

**THOMAS JEFFERSON SOIL & WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
October 28, 2020**

**Remote Participants:**

*Directors:* Pratley (Chair), Campbell, Easter, Jones, Lucas, Meeks, Murdoch (joined at 10:15 a.m.), Murray, Swanson, Thompson

*Assoc. Directors:* Bartz (joined at 10:13 a.m.), Cowger, Daughters, Merle-Smith, Tingley

*Staff:* Coates, Moyer, Talley, Gyurisin (present as needed), Hyatt (present as needed), Longanecker (present as needed)

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

**Absent:**

*Directors:* Collins

*Assoc. Directors:* Tweardy

The Board of Directors convened a decentralized meeting via Zoom due to the COVID-19 public health emergency.

**CALL TO ORDER:** Mr. Pratley called the meeting to order at 10:02 a.m.

**ROLL CALL:** Mr. Pratley called the roll to confirm a quorum of Directors. Attendance was confirmed as listed above.

**Motion to Conduct Electronic Meeting:**

**MOTION:** Mr. Lucas moved that the Thomas Jefferson Soil and Water Conservation District Board of Directors certify that the nature of the state of emergency caused by the COVID-19 pandemic, as declared by the Governor of Virginia, makes it impracticable or unsafe for the Board to assemble in a single physical location, and further that the purpose of the meeting, including all agenda items as reflected in the meeting's prepared agenda, is to transact or discuss business that is statutorily required or that is necessary to continue operations of the Board and the discharge of the Board's lawful purposes, duties, and responsibilities. Ms. Swanson seconded the motion. The motion passed 8-0 by the following roll call vote:

Ayes: Campbell, Easter, Jones, Lucas, Murray, Pratley, Swanson, Thompson

Nays: None

Not Voting: Meeks

Absent: Murdoch

**GUEST INTRODUCTIONS:** None.

**ANNOUNCEMENTS:** Mr. Pratley noted that the passings of current Board member Pat Willis and former Board member John Conover. A moment of silence was observed.

**PUBLIC COMMENT:** Mr. Pratley asked if any comments were received from the public. Ms. Moyer confirmed that no public comments were submitted.

**ADDITIONS/CHANGES TO AGENDA:** None.

**ACTION ITEMS:**

**Directors Meeting Minutes:**

**MOTION:** Mr. Thompson moved to approve the Directors Meeting Minutes for September 30, 2020, as presented. Mr. Meeks seconded the motion. The motion passed 9-0 by the following roll call vote:

Ayes: Campbell, Easter, Jones, Lucas, Meeks, Murray, Pratley, Swanson, Thompson

Nays: None

Absent: Murdoch

**Holiday Meeting:**

Mr. Pratley noted that the Board would normally hold its December meeting at Michie Tavern but that is unlikely this year. Directors agreed that it is inadvisable to hold an in-person dinner meeting in December. Mr. Pratley suggested keeping the scheduled December 16 date but moving the time to 10:00 a.m. rather than meeting at 6:00 p.m. Directors concurred. Mr. Pratley asked Ms. Moyer to update the public notice.

Mr. Pratley asked how to honor Clean Water Farm Award winners this year. Ms. Coates proposed \$100 gift certificates to dinner, and staff can hand-deliver signs and do photos. Ms. Coates noted that Mr. Thompson has suggested recognizing winners during the December meeting with a slideshow or video presentation, similar to the live presentation staff would normally give at Michie Tavern. Ms. Coates would like to invite this year's winners to next year's holiday meeting as well. Ms. Cross suggested recognizing the winners at Board of Supervisors meetings.

Mr. Pratley outlined the year-end business that will be addressed at the December meeting. Mr. Pratley noted that the District is limited in what it can do in terms of gifts for staff and Directors in lieu of the usual holiday dinner. Ms. Coates commented that a later agenda item should adequately suffice to cover a holiday meal for staff, but the District cannot give any kind of monetary compensation to Directors unless it is a direct Board expense.

Mr. Murray suggested they look to having an outdoor spring or summer event. Mr. Pratley agreed, possibly a picnic lunch at Secluded. Ms. Coates looks forward to celebrating when they can all be together again.

**Recommendation to Appoint Director:**

Mr. Pratley noted that they lost Ms. Willis in September, and a nomination to fill the vacancy could be considered at the December Soil and Water Conservation Board meeting. Mr. Lucas thanked Ms. Coates for discussing this with Ms. Daughters and Mr. Merle-Smith, the Associate Directors from Louisa. Mr. Lucas stated that Ms. Daughters is interested in the position, and he would like to present her name for consideration of the Board for appointment to fill Ms. Willis' unexpired term.

Mr. Merle-Smith commented that he appreciates the opportunity to perhaps move onto the Board as a full member, but he likes being an Associate and it suits him.

Ms. Jones asked if the position has to be advertised. Mr. Pratley and Mr. Lucas explained that they would have advertised had they not had an Associate Director from that locality willing to serve.

**MOTION:** Mr. Lucas moved to recommend to the Soil and Water Conservation Board that Carolyn Daughters be appointed to fill the unexpired term of Pat Willis. Mr. Thompson seconded the motion. The motion passed 10-0 by the following roll call vote:  
Ayes: Campbell, Easter, Jones, Lucas, Meeks, Murdoch, Murray, Pratley, Swanson, Thompson  
Nays: None

Ms. Daughters remarked that she is honored and eager to be in the position because she believes in the work, although it is bittersweet because of the loss of Ms. Willis.

**Agriculture Committee Report:**

Mr. Thompson called attention to the practices approved by delegated authority and listed on the ratification agenda.

Mr. Talley spoke regarding the Clean Water Farm Award nomination for Elk Creek Farm, noting the improvements in both water resources and animal conditioning. Mr. Longanecker summarized the Clean Water Farm Award nomination for Harrison Cattle Co., noting that Rob Harrison has done exclusion fencing on several farms and does a lot for community education.

Mr. Thompson expressed appreciation that Harrison Cattle Co. is a local producer who also markets locally, in addition to being a sustainably-managed operation. Mr. Pratley noted the impact of the pandemic on direct sales to restaurants. Mr. Murdoch commented that processing has become a bottleneck due to COVID shutdowns.

Ms. Jones asked about efforts to promote the award winners in local media. Ms. Coates invited Ms. Jones to work with her and Ms. Hyatt on public relations and join the Public Relations Committee. Ms. Coates said that winners are featured on the website and at meetings, but additional media outreach would be helpful.

Ms. Cross noted the need to identify the county for the nominations.

**MOTION:** Mr. Meeks moved to approve the 2020 Clean Water Farm Award nominees. Mr. Murray seconded the motion. The motion passed 10-0 by the following roll call vote:  
Ayes: Campbell, Easter, Jones, Lucas, Meeks, Murdoch, Murray, Pratley, Swanson, Thompson  
Nays: None

Mr. Thompson explained the SL-6 practice failure where an underground pressure tank was installed without a drain, causing failure due to flooding. The installation was approved by a former staff member even though it was improperly installed. The cost estimate for replacement is \$3,050. The Agriculture Committee recommended taking these funds out of the District operations budget rather than cost-share funding. The producer would be reimbursed for actual replacement costs up to the amount of the cost estimate after inspection to ensure that it meets practice specifications.

**MOTION:** Mr. Pratley moved to approve the expenditure with a cap of \$3,050 to address the practice failure (Contract No. 02-15-0276). Mr. Lucas seconded the motion, commenting that the Agriculture Committee looked at this in a lot of detail and it was a strong consensus that this would be the proper way to pursue this problem. The motion passed 10-0 by the following roll call vote:  
Ayes: Campbell, Easter, Jones, Lucas, Meeks, Murdoch, Murray, Pratley, Swanson, Thompson  
Nays: None

**MOTION:** Mr. Lucas moved to adopt the Agriculture Committee report. Mr. Meeks seconded the motion. The motion passed 10-0 by the following roll call vote:

Ayes: Campbell, Easter, Jones, Lucas, Meeks, Murdoch, Murray, Pratley, Swanson, Thompson

Nays: None

**Water Resources Committee Report:**

Mr. Murray reported that the Hardware TMDL septic program will end at the end of the year. He commented that it is worth noting how well staff has done to turn that program around, and they may have some money left over in the program but nowhere near as much as they thought they would. Mr. Murray related that all VCAP funding for the year has been allocated, and policy changes will require all projects remaining on the waitlist as of July 1 to be resubmitted if they want to continue in the queue. The Water Resources Committee discussed the ACAP and CCAP programs and how to give more weight to projects that have co-benefits and provide wildlife habitat benefits or carbon sequestration benefits. He commented that permeable paving can take up a lot of funding, so they discussed how to balance the scales a little better.

Mr. Murray called attention to the practices approved by delegated authority and listed on the ratification agenda.

Ms. Coates commented that VCAP is statewide, and \$500,000 of VCAP funding was obligated in just three months, but the District also has local funding for projects in Charlottesville and Albemarle. Mr. Gyurisin shared updates on FY21 allocations to-date for the Charlottesville Conservation Assistance Program and Albemarle Conservation Assistance Program. Mr. Gyurisin related that applications are still coming in, the Water Resources Committee is meeting to review applications on a quarterly basis, and he anticipates being very close to allocating all funds for FY21. Mr. Gyurisin continues to conduct site visits, provide technical assistance, and work with applicants. Mr. Gyurisin will serve on the Charlottesville Water Resources Protection Program Advisory Committee for the next two years.

Mr. Pratley asked about VCAP technical assistance funding, as staff spend time working on projects that may not come to fruition. Ms. Coates replied that there is no longer upfront TA but there is \$500 per completed project. Mr. Gyurisin noted that program changes may lead to participants to withdraw applications rather than reapply for the next year if the cost-share rate changes. Ms. Coates outlined other funding sources and partnerships to provide technical assistance to landowners interested in doing projects on their own.

Mr. Pratley mentioned that the South Fork Rivanna TMDL process is coming underway. Mr. Murray commented that they had success in the Hardware given the practices that were approved, but they could have had more success if VCAP-type practices were approved as well. Ms. Coates replied that the types of impairments trigger which practices are eligible. Mr. Gyurisin stated that VCAP practices are eligible for sediment removal and excess nutrients, but not bacterial impairments. Ms. Coates noted that staff will participate in the TMDL meetings, and she encouraged Directors to participate as well. Mr. Murray spoke regarding the impact of geese on bacteria.

**MOTION:** Mr. Thompson moved to approve the Water Resources Committee report. Mr. Lucas seconded the motion. The motion passed 9-0 by the following roll call vote:

Ayes: Easter, Jones, Lucas, Meeks, Murdoch, Murray, Pratley, Swanson, Thompson

Nays: None

Not Voting: Campbell

**Budget/Finance Committee Report:**

Mr. Meeks reported that the Budget/Finance Committee reviewed September 2020 financial reports and recommended approval.

**MOTION:** Mr. Thompson moved to accept the Budget/Finance Committee report. Mr. Campbell seconded the motion. The motion passed 10-0 by the following roll call vote:

Ayes: Campbell, Easter, Jones, Lucas, Meeks, Murdoch, Murray, Pratley, Swanson, Thompson

Nays: None

**Personnel/Operations Committee Report:**

Mr. Pratley reported that the Personnel/Operations Committee reached consensus on two recommendations for Board approval. Ms. Eiserman has communicated that she needs to step back from full-time employment. The Committee discussed what type of work Ms. Eiserman is able to do on a part-time basis and recommended that she be a part-time employee from December 31, 2020, to June 30, 2021.

Mr. Murray expressed appreciation for Ms. Eiserman's contributions to the District's work.

Mr. Meeks left the meeting at 11:17 a.m.

**MOTION:** Mr. Thompson moved to adopt the Personnel/Operations Committee's recommendation for changing the status of Mary Eiserman's employment with the District as shown within the recommendation. Mr. Lucas seconded the motion. The motion passed 9-0 by the following roll call vote:

Ayes: Campbell, Easter, Jones, Lucas, Murdoch, Murray, Pratley, Swanson, Thompson

Nays: None

Absent: Meeks

Mr. Pratley reported that the Personnel/Operations Committee recommended approval of holiday bonuses for all staff, for a total amount of \$10,000, to be paid with November payroll.

**MOTION:** Mr. Lucas moved to approve the staff bonuses for November. Mr. Murray seconded the motion. The motion passed 9-0 by the following roll call vote:

Ayes: Campbell, Easter, Jones, Lucas, Murdoch, Murray, Pratley, Swanson, Thompson

Nays: None

Absent: Meeks

Mr. Pratley reported that the Personnel/Operations Committee considered policy updates to reflect amendments to the Virginia Human Rights Act and to standardize the workweek to match the District's timekeeping software. The Committee recommended adoption of the policy changes.

Ms. Moyer explained that the Virginia Human Rights Act was amended to expand nondiscrimination provisions, including a specific requirement for accommodations for pregnancy, childbirth, and lactation. The workweek will run Monday through Sunday, rather than Saturday through Friday.

Mr. Murray asked about the workweek change. Ms. Coates explained that it matches the timesheet program and gives staff the opportunity to flex time earlier in the workweek if they have to work an event on the weekend.

Mr. Pratley noted that the policy amendments could have been approved by delegated authority to meet the VHRA deadline had they not met today.

**MOTION:** Mr. Thompson moved to approve the recommendation from the Personnel/Operations Committee for the personnel policy manual updates. Mr. Murray seconded the motion. The motion passed 9-0 by the following roll call vote:

Ayes: Campbell, Easter, Jones, Lucas, Murdoch, Murray, Pratley, Swanson, Thompson

Nays: None

Absent: Meeks

### **Climate Committee Report:**

Mr. Thompson reported that VASWCD moved the Virginia Healthy Soils Program to the policy book rather than including it on the legislative agenda, but the topic has been revived. Mr. Bartz summarized efforts with other Districts and VASWCD to move the proposal forward. Mr. Thompson stated that topic will be reintroduced at the Area II meeting in hopes that it can be introduced from the floor for a vote at the VASWCD annual meeting. Ms. Coates related that the Climate Committee will meet November 4 in order to provide information to Jim Gehlsen for the Area II meeting on November 10. Mr. Bartz noted that they are reaching out to local representatives to potentially support legislation. Mr. Tingley said they spoke with Sally Hudson and Creigh Deeds last year, and both were supportive.

Mr. Pratley noted the need to reach out to Directors who will be attending the business meeting. Mr. Thompson said that Mr. Meeks supported the item at the VASWCD Board meeting and was the only vote for it there, and they had a similar challenge last year when they brought up enforcement of erosion regulations on pipeline activities from the floor after the VASWCD Board initially chose not to support it. Mr. Thompson agreed that they need to get information out to all members, noting that the Farm Bureau supports this, adjoining states have adopted similar legislation, there is no request for financial support for this activity, and SWCDs are the premier leading entity when it comes to supporting good soil management and supporting producers who are utilizing the soil to make a living. Mr. Tingley suggested compiling a list of supportive partners and a one-pager about the proposal. Mr. Thompson agreed, remarking on several benefits of the healthy soils program. Mr. Murray asked that they add the importance of co-benefits with BMPs as a talking point.

**MOTION:** Mr. Murray moved to accept the Climate Committee report. Ms. Jones seconded the motion. The motion passed 9-0 by the following roll call vote:

Ayes: Campbell, Easter, Jones, Lucas, Murdoch, Murray, Pratley, Swanson, Thompson

Nays: None

Absent: Meeks

### **Dam Committee Report:**

Mr. Lucas reported that two bids were received in response to the RFP for installing the monitors. He would like to schedule a meeting to discuss the bids before awarding the contract.

Mr. Lucas noted the recent email regarding the Beaver Creek Dam reconstruction project, which will cause road closures while they fill in the existing emergency spillway and install the new spillway. He noted that TJSWCD is listed as a project sponsor because the District was one of the original sponsors when the dam was constructed in the 1960s. He asked that any questions be referred to him or Ms. Coates.

Mr. Pratley asked if there is any rush to accept the monitor installation bids before the November meeting due to weather or seasons. Mr. Lucas replied that it would be nice to have them installed but no rush; he would like to involve the Committee and Board rather than do delegated authority. Mr. Talley commented that the two contractors indicated the earlier, the better to avoid cold water temperatures, because there is some in-water work. Ms. Coates noted that the next Board meeting is November 18. Mr. Talley said the Dam Committee will meet November 4 or November 5.

**MOTION:** Mr. Lucas moved to accept the Dam Committee report. Mr. Thompson seconded the motion. The motion passed 9-0 by the following roll call vote:

Ayes: Campbell, Easter, Jones, Lucas, Murdoch, Murray, Pratley, Swanson, Thompson

Nays: None

Absent: Meeks

### **CONSENT AGENDA**

1. **Committee Minutes:** Water Resources Committee (10-6-20); Budget/Finance Committee (9-30-20); Budget/Finance Committee and Personnel/Operations Committee (9-30-20); Personnel/Operations Committee (10-26-20)
2. **Consent Items:** Agreement with Albemarle County for MS4 Program Support

**MOTION:** Mr. Thompson moved to approve the Consent Agenda. Ms. Jones seconded the motion. The motion passed 9-0 by the following roll call vote:

Ayes: Campbell, Easter, Jones, Lucas, Murdoch, Murray, Pratley, Swanson, Thompson

Nays: None

Absent: Meeks

### **RATIFICATION AGENDA:**

1. **Ratification List:** Water Resources Committee; Agriculture Committee (see attached list)

## Ratification Agenda - October 28, 2020

Item	Delegated Authority		Last Name / Business	Contract #	Instance	Practice Code	Estimated Cost Share	Potential Tax Credit	Final Tax Credit	Conservation Plan Approval	Approval Date
<b>Water Resources Committee</b>											
1	Murray	Approval	Cruikshank	02-20-027	n/a	CL-1	\$ 1,425.00	n/a	n/a	Yes	9/28/2020
2	Murray	Approval	Carlton	02-20-028	n/a	CL-3	\$ 2,842.50	n/a	n/a	Yes	9/28/2020
3	Murray	Approval	Jenkins	02-20-029	n/a	CL-3	\$ 757.50	n/a	n/a	Yes	9/28/2020
4	Murray	Approval	Powers	02-20-026	n/a	PP	\$ 10,000.00	n/a	n/a	Yes	10/21/2020
5	Murray	Approval	Capelhart	02-20-030	n/a	CL-3	\$ 3,500.00	n/a	n/a	Yes	10/21/2020
6	Murray	Approval	Roberman	02-20-031	n/a	RG	\$ 1,927.50	n/a	n/a	Yes	10/21/2020
7	Murray	Approval	Towler	02-20-031	n/a	CL-3	\$ 3,500.00	n/a	n/a	Yes	10/21/2020
8	Murray	Approval	Towler	02-20-031	n/a	RG	\$ 3,500.00	n/a	n/a	Yes	10/21/2020
<b>Agriculture Committee</b>											
9	Thompson	Approval	Old Mtn Farm	02-09-0039	70442	SL-6	\$25,438.46	-	\$ 3,864.29	n/a	10/6/2020
10	Thompson	Approval	McConnell	EQ-19-0016	n/a	gutters	\$ 375.00	n/a	n/a	n/a	10/6/2020
11	Thompson	Approval	Goode	02-21-0008	407943	FR-1	\$ 495.00	n/a	n/a	n/a	10/6/2020
12	Thompson	Approval	Clark	02-20-0198	389661	SL-1	\$ 3,378.10	n/a	n/a	n/a	10/8/2020
13	Thompson	Approval	Jones	02-20-0098	380129	SL-6W	\$ 2,806.32	n/a	n/a	n/a	10/8/2020
14	Thompson	Approval	Morris	02-21-0053	420359	WP-2W	\$ 5,209.76	\$ 175.61	n/a	Yes	10/22/2020
15	Thompson	Approval	Morris	02-21-0054	420363	SL-10	\$ 7,440.00	n/a	n/a	Yes	10/22/2020
16	Thompson	Approval	Bailey	02-20-0189	388536	WP-2N	-	-	\$ 525.92	n/a	10/22/2020
17	Thompson	Approval	UVA Polo	EQ-19-0011	n/a	gutters	\$ 9,098.74	n/a	n/a	n/a	10/22/2020

Mr. Pratley explained that the above-listed projects were approved by the Water Resources Committee and Agriculture Committee chairs under delegated authority.

**MOTION:** Mr. Lucas moved to adopt the Ratification Agenda. Mr. Campbell seconded the motion. The motion passed 9-0 by the following roll call vote, with one abstention:

Ayes: Campbell, Easter, Jones, Lucas, Murdoch, Murray, Pratley, Swanson, Thompson

Nays: None

Absent: Meeks

### COOPERATING AGENCIES REPORTS:

**DCR:** Ms. Cross summarized information from her monthly written report and shared other items of interest. Quarterly reports are in process and just waiting to get signed. Extension Director appointment information has been submitted. DCR is allowing SWCDs to extend their current strategic plan up to a year due to COVID, with Board action. The Area II meeting is November 10 at 9:00 a.m. and requires pre-registration. The Area II meeting agenda includes election of officers and the soils initiative. The VASWCD training blitz is ongoing. Ms. Cross called particular attention to the FOIA training webinar on December 15, which satisfies the requirement for elected officials. Staff is working on BMP verifications for structural practices coming out of lifespan December 31, 2020. Stuart Blankenship has been hired as the new Nonpoint Source Data Manager. The Tappahannock CDC position should be filled in November. The General Assembly session has adjourned for now, and the budget conference report restores unallocated funding for dams and WQIF. VASWCD will have a virtual meet-and-greet for Directors on November 11. The VASWCD business meeting will be virtual on December 7.

Mr. Pratley shared information about another FOIA training to be offered by VACo in November.

**NRCS:** Mr. Kirkland provided an update on federal programs. FSA is accepting applications for the Coronavirus Food Assistance Program, version 2. The program includes lots of agricultural products and animal types, providing direct financial assistance to producers to offset market disruptions, marketing costs, and other costs related to effects of the COVID pandemic. The signup deadline is December 11. NRCS is still waiting to hear about new program offerings and allocations for the new fiscal year. In the meantime, they are wrapping up performance reviews and training for next year. They are also in the process of completing 2020 Conservation Stewardship Program payments, working with EQIP contract holders with expiring contracts, and completing ecological science spot checks. Offices are still operating under the same status, with staffing limitations and no inside visitors, but they are seeing continued program interest and making site visits.

Mr. Pratley noted that NRCS and DCR reports from the VASWCD Board meeting are included in the Board packet for additional information.

**VCE:** Ms. Swanson related that VCE recently held a well water quality clinic, with drive-through pickup and a follow-up virtual presentation in a couple of weeks. Interest exceeded lab capacity, so they have a waiting list and plan to hold another clinic in the spring.

Ms. Coates asked if Nelson County is holding a clinic, as it would be a good outreach opportunity for the septic program. Ms. Swanson replied that people from surrounding counties sign up for the Albemarle clinic, and Nelson also has its own dates. Ms. Swanson offered to check the Nelson interpretation meeting date and get contact information to Ms. Coates.

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

**FSA:** Mr. Pratley noted that FSA updates were provided by Mr. Kirkland.

**TJWRPF:** Ms. Coates shared that she just received an easement inquiry and forwarded it to Mr. Thompson for follow-up.

**VASWCD/NACD:** No updates.

Ms. Jones left the meeting at 12:12 p.m.

#### **STAFF REPORTS:**

Ms. Coates called attention to the staff newsletter. She noted that Mr. Gyurisin is working on a social media campaign for RSEP.

Mr. Thompson complimented the staff newsletter. Ms. Coates noted that Ms. Hyatt puts the newsletter together. Ms. Coates encouraged Directors to submit items to highlight in the newsletter.

**DIRECTOR REPORTS:** None.

#### **ADJOURNMENT:**

**MOTION:** Mr. Lucas moved to adjourn the meeting. Mr. Thompson seconded the motion. The motion passed 8-0 by the following roll call vote:

Ayes: Campbell, Easter, Lucas, Murdoch, Murray, Pratley, Swanson, Thompson  
Nays: None  
Absent: Jones, Meeks

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

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

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