58 percent through the fiscal year. Expenses temporarily exceed revenues while they wait for reimbursements.

Mr. Meeks outlined the proposed budget amendments. The Board approved the new Albemarle position but had not yet budgeted for it; this position will total \$17,000 this fiscal year. Other adjustments were

made based on year-to-date expenditures, adding \$29,000 for payroll incentives approved in November, and funding temporary education staff.

Ms. Coates noted that the Albemarle County position shows on the revenue and expense side equally.

***MOTION:*** Mr. Meeks moved adopt the amended FY20 Budget. Mr. Thompson seconded the motion, and ***the motion passed unanimously.***

Mr. Meeks reported that the committee discussed the soil test kits but took no position on the matter. Mr. Talley suggested asking Dominion for a donation. Ms. Swanson said that \$1,000 covers 100 test kits and lab processing at \$10 each. Mr. Pratley asked what the funding source would be. Ms. Coates replied that they could pull it from the current supplies budget or reserves. Mr. Thompson asked Mr. Talley to contact Dominion to inquire. Ms. Swanson offered to assist with education efforts. Ms. Coates said Culpeper has asked all three SWCDs surrounding Lake Anna to participate. Mr. Collins and Mr. Meeks asked about staff time. Ms. Swanson and Mr. Lucas felt it could be handled by volunteers with minimal staff time. Mr. Thompson suggested approving the expenditure of \$1,000 for soil test kits, with the understanding that they will pursue outside funding. Mr. Lucas noted the public relations benefit and the value of data collection. Mr. Easter felt the landowners could pay the \$10. Ms. Swanson spoke to the benefits of soil testing.

***MOTION:*** Mr. Lucas moved to approve \$1,000 for soil test kits. Mr. Thompson seconded the motion, and ***the motion passed unanimously.***

***MOTION:*** Mr. Meeks moved accept the financial report. Mr. Thompson seconded the motion, and ***the motion passed unanimously.***

Mr. Murray asked about the purchase of native plant guides for staff use and distribution. Ms. Coates said that was not on the agenda yet.

#### **Technical Advisory Committee:**

Mr. Meeks explained that the state's BMP technical advisory committee is reorganizing for this year. New issues must be submitted by March 10 for consideration. Districts must submit names of the representative and proxy by April 10 if they want a seat on the TAC. Mr. Meeks asked that this be on the March meeting agenda.

#### **Dam Committee:**

Mr. Lucas reported that AMT was selected as the firm of choice in the joint procurement for small dam engineering services. The Dam Committee reviewed the proposed contract and recommends approval.

***MOTION:*** Mr. Thompson moved to approve the contract with AMT for small dam engineering services. Ms. Swanson seconded the motion, and ***the motion passed unanimously.***

Mr. Lucas reported that Rivanna Water and Sewer Authority is moving forward with repairs to Beaver Creek Dam and will ask the District to sign onto their application for federal assistance as a supporting agency. Ms. Coates noted this does not entail a financial commitment by the District.

Mr. Lucas related that Charles Wilson has supplied a spreadsheet outlining timeframes for dam certifications and EAP updates. Mr. Lucas and Mr. Talley will be working on these updates and planning for remote sensor installation.

**MOTION:** Mr. Thompson moved accept the Dam Committee report. Mr. Meeks seconded the motion, and the motion passed unanimously.

**Legislative Committee:**

Mr. Meeks noted that VASWCD is meeting now on the legislative agenda. Mr. Campbell related that the WIP mandate bills were heard in committee in early February and substitute bills call for continued voluntary measures and exploration of alternative implementation measures.

Mr. Murray said it looks like all amendments to increase VCAP funding failed.

**MOTION:** Mr. Thompson moved to accept the Legislative Committee report. Mr. Murdoch seconded the motion, and the motion passed unanimously.

**CONSENT AGENDA:**

1. **Committee Minutes:** Agriculture Committee (1-29-20 and 2-24-20); Water Resources Committee (1-29-20); Budget/Finance Committee (1-29-20)
2. **Consent Items:** See Attached Lists for Agriculture Cost Share and Tax Credits (if applicable), Septic Cost Share, and Urban Cost Share.
3. **Transfer Agreement:** Riverview Farm Cattle LLC to Grandview Cattle LLC (02-19-0114)

**Agriculture Practices**

Last Name / Business	Contract #	Instance	Practice Code	Estimated Cost Share	Potential Tax Credit	Final Tax Credit	Conservation Plan Approval
Serenity Equine Sanctuary	EQ-20-0018	n/a	Compost System	\$16,200.00	n/a	n/a	
Shannon Weiner	02-20-0132	384570	SL-11	\$1155.00	\$ 96.25	-	2/26/2020
Veltri	02-20-0136	384766	SL-6W	\$54,918.33	n/a		2/26/2020
Haney	02-20-0131	384370	WP-2W	\$10,453.12	n/a		2/26/2020
Haney	02-20-0131	384371	WP-2N	\$4,954.44	\$825.74		2/26/2020
Triple 2 Farms	02-20-0129	385175	SL-6W	\$56,568.59	\$1,060.38		2/26/2020
Weiner	02-20-0132	384570	SL-11	\$1,155.00	\$96.25		2/26/2020
Jenkins	02-20-0135	384734	FR-3	\$4,428.00	n/a		2/26/2020
Elk Creek Farm LLC	02-20-0133	384670	FR-3	\$6,088.50	n/a		2/26/2020
Campbell	02-20-0137	384910	FR-1	\$1,228.04	\$82.33		
Garnett	02-20-0130	384008	CCI-SL-6W	\$4,178.75	n/a		
Campbell	02-20-0138	384915	CCI-SL-6N	\$1,556.25	n/a		
Haney	02-20-0131	384375	CCI-SL-6N	\$1,710.75	n/a		
Haney	02-20-0131	384376	CCI-SL-6W	\$5,975.00	n/a		
Layne	02-20-0140	385173	WP-4	\$31,892.25	\$2657.69		2/26/2020
Vere-Nicoll	02-19-0080	330788	SL-6			\$1,175.58	

Anderson	02-20-0071	377903	SL-7	-	-	\$928.08	-
<b>Increases</b>							
Anderson/ LaFontaine	02-20-0096	380088	FR-3	\$5,235.00	-	-	-
Guyton	02-20-0075	377920	SL-6W	\$1,613.52	-	-	-
McConnell	EQ-19-0016	n/a	HUA	\$787.50	-	-	-
Swift Run	02-20-0079	377953	CCI-SL-6W	\$1250.00	-	-	-

#### Septic Practices

Last Name / Business	Contract #	Instance	Practice Code	Estimated Cost Share
Sites	02-20-0139	385085	RB-4	\$5,200.00
Leflar	02-20-0141	385626	RB-4	\$4,000.00
Jens	02-20-0143	385629 385670	RB-1 & RB-4	\$6,263.00
Walkup	02-20-0142	385628	RB-4P	\$9,600.00

#### Urban Practices

Last Name / Business	Contract #	Practice Code	Estimated Cost Share
Donnelly	02-20-003	CL-2	\$3,500.00
Punt	02-20-004	CL-3	\$3,500.00
Getchell	02-20-005	PP	\$15,000.00
Gonya	02-20-006	CL-3	\$3,500.00
Anderson	02-20-007	PP	\$15,000.00

**MOTION:** Mr. Meeks moved to adopt the Consent Agenda. Mr. Lucas seconded the motion, and **the motion passed unanimously.**

#### COOPERATING AGENCIES REPORTS:

**DCR:** Ms. Cross summarized information from her monthly report (*see attached report for details*). Ms. Cross will conduct new Director training following this meeting, with Phase II on April 20. DCR has filled several staff positions. She outlined staff training opportunities and upcoming meeting dates.

**NRCS:** Mr. Lipinski provided an update on federal programs and application deadlines. Virginia is one of the top five conservation selling states, and Louisa Service Center is one of the top five offices in the state. Upcoming rule changes will provide program flexibility.

**VCE:** Ms. Swanson reported that they are advertising for the Fluvanna ag agent full-time position. Albemarle has a well water testing clinic in May.

**DEQ:** DEQ provided the attached written report.

**FSA:** FSA provided the attached written report.

**DOF:** No updates.

**TJWRPF:** Mr. Thompson reported that easement inspections continue. He received an inquiry regarding a new easement placement in Crozet.

**DISCUSSION ITEMS:**

**Remote Participation Policy:**

Mr. Pratley asked if the Board is interested in a remote participation policy. Mr. Campbell said he would be interested in a policy for committee meetings. Mr. Pratley asked staff to draft a policy for consideration at the next meeting.

**STAFF REPORTS:**

Ms. Coates noted the strategic plan workshop summary and acronym handouts are included in the Board packets. Board volunteers are needed for the Envirothon on April 1 at Camp Albemarle.

**DIRECTOR REPORTS:**

Mr. Meeks reported that he attended the NACD annual meeting earlier this month. Virginia was recognized with three awards. NACD's 75th annual meeting will be held in New Orleans next year.

Mr. Murray reported that he did a presentation on urban programs to the Little High Neighborhood HOA.

Mr. Murdoch asked for references to respond to inquiries regarding farm ponds. Mr. Longanecker said NRCS created a guide. Mr. Lucas noted the regulations have gotten quite complicated.

Ms. Willis proposed a monthly column in the local newspaper sharing information from Board meetings. Ms. Coates suggested coordinating with the Public Relations and Outreach Committee.

**ADJOURNMENT:**

***MOTION:*** *Mr. Thompson moved to adjourn the meeting. Mr. Lucas seconded the motion, and the motion passed unanimously.*

There being no further business, the meeting was adjourned at 12:49 p.m.

Submitted by: \_\_\_\_\_  
*Recording Secretary*

Approved: \_\_\_\_\_  
*Chair*